

RESOLUTION PC25-14

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN PABLO APPROVING A MAJOR DESIGN REVIEW FOR A 12-UNIT APARTMENT PROJECT. THE APARTMENTS WOULD BE SIDE-BY-SIDE TOWNHOUSE STYLE WITH TWO ATTACHED APARTMENT UNITS PER BUILDING AND SIX SEPARATE STRUCTURES TOTAL, TO BE LOCATED AT 2424 CHURCH LANE, SAN PABLO, APN: 417-090-024.

WHEREAS, the project site at 2424 Church Lane consists of a vacant parcel with a General Plan land use designation of Medium Density Residential; and

WHEREAS, the project site is currently owned by Creekside Village, LLC and is proposed to be developed with a multifamily residential project containing six separate buildings with two attached units per building; and

WHEREAS, an application has been submitted by Mark Lee of Lee Jagoe Architecture, Inc., on behalf of the owner Creekside Village LLC, on July 15, 2025, and resubmitted on November 25, 2025, in PLAN case 2501-0003 for approval of a Major Design Review and Parking Waiver; and

WHEREAS, the City is in the process of amending certain residential parking requirements in the Zoning Ordinance which will be considered for adoption by the City Council on December 15, 2025, and if adopted would become effective January 14, 2026. The applicant is proposing to avail itself of these new requirements and approval of the project is thus contingent upon the amended Zoning Ordinance becoming effective. The proposed development is seeking a parking waiver as part of this application and proposes to comply with the remaining amended parking requirements in Section 17.54.020 of the Zoning Ordinance; and

WHEREAS, in granting approval, the Planning Commission shall determine that the project under consideration adequately meets the requirements of the applicable design guidelines; and

WHEREAS, the City staff analysis shows the project to be categorically exempt from the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15332, In-Fill Development Projects, as it involves development on a site that is five acres or less, is surrounded by urban uses, has no value as habitat for endangered, rare, or threatened species, is adequately served by all required utilities and public services, and would not result in any significant effects on traffic, noise, air quality or water quality, and would be consistent with general plan and zoning regulations; and,

WHEREAS, a public hearing notice hand publicvided by mail to the applicant, local affected agencies and to all property owners within 300 feet of the subject property, this notice has been published in the West County Times newspaper (West Contra Costa edition of the East Bay Times) in accordance with the requirements

of Government Code Section 65091, and public hearings were held on October 28, 2025 and December 9 2025, at which public testimony was considered.

NOW, THEREFORE, BE IT RESOLVED that the foregoing recitals are true and correct and are incorporated herein as findings.

BE IT FURTHER RESOLVED that the Planning Commission of the City of San Pablo has reviewed the proposed project and hereby determines that the project is exempt from review pursuant to the California Environmental Quality Act ("CEQA") in accordance with CEQA Guidelines section 15332 and further hereby grants approval of the permit for Major Design Review and Parking Waiver, for PLAN2501-003, based on the above recitals which are true and correct and incorporated herein, and all information contained in the staff report and administrative record for this project, based on the following findings:

California Environmental Quality Act exemption

- A. The proposed project would be categorically exempt from the provisions of the California Environmental Quality Act (CEQA), in accordance with CEQA Guidelines pursuant to Section 15332, In-Fill Development Projects, as it involves development on a site that is five acres or less, is surrounded by urban uses, has no value as habitat for endangered, rare, or threatened species, is adequately served by all required utilities and public services, would not result in any significant effects on traffic, noise, air quality, or water quality, and would be consistent with general plan and zoning regulations.

Pursuant to CEQA Guidelines Section 15332, the City finds as follows: (a) the project is consistent with the applicable general plan and zoning designations, policies, and regulations; (b) the project occurs within City limits on a site that is less than five acres which is substantially surrounded by urban uses; (c) the project is located on a site that has no value as habitat for endangered, rare, or threatened species; (d) approval of the project would not result in any significant effect relating to traffic, noise, air quality, or water quality; and (e) the site can be adequately served by all required utilities and public services.

General Plan Conformance

- B. The proposed project is responsive to General Plan policies calling for planned land uses that are compatible with existing uses, create safe, walkable and attractive urban environments, encourage new residential development in a manner which fosters day and nighttime activity and visual presence on the street level, protects and enhances the quality of life in the City's residential neighborhoods, and promotes a variety of housing types and prices within neighborhoods that offer a range of amenities, including public and private open

space, landscaping, and direct access to commercial services, public transit, and community gathering areas.

The proposed project would be responsive to these policies by developing 12 new apartment units on a site that will be well-integrated into its surroundings, and in close proximity to amenities, such as the San Pablo Library, College Center Shopping Plaza, Community Center, Helms Middle School, and commercial uses along San Pablo Avenue and San Pablo Dam Road. As noted above, the project would also offer on-site amenities for its residents, including a small playground and open space area.

- C. The proposed project would also be responsive to Housing Element policies calling for the provision of a diversity of housing types to meet the needs of all economic segments and family types in San Pablo.

The design of the project would be compatible with the surrounding neighborhood. In terms of housing, the project would provide additional housing options for rent by developing a medium density residential project. In addition, the project would provide progress in meeting the City's Regional Housing Needs Allocation (RHNA) numbers which are to be implemented by the Housing Element during the sixth cycle of 2023 to 2031. According to the City's most recent RHNA report, the City had developed 179 units of 746 allocated units since 2023 (about 24%). There are 567 units remaining to be produced by 2031. The proposed 12 qualifying units would count towards the progress needed for meeting the housing needs allocation for this 6th RHNA cycle.

Major Design Review

- D. The proposal is consistent with applicable design guidelines

The project would meet the findings necessary for Major Design Review approval. It would be consistent with the relevant design guidelines and with the pertinent provisions of the San Pablo General Plan.

- E. The proposal is consistent with any community design plan or specific plan

The proposed use is in compliance with each of the applicable provisions of the zoning ordinance and general plan at the time the approval will be effective. The site is not located within the boundaries of a specific plan. The Modern Craftsman-style design of the project would be compatible with the surrounding neighborhood.

- F. The proposed project is consistent with the Land Use and Physical Design, Open Space and Conservation, and Housing Elements of the San Pablo General Plan.

The proposed project would be responsive to general plan policies from the Land Use & Physical Design, Open Space & Conservation, and Housing Elements by

developing 12 new apartment units on a site that will be well-integrated into its surroundings. As noted above, the project would also offer on-site amenities for its residents, including a private park. In terms of housing, the project would add new rental housing options and would provide progress in meeting the City's Regional Housing Needs Allocation (RHNA) numbers which are to be implemented by the Housing Element during the sixth cycle of 2023 to 2031.

- G. The location and design of proposed development gives particular consideration to privacy, views, and sunlight on adjoining properties and fosters the orderly and harmonious development and preservation of the public health and welfare of the city and its neighborhoods.

The design is such that it would protect the privacy, views and sunlight of adjoining properties and would foster the orderly and harmonious development and preservation of the public health and welfare of the City and its neighborhoods.

- H. The architectural design of structures and their colors and materials are visually harmonious with surrounding development, landforms, and vegetation.

The site is in an urban area surrounded by other residential and commercial developments and is physically suitable for the type and density of development proposed. The project would fit well within the surrounding neighborhood by offering a needed housing choice in an attractive setting with high-quality design and lifestyle features. The architectural design of the structures and their colors and material would be visually harmonious with the surrounding development patterns and with the natural areas.

BE IT FURTHER RESOLVED that the above Major Design Review and Parking Waiver approvals for PLAN2501-003 are contingent upon adoption of the proposed amended Zoning Ordinance with new parking requirements for multifamily dwelling projects. Approval of this PLAN2501-003 shall not become effective unless and until the parking requirements in Zoning Ordinance Section 17.54.020 are amended as contemplated by this project.

BE IT FURTHER RESOLVED that the Planning Commission of the City of San Pablo hereby grants approval of the Major Design Review, for PLAN2501-0003 along with and contingent upon the following Conditions of Approval:

General Conditions

1. This approval shall only be effective upon adoption of the proposed amended Zoning Ordinance with new parking requirements for multifamily dwelling projects. Approval of this PLAN2501-003 shall not become effective unless and until the parking requirements in Zoning Ordinance Section 17.54.020 are amended as contemplated by this project

2. The proposed use and project construction shall be conducted in substantial compliance with the planning submittal, including the site plans, floor plans, elevations, and landscape plan that were submitted to Planning Staff on November 25, 2025, which are on file with the Community Development Department, under PLAN 2501-0003.
3. Minor amendments to this approval and modifications to the design review may be approved by the Zoning Administrator, if the proposed changes generally comply with the overall intent of the permit and/or are in response to revisions required by other approving agencies.
4. The applicant shall obtain all necessary City of San Pablo Building and Public Works permits as well as any outside agency permits for water, waste, fire and any proposed work and shall submit payment of fees and agency permits and approval from relevant agencies for any proposed work.
5. The design review approval shall expire if building permits have not been issued within one year from the date of final approval. A time extension not exceeding one year beyond the initial one-year period may be granted by the Zoning Administrator.
6. A portion of this parcel is being used as driveway access to the adjacent parcel. The City will require easement documents to be revised (if needed), reviewed, approved and recorded.
7. A bicycle rack for the use of the residents must be installed.
8. The applicant shall obtain any permits and licenses needed for the proposed use.
9. All roof-mounted and other mechanical equipment, if any, shall be screened from view from adjacent public rights-of-way as well as from adjoining properties, subject to the review and approval during the Plan Check review process.
10. The site shall be kept clean of all debris (boxes, junk, garbage, etc.) at all times. All scrap materials shall be stored in a container and shall be removed regularly.
11. All construction improvements shall be designed by the appropriately licensed design professional. The standards imposed by the City for the private improvements shall be considered as minimum requirements and the standards may be increased by the design professional where judgment and prudence dictate.
12. Applicant shall submit joint trench and/or utility undergrounding plans to City's Public Works Engineering Division for review prior to the work. Plans shall be prepared and signed by the appropriate professional.

13. After construction is complete, Applicant shall provide City with bound copies of grading, improvement, joint trench and landscaping plans. Plans must be the final approved versions, with red lines denoting any as-built deviations from the plans. Additionally, CADD files of said plans shall be provided to City.
14. Prior to construction, Applicant shall submit to City's Public Works Engineering Division, product and material cut sheets for key components, including storm drain pipes, manholes, inlets, streetlights and pull boxes, if applicable.
15. All abandoned pipes and other abandoned miscellaneous improvements shall be removed.
16. All equipment such as backflow prevention devices, meters and transformers shall be screened with landscaping or other means, and not visible from the public right of way.
17. In the event of the encounter of subsurface materials suspected to be an archaeological or paleontological nature, all grading or excavation shall cease in the immediate area and the find left untouched. Applicant shall select and provide a qualified professional archaeologist certified by the Register of Professional Archaeologists or paleontologist with a degree in paleontology or geology, to evaluate. The recommendation of the qualified professional shall be implemented before work may proceed. The applicant shall be liable for all costs associated therewith.
18. All applicable ordinances, regulations and requirements of Federal, State and local governments shall be met, including all the requirements of the City of San Pablo Municipal Code. All noise, building permit and grading permit requirements shall be met as applicable.
19. Failure to comply with any of the terms or conditions of this Use Permit is considered to be a violation of the City of San Pablo Municipal Code and is subject to the enforcement provisions prescribed by Chapter 17.10, Enforcement, and any and all other penalties and remedies that may be provided by law.
20. Indemnification: Pursuant to Government Code Section 66474.9, the applicant (including any agent thereof) shall defend, indemnify, and hold harmless the City of San Pablo and its agents, officers, or employees from any claim to attack, set aside, void or annul, the City's approval concerning this planning application, which action is brought within the time period provided for in Section 66499.37. The City will promptly notify the applicant of any such claim, action, or proceeding and cooperate fully in the defense.

Building Division Conditions

21. Plans and permits will be required for building, mechanical, plumbing, and electrical work per California Code of Regulations, Title 24, and applicable City Ordinance in effect at the time of the completed Building Permit application date and required fees shall be paid at the time of application

22. Fees will apply to the current fiscal year of Building permit applications.
23. Must obtain approvals from West Contra costa wastewater district, Fire Department, and Eastbay municipal utility district.
24. Separate permit required for trash enclosure, fence, signs, Arbor.
25. Soils report will be required for foundation design.
26. Provide disinfection of potable water system certificate from approved testing agency at building final inspection.
27. Noise and construction hours shall be observed as required by Chapter 17 of the San Pablo Municipal Code.
28. All contractors shall be licensed by the State of California and shall obtain City of San Pablo business licenses.
29. No work shall be performed until the required permits are obtained.
30. All fees shall be paid before the permit is issued
31. No structure shall be occupied until a Certificate of Occupancy issued by the Building Official has been granted.
32. It is the responsibility of the person doing the work to call for the required inspections.
33. Changes or deviation from the approved set of plans shall be resubmitted for plan check.
34. All work shall remain accessible until inspected and approved by the Building Official.
35. Best management practices shall be observed during construction to avoid pollutants entering the storm drain system.
36. At the time of plan check, the applicant shall incorporate the required California Green Code Mandatory Measures such as E.V. Ready, clean air vehicle parking, bicycle parking, best management practices and storm water pollution prevention, light pollution reduction, energy efficiency, indoor and outdoor water usage efficiency, etc.
37. Cal Green mandatory measures shall be observed during construction, for example:
 - water efficiency and conservation

- construction waste reduction, disposal and recycling
 - All other applicable codes for the efficient construction and operation of the new structure.
38. Deferred submittals shall be clearly identified in the building plans. This includes submittals such as photovoltaic fire sprinklers, fire alarms, trusses, etc.
39. All building permits shall expire by limitation 12 months after the issuance date. One or more extensions may be granted by the building official. Extensions shall be requested in writing prior to the expiration of the building permit.

Fire Protection

40. The project shall comply with all relevant ordinances and requirements set forth by the Contra Costa County Fire Protection District.

Drainage

41. The applicant shall be required to comply with all rules, regulations and procedures of the National Pollutant Discharge Elimination System (NPDES) permit for municipal, construction and industrial activities as promulgated by the California State Water Resources Control Board or any of its Regional Water Quality Control Boards (San Francisco Bay-Regional II). If applicable, the project shall comply with requirements of the NPDES *Municipal Regional Permit* Section C.3, and the Contra Costa Clean Water Program *Stormwater C.3 Guidebook*, current versions.

Lighting

42. A lighting site plan and contour plan shall be submitted for approval of the Zoning Administrator consistent with required standards. All lighting on the property shall be oriented or screened so as to prevent glare and direct light from reaching adjacent properties.

Utilities

43. Water, gas, electrical, telephone, and sanitary sewer utilities shall be constructed to the minimum standards of the respective utility companies. However, the trench details, pipe slope and other details shown the City's Standard Details shall also be met as minimum requirements. All requirements of the applicable utility companies and departments and the fire department shall be met, including fees and administrative requirements.
44. All proposed overhead wires shall be undergrounded.
45. Contractor shall call 811 before construction for the location of any underground services.

Sanitary Sewer

46. A plot plan showing the locations of sewer laterals and connections shall be submitted, reviewed and approved by West County Wastewater District (WCWD), along with a related fee estimate.
47. A will-serve letter from the WCWD shall be submitted prior to submission for a building permit.
48. The project shall comply with the conditions of WCWD.
49. Improvement plans shall require WCWD approval.
50. WCWD approval is required prior to finalizing permit or prior to granting certificate of occupancy.

Water

51. A will-serve letter from EBMUD shall be submitted prior to submission for a building permit.
52. Water conservation measures for both internal and external use must be incorporated into the design and construction of the proposed project. EBMUD encourages the use of equipment, devices, and methodology that furthers water conservation and provides for long-term efficient water use. EBMUD recommends the use of drought resistant plantings, use of inert materials, and minimum use of turf areas.
53. All private lot landscaping shall consist of non-invasive, drought-tolerant; low-water use plant species.

Environmental Hazards

54. If applicable, any existing or abandoned monitoring wells shall be destroyed pursuant to Contra Costa Environmental Health requirements. Appropriate permits and inspections for this work shall be obtained.
55. If applicable, prior to commencement of site grading or the issuance of a building permit, the applicant shall have the site inspected by a competent hazardous waste materials expert who shall submit a report for the City's review attesting to the removal of any hazardous waste materials on site.
56. The project shall comply with the requirements of the Health Services Department, Environmental Health Division.

Landscaping

57. The property manager for the development shall be responsible for maintaining site landscaping. Landscaping shall be maintained to professional standards on a regular basis.

58. At the back of sidewalks, where the slope of the planting bed may allow soil, mulch or other materials to migrate onto the walkway, appropriate durable bender boards shall be placed, or concrete curbs shall be used.
59. Landscaping and irrigation shall be part of the final design drawings (improvement plans).
60. Plants and vegetation that are drought tolerant with a minimal use of pesticide and fertilizer (Bay friendly) are required. See C.3 Guidebook Section B-1-1 for a list of approved plants. List all trees that will be cut or removed and check for any disturbances of natural habitat (nests, etc.) before the removal of any trees or vegetation.
61. An on-site inspection shall be made by the Community Development Department (or Public Works Department) to determine compliance with the approved landscape plan.
62. The property manager will be responsible for sidewalk and landscaping strip maintenance, and the lease agreements shall include this requirement. Root barriers needed to be installed in the landscaping area per City Standards.

Streets & Sidewalks

63. All private curb ramps and sidewalks within the property shall meet current ADA and Title 12 requirements and guidelines. Existing public curb ramps along the property frontage which do not meet current ADA and Title 12 requirements shall be upgraded, and tripping hazards in public sidewalks shall be corrected by replacing the offending sections. City inspector may require additional work in the Public Right of Way as needed by public safety and interest.
64. The applicant shall provide for public street improvements as necessitated by the project, including but not limited to median modifications, striping and other pavement markings, curb ramps, sidewalk repairs, monuments, fire hydrants, electroliers/lighting facilities, along the frontage and adjacent properties, if applicable.
65. The applicant shall ensure that improvements near intersections do not obstruct the sight distance to oncoming traffic.
66. All new improvements into the Public Right of Way shall be labelled and called out. This includes but is not limited to any concrete work on the sidewalk, driveway curb cuts, traffic signs, striping changes on the roadway, and utility trenches. A separate encroachment permit will be required for improvements in the Public Right of Way.

TDM & Growth Management

67. The developer shall comply with applicable provisions of Measure J, including any regional traffic improvements that may be required by the Contra Costa County

Transportation Authority (Congestion Management Agency) for projects generating more than 100 peak hour trips, if applicable.

Waste Minimization/Energy Conservation

68. Incorporate design features wherever feasible to protect solar access. Inclusion of these measures would not be part of Title 24 compliance, but rather an additional conservation measure.

69. All outdoor lighting shall be LED.

Construction

70. Construction activity shall be limited to between the hours of 7:00 am and 6:00 pm Monday through Friday and from 9:00 am to 5:00 pm on Saturday. Construction is not permitted on Sundays.

71. At least 50% of construction waste must be recycled.

72. The project shall be subject to performance bonds and labor and material bonds for any public improvements. A 100% performance bond and a 100% labor and materials bond shall be required. All bonds and insurance policies shall be approved by the City Attorney. Bonded work shall include the grading work.

73. Erosion control plans for grading shall be subject to City review.

74. At least one week prior to commencement of grading, the applicant shall post the site and mail to the owners of property within 300 feet of the exterior boundary of the project site notice that construction work will commence. The notice shall include a list of contact persons with name, title, phone number and area of responsibility. The person responsible for maintaining the list shall be included. The list shall be kept current at all times and shall consist of persons with authority to indicate and implement corrective actions in their area of responsibility. The names of individuals responsible for noise and litter control, tree protection, construction traffic and vehicles, erosion control, and the 24-hour emergency number, shall be expressly identified in the notice. The notice shall be re-issued with each phase of major grading and construction activity.

75. A copy of the notice shall be concurrently transmitted to the Community Development Department and City Engineer. The notice shall be accompanied by a list of the names and addresses of the property owners noticed, and a map identifying the area noticed.

76. A staging plan for construction must be submitted to the Community Development Department during Plan Check. The plan must include a described narrative on how and where construction staging will occur.

77. A dust and litter control program shall be submitted for the review and approval of the City. Any violation of the approved program or applicable ordinances shall

require an immediate work stoppage. Construction work shall not be allowed to resume until, if necessary, an appropriate construction bond has been posted.

78. The applicant shall make a good-faith effort to avoid interference with existing neighborhood traffic flows. Prior to issuance of building permits, the proposed roads serving this development shall be constructed to provide access as required by the City Engineer.

79. The site shall be maintained in an orderly fashion. Following the cessation of construction activity, all construction debris shall be removed from the site.

80. Separate permits will be required from Public Works for the following work: grading, joint trench and site improvements.

81. Truck routes for hauling materials shall be submitted for City approval.

BE IT FURTHER RESOLVED that this Resolution is effective on January 15, 2026.

Adopted this 9th day of December 2025, by the following vote:

AYES: COMMISSIONERS:
NOES: COMMISSIONERS:
ABSENT: COMMISSIONERS:
ABSTAIN: COMMISSIONERS:

ATTEST:

APPROVED:

Sandra Castaneda Marquez, Secretary

Johana Gurdian, Chair