

Next Resolution No. 03-03

**CITY OF SAN PABLO
PLANNING COMMISSION MINUTES
May 6, 2003
CITY COUNCIL CHAMBERS
ONE ALVARADO SQUARE
SAN PABLO, CA**

1. ROLL CALL

Chairman Maltagliati called the meeting to order at 7:05PM. Call of the roll showed present Erwin, Trundle, and Brown. Commissioner Sutton was excused. Staff present were Albert Lopez, Planning Manager, Al Straessle, Assistant Planner, and Tina Gallegos, City Planning Intern.

2. APPROVAL OF MINUTES

The Planning Commissioners approved the minutes for April 1, 2003.

3. PUBLIC HEARINGS

a. Use Permit #DU03-12

Variance, Design Review, and Use Permit #DUV03-14, an application by Michael Gordon to construct a secondary unit on top of an existing garage and, exceeding the established height limit of 12' for an accessory structure in an R-1 Single Family Residential Zone. The property is referred to as 1970 Van Ness St., San Pablo, CA (APN 411-160-022).

Staff recommended that the Planning Commission continue the Planning hearing to the May 20th Planning Commission meeting.

b. Variance #DO03-15

Variance and Design Review, #DV03-15, an application by Marcel Castanchoa to encroach on the front yard setback. The established zoning requires a setback of 20 feet from the front property line in an R-1 Single Family Residential Zone. The property is referred to as 1253 Marin Ave., San Pablo, CA (APN 418-043-005).

Ms. Gallegos gave a brief summary of the staff report. Staff recommended approval of the application subject to the following conditions of approval.

1. The variance shall become null and void within one year of the Planning Commission's effective date of approval unless a building permit has been issued and

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normal construction progress has been made.

2. Administrative Design Review is included in this approval, and the project shall be constructed in substantial conformance with the submitted drawings. Any changes shall be approved by the Planning Department prior to construction.
3. Obtain all necessary Building and Public Works permits.

Marcel Castanchoa (applicant) appeared and stated that he agreed and understood the conditions of approval.

Commissioner Erwin made a motion to approve the application for Variance #DV03-15.

Following a second from Commissioner Brown, the Commissioners voted accordingly:

AYES: Erwin, Brown, Trundle and Chairman Maltagliati.
NOES: None.
ABSENT: None.
ABSTAIN: None.

Chairman Maltagliati informed Mr. Castanchoa that the application for Variance #DV0315 had been granted subject to the conditions of approval and pending the five business day appeal period.

c. Variance# DV03-16

Major Design Review and, Variance, #DV03-16, an application by Mohammed Mosleh for a Major Design Review and, Variance from the requirements for a residential garage and number of retail parking spaces in the C-1 (Light Commercial Zoning) District. The property is referred to as 13742 San Pablo Ave., San Pablo, CA (APN 417-120-019).

Mr. Al Straessle gave a brief summary of the staff report. Staff recommended approval of the Design Review and Variance to the Redevelopment Agency subject to the following conditions on the Variance and Design Review.

Variance

1. The variance shall become null and void within one year of the Planning Commission's effective date of approval unless a building permit has been issued and normal construction progress has been made.
2. The revised parking scheme shall be laid out and stripped with, non toxic, white traffic paint prior to final inspection and occupancy of the cleaners building and residential dwelling units. Stripes shall be 4 inches wide.

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3. The obsolete Church Lane Cleaners signs shall be removed within three weeks of the Planning Commission's approval of the variance.
4. Obtain all necessary Building and Public Works permits.

Design Review

1. Prior to the issuance of permits for the remodel of the cleaners building the old garage shall be removed and the carport building permit shall be issued. In addition, plans shall be approved and permits issued for the apartment structure so the electrical conduit can be removed from the exterior wall or enclosed by an architectural feature that shall hide the conduit.
2. An over all sign program and implementation schedule shall be developed for the commercial complex prior to the issuance of any new sign permits for the site. All commercial signs existing on the property shall be professionally installed and of an appropriate size as per the zoning ordinance.
3. A covered trash enclosure shall be provided that complies with the City of San Pablo standard detail for trash enclosures and be constructed and finished to match the design and color scheme. The location of the trash enclosure shall be approved by the Planning Division, prior to issuance of building permits.
4. The owners of the property shall install all landscaping prior to occupancy of the remodeled cleaners building. In addition, the applicant shall submit to the city a schedule for continued maintenance including: fertilization, watering, weeding, and the replanting of damaged, dead, diseased, and dying plants. Plants shall be maintained in a healthy state at all times.
5. The south property line and trellis parking structure shall be landscaped.
6. The corner used furniture sales building shall be painted in the same color scheme as approved by the Planning Commission.

Mr. Anthony Pham (Agent for property owner) appeared and stated that he agreed and understood the conditions of approval as well as planting along south property line and for trellis. Also stated that the pink building on the corner would be painted to match the others.

Commissioner Trundle made a motion to approve the application for Variance #DV03-15 and recommended approval of Design Review to the Redevelopment Agency.

Following a second from Commissioner Brown, the Commissioners voted accordingly:

AYES: Erwin, Brown, Trundle and Chairman Maltagliati.
NOES: None.
ABSENT: None.
ABSTAIN: None.

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Chairman Maltagliati informed Mr. Anthony Pham (Agent for property owner) that the application for Design Review and Variance #DV03-16 had been granted subject to the conditions of approval and pending the five business day appeal period.

d. General Plan Amendment #AMD03-19

Resolution of the Planning Commission of the City of San Pablo to forward a recommendation to the City Council of the City of San Pablo, approving AMD03-19, General Plan Amendment to adjust the City boundary on the City General Plan Land Use Map and Zoning Map in accordance with a recent annexation, LAFCO Resolution No. 02-40.

Ms. Gallegos gave a brief summary of the staff report. Staff recommended adoption of Resolution #AMD 03-19.

Commissioner Brown made a motion to approve Resolution AMD03-19 and forward recommendation to the City Council to approve this resolution.

Following a second from Commissioner Trundle, the Commissioners voted accordingly:

AYES: Erwin, Brown, Trundle and Chairman Maltagliati.
NOES: None.
ABSENT: None.
ABSTAIN: None.

e. Zoning Ordinance Text amendment #AMD03-18

Resolution of the Planning Commission of the City of San Pablo to forward a recommendation to the City Council of the city of San Pablo, Approving AMD03-18, Zoning Ordinance text Amendment to bring the City of San Pablo Ordinance into compliance with State of California legislation pertaining to secondary living units.

Mr. Lopez gave a brief summary of the staff report. Staff recommended adoption of Resolution #AMD 03-18.

Commissioner Trundle made a motion to approve Resolution AMD03-18 and forward recommendation to the City Council to approve this resolution.

Following a second from Commissioner Brown, the Commissioners voted accordingly:

AYES: Erwin, Brown, Trundle and Chairman Maltagliati.
NOES: None
ABSENT: None

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ABSTAIN: None.

4. NEW BUSINESS/DESIGN REVIEW

None

5. OLD BUSINESS

None

6. COMMUNICATIONS

Al Straessle spoke to Adele Ho, Public Works Manager on the following items and she gave him the following information:

1. There was a meeting called by the new Caltrans Maintenance head in mid March to discuss replacing the traffic attenuators (the blocks of foam) near the guard rails with a permanent solution. Future design meetings are to be scheduled.
2. San Pablo Avenue between 23rd Street and Church Lane will be rebuilt with new trees, sidewalks, and gutters along with new pavement in fiscal year 2004 & 2005 with Federal funds.

7. PUBLIC COMMENT

None

8. ADJOURNMENT

There being no further business, the meeting was adjourned at 7:47p.m.

Albert Lopez, Secretary