



## City of San Pablo Planning Commission Minutes

Tuesday, August 24, 2021 at 6:00 pm

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### Roll Call

Chairman Morris called the teleconferenced/video-conferenced meeting to order at 6:00 p.m. Roll call showed present: Commissioner Gurdian, Commissioner Shi and Chairman Morris. Commissioner Feliciano and Vice Chair Harlan-Ogbeide were absent. Staff present at the meeting included: Lynn Tracy Nerland, City Attorney; Libby Tyler, Community Development Director; Sandra Marquez, Associate Planner and Michelle Chavez, Administrative Secretary. Community Development Director 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 in 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.

### Public Comments

There were no public comments on items not listed on the agenda.

### Appeal Date

Community Development Director 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 September 7, 2021.

### Approval of the Minutes

Commissioner Shi made a motion to approve the minutes from May 25, 2021 meeting. The motion was seconded by Commissioner Gurdian and passed as follows:

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

### Public Hearings

File ID#PC21-23: PLAN2107-0006

Location: 2523 El Portal Drive, Suites 202 & 206  
APN: 416-140-048  
Zoning: Neighborhood Commercial  
CEQA: Exempt under Section 15301, Class 1(a), Existing Facilities

Owner: Marshall & Co. Property Management Inc  
Applicant: Universal Mercy Inc, Hamza Mehter, Owner  
Staff Contact: Sandra Marquez, Associate Planner

Associate Planner Marquez gave a PowerPoint presentation. The applicant requests approval of a Conditional Use Permit to allow a Private School in the form of a homeschool co-operative or tutoring center in the Neighborhood Commercial (NC) district. The Zoning Administrator has determined that the proposed homeschool co-op tutoring business is similar to the "School, Private" use classification. The public hearing was opened at 6:22 p.m. The applicant, Hamza Mehter, stated that he has read and accepts the conditions of approval. The Planning Commission asked clarifying questions in regards to who runs the center, how the school is funded and percentage of students who are San Pablo residents. The applicant indicated that about 20% of the students are from San Pablo. There being no further public comments, the public hearing was closed at 6:26 p.m. Commissioner Shi made a motion for adoption of resolution PC21-07. The motion was seconded by Commissioner Gurdian and passed as follows:

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

**File ID#PC21-24: PLAN2012-0011**

Location: 2812 Chattleton Lane  
APN: 417-310-004  
Zoning: SP-2, Mixed Use Center South  
CEQA: Addenda to existing EIRs for the City of San Pablo 2030 General Plan, San Pablo Avenue Specific Plan, and Regulating Plan for "The Avenue" Mitigated Negative Declaration, prepared showing no significant effect on the environment due to the project  
Owner: City of San Pablo  
Applicant: Bay Valley Development  
Agent for Applicant: Karl Dumas, Dumas Real Estate  
Staff Contact: Elizabeth "Libby" Tyler, Ph.D., FAICP, Community Development Director

Community Development Director Tyler presented the project to the Commission: a request for approval of Major Design Review, Conditional Use Permit and Variance for creek setback reductions, Major Exceptions from the Mixed Use Center South Regulating Plan, and Vesting Tentative Map, to allow for the construction of a 20-lot town-house-style single-family development on an existing 42,008 square-foot vacant parcel in the SP-2 Residential Mixed Use Center South district. The public hearing was opened at 7:05 p.m.

An email was received from San Pablo resident James McCarty and was read into the record. Mr. McCarty's email: 1) suggested that the reference to nearby uses and amenities include the historic Alvarado Adobe; and 2) concerns about the geological and environmental requirements for the creek and allowing a variance from the creek setback requirements. Staff responded.

Karl Dumas, applicant's agent attended the meeting to answer questions. The Planning Commission asked questions regarding availability of guest parking and estimated date construction is to begin. There were no additional public comments and the public hearing was closed at 7:17 p.m. Commissioner Shi made a motion for adoption of resolution PC21-08 for Major Design Review, Conditional Use Permit, Variance, Major Exceptions, and

Vesting Tentative Map along with, and contingent upon the Conditions of Approval and recommends approval to City Council. The motion was seconded by Commissioner Gurdian and passed as follows:

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

**Staff Updates**

Community Development Director Tyler informed the Commission that the City’s Consultant, Dyett & Bhatia has begun work on the General Plan. The City has received a development application for Block C at 13717 San Pablo Avenue.

**Commissioner Updates**

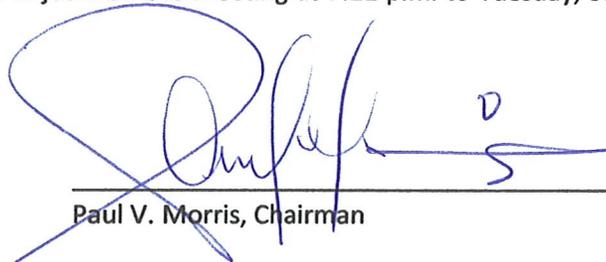
Chairman Morris requested an update on the property located at 2364 Road 20. Ms. Tyler informed the Commission that the owner hired an attorney to help with the tenant eviction and is working with the San Pablo Police Department to dispose of vehicles that were left behind. There is one resident who lives on the property who is not in violation of their lease.

**Adjournment**

There being no further business, Chairman Morris adjourned the meeting at 7:21 p.m. to Tuesday, September 28, 2021.



Elizabeth Tyler, Secretary



Paul V. Morris, Chairman