



## City of San Pablo Planning Commission MINUTES

**Tuesday, October 27, 2020 at 6:00 pm**  
**13831 San Pablo Avenue, San Pablo, CA 94806**

### Roll Call

Chair Feliciano called the teleconferenced/video-conferenced meeting to order at 6:00 p.m. Roll call showed present: Commissioner Shi, Commissioner Harlan-Ogbeide, Commissioner Morris, Vice Chair Gantt and Chair Feliciano. Staff present at the meeting included: Lynn Tracy Nerland, City Attorney; Charles Ching, Community & Economic Development Director; Libby Tyler, Planning Manager; Sandra Marquez, Associate Planner and Michelle Chavez, Administrative Secretary. Commissioner Morris noted he will be leaving the meeting at 7:00 p.m. Planning Manager Tyler announced that the meeting was being held via video/teleconference in accordance with the Brown Act as currently in effect under the State Emergency Services Act, the Governor's Emergency Declaration related to COVID-19 and the Governor's Executive Orders N-25-20 and N-29-20 that allow members of the Planning Commission, City staff and the public to participate and conduct a meeting by teleconference, videoconference or both. Ms. Tyler further announced the ways in which members of the public could watch or listen to the meeting during livestream on the City website, which were also highlighted in the Planning Commission's agenda. Instructions were also announced on how the public could provide public comments via email which would be read before consideration of the item.

### Approval of the Minutes

Commissioner Morris made a motion to approve the minutes from the August 25, 2020 meeting. The motion was seconded by Vice Chair Gantt and passed as follows:

AYES: Shi, Morris, Harlan-Ogbeide, Gantt, Feliciano  
NOES: None  
ABSENT: None  
ABSTAIN: None

### Appeal Date

Planning Manager Tyler announced that the appeal date for actions taken by the Commission at this meeting would be no later than 6:00 p.m. on **Tuesday, November 9, 2020**.

### General Business

**2021 Calendar** Commissioner Morris made a motion to approve the 2021 Planning meeting dates. The motion was seconded by Vice Chair Gantt and passed as follows:

AYES: Shi, Morris, Harlan-Ogbeide, Gantt, Feliciano  
NOES: None  
ABSENT: None  
ABSTAIN: None

## General Plan Conformity

### PLAN2001-0004

Location: 1820 Rumrill Boulevard  
APN: 411-041-009  
Zoning: CMU- Commercial Mixed Use  
CEQA: Exempt from CEQA, per Section 15061(b)(3)  
Owner: City of San Pablo  
Applicant: City of San Pablo

Associate Planner Marquez, presented the staff report. This is a City-initiated request involving a 21,750 sq. ft. parcel located at 1820 Rumrill Boulevard that is currently owned by the City as the Housing Successor Agency. Staff is requesting that the Planning Commission make a General Plan Conformity Finding to allow for the disposition and sale of this parcel identified as APN 411-041-009. Commissioner Morris made a motion to adopt the resolution. The motion was seconded by Vice Chair Gantt and passed as follows:

AYES: Shi, Morris, Harlan-Ogbeide, Gantt, Feliciano  
NOES: None  
ABSENT: None  
ABSTAIN: None

## Public Hearings

### PLAN2010-0001

Location: 2031 Rumrill Boulevard, Units 7 and 8  
APN: 411-020-036  
Zoning: NC – Neighborhood Commercial  
CEQA: Exempt under Section 15301, Class 1(a), Existing Facilities  
Owner: Rumrill Properties, LLC  
Applicant: Ankit Vakharia, Aakash IM Inc.

Planning Manager Tyler presented the request for approval of a Conditional Use Permit, to allow for the operation of an electronics restoration business in the Neighborhood Commercial (NC) district. The restoration service would be added to an existing business, professional, and janitorial services business known as Aakash IM Inc. Public hearing opened at 6:27 p.m. James McCarty inquired if the cleaning service created toxic waste. Mr. McCarty also inquired as to where he can purchase a West County Times newspaper, in which the City published the public hearing notice. Staff will confirm if the West County Times still exists as its own publication or if it is solely under the umbrella of the East Bay Times. Applicant Ankit Vakharia informed Commissioners that hazardous waste would not be created by his business, because the appliances are cleaned with water. However, concerns were raised about the disposal of the wastewater used in the cleaning process. City Attorney Nerland indicated that that a possible condition of approval could be added that the applicant show proof of obtaining any regulatory approvals from the Contra Costa Environmental Health Department and the West County Wastewater District (WCWD) if the Commission desired. The public hearing closed at 6:45 p.m. and Commission discussion ensued. Commissioner Harlan-Ogbeide, Chair Feliciano and Vice Chair Gantt agreed to add a condition of approval to the resolution that prior to opening business, the applicant would show proof of WCWD and County Environmental Health approval.

Commissioner Morris made a motion and Vice Chair Gantt seconded to adopt the resolution along with a condition of approval that prior to commencing operations, applicant shall obtain permits from the West County Wastewater District and County Environmental Health Department or provide written confirmation from such agencies that permits are not required. Commissioner Shi made a substitute motion not to approve the resolution at this time

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until further research is performed. Without a second to Commissioner Shi's motion, voting was conducted on the first motion:

AYES: Morris, Harlan-Ogbeide, Gantt, Feliciano  
NOES: Shi  
ABSENT: None  
ABSTAIN: None

**PLAN2009-0010**

Location: 3340 San Pablo Dam Road, Suite D2  
APN: 420-120-014  
Zoning: CR- Regional Commercial  
CEQA: Exempt from CEQA, per Section 15301, Class 1, Existing Facilities  
Owner: City of San Pablo  
Applicant: Balbir Sambhi

Associate Planner Marquez presented a request for approval of a Conditional Use Permit and determination of public convenience or necessity for on-site beer and wine sales at an existing restaurant at 3340 San Pablo Dam Road. Applicant Manvir Sambhi informed Commissioners he would like to add wine and beer to his menu due to customer requests. The public hearing was opened and closed at 7:08 p.m. as there were no public comments. Vice Chair Gantt made a motion to adopt the resolution. The motion was seconded by Commissioner Shi and passed as follows:

AYES: Shi, Harlan-Ogbeide, Gantt, Feliciano  
NOES: None  
ABSENT: Morris  
ABSTAIN: None

**PLAN2001-0009**

Location: 1433 Market Avenue  
APN: 411-042-005  
Zoning: CMU - Commercial Mixed Use  
CEQA: Exempt under Section 15301, Class 1(a), Existing Facilities  
Owner: Manuel Acevedo  
Applicant: Francisco Bautista  
Staff Contact: Laura Santillan, Planning Aide

Consideration of a conditional use permit to allow an automotive minor repair use in the commercial mixed use district to be located in an existing commercial building at 1433 Market Avenue, San Pablo. Planning Manager Tyler informed the Commission of the request to continue this item #PC20-023 to November 24, 2020 due to an incomplete application packet. A public hearing was opened at 7:15 p.m. and there were no comments. The public hearing will stay open through the November 24, 2020 Planning Commission meeting. Vice Chair Gantt made a motion to continue #PC20-023 to November 24, 2020. The motion was seconded by Commissioner Harlan-Ogbeide and passed as follows:

AYES: Shi, Harlan-Ogbeide, Gantt, Feliciano  
NOES: None  
ABSENT: Morris  
ABSTAIN: None

**PLAN2010-0002**

Location: Citywide  
APN: Citywide  
Zoning: Citywide  
CEQA: Statutorily exempt from the provisions of CEQA, in accordance with CEQA Guidelines Section 15282(h) as well as 15061(b)(3) General Rule, with no potential for causing a significant effect on the environment.  
Owner: Not Applicable  
Applicant: City of San Pablo

Planning Manager Tyler presented PLAN2010-0002, amendments to the San Pablo Zoning Ordinance chapters, 17.34, 17.42, 17.54, 17.60, 17.68, 17.70, and Appendix A, regarding accessory dwelling units, junior accessory dwelling units and accessory structures. The public hearing was opened at 7:41 p.m.

Manuel Acevedo inquired about PLAN2001-0009 (the prior item), as to the reason the item was continued to November 24, 2020. Planning Manager Tyler responded that the application packet was incomplete and the items was moved to the November 24<sup>th</sup>. Public hearing closed at 7:45 p.m. with no comments on this item. Following discussion about removing the limit on the number of accessory buildings and whether an administrative use permit should be allowed to increase the height of an accessory dwelling unit above 16 feet, Chair Feliciano made a motion to adopt the resolution recommending approval of the amendments to the City Council without the provisions allowing for an increase in height above 16 feet. Commissioner Gantt stated that she thought the height should be allowed to be increased through a conditional use permit. The motion by Chair Feliciano was seconded by Commissioner Harlan-Ogbeide and passed as follows:

AYES: Shi, Harlan-Ogbeide, Feliciano  
NOES: Gantt  
ABSENT: Morris  
ABSTAIN: None

**Staff Updates**

Director Ching informed the Commissioners as of Monday November 2, 2020 all City Staff will be working at the New City Hall.

**Commissioner Updates**

Commissioner Shi mentioned that she wasn't alerted at the time of a tanker truck fire this past weekend. City Attorney Nerland will inquire and inform Commissioners on how to receive future public alerts.

**Adjournment**

There being no further business, Chair Feliciano adjourned the meeting at 8:06 p.m. to November 24, 2020.

  
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Charles Ching, Secretary

  
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Roberta Feliciano, Chair