

## Casey Erlenheim

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**From:** Hazim Al-Dabbas [REDACTED]  
**Sent:** Wednesday, June 3, 2026 10:50 AM  
**To:** City\_Clerk  
**Subject:** Public Comment: PLAN2604-0004 Appeal – Objection to CEQA Exemption, Parking Deficit, & Notice Violation

Dear Ms. Gantt and Members of the San Pablo City Council,

I am submitting this written comment on behalf of the Board of Directors of the Islamic Society of West Contra Costa County regarding the appeal of PLAN2604-0004 (STIIIZY Conditional Use Permit at 13041 San Pablo Ave). We formally object to the project's categorical exemption under CEQA Section 15303 and document critical procedural violations in the approval process.

**On Notice and Procedural Violations** The Board of Directors was never notified of the original March 24, 2026, Planning Commission hearing. Under California Government Code § 65091, the city is legally mandated to mail notice to all property owners within a 300-foot radius at least 10 days prior to a Conditional Use Permit hearing. Because the immediate neighbors were completely bypassed, the Planning Commission's initial approval was conducted without due process and is procedurally invalid.

Furthermore, regarding tonight's City Council appeal hearing, the Board did not receive actual notice until Saturday, May 30, 2026. This left fewer than four business days to prepare, gather evidence, and mobilize our community. The absence of photographic documentation in this submission reflects that extreme constraint, not the absence of impact. Given this compounding failure of public notice, we respectfully request a continuance to allow adequate time to compile a full evidentiary record.

### **I. Unmitigated Peak-Load Traffic and Parking Failure**

The proposed STIIIZY retail operation at 13041 San Pablo Ave would operate from 8:00 AM to 10:00 PM daily. This schedule creates a direct, unavoidable conflict with the Islamic Society's established peak-demand periods.

During Friday Jumu'ah prayers, the surrounding street network — Rheem Avenue and 36th Street — experiences complete parking saturation, with vehicles parked throughout the surrounding blocks. This same condition recurs nightly during Ramadan at sunset for Iftar and Tarawih prayers, affecting the street network for extended evening hours. This is not a hypothetical impact. It is a weekly and seasonal recurring condition witnessed by our congregation, our neighbors, and any city staff who have visited the corridor during these periods.

The proposed project provides only 18 on-site parking spaces for a high-turnover cannabis retail operation. The applicant's parking analysis treats the surrounding street network as a static, vacant resource — an assumption that is factually false. Introducing additional high-volume retail traffic into an already fully saturated street environment will produce immediate parking spillover, illegal parking, blocked driveways, and dangerous circulation failures on streets that also serve as pedestrian routes for our youth and families.

This recurring, documented, and predictable conflict constitutes the precise "unusual circumstances" that trigger mandatory environmental review under CEQA Guidelines § 15300.2(c). A Section 15303 categorical exemption cannot lawfully apply here.

### **II. Proximity to Youth-Serving Facility**

The Islamic Society operates active youth educational programs at this location, serving minors on a regular basis throughout the week. The proposed cannabis retail operation, open from 8:00 AM to 10:00 PM daily, would operate immediately adjacent to a facility where children are regularly present. This proximity raises serious land use compatibility concerns that the Planning Commission's approval did not adequately address, and represents a further unusual circumstance that precludes categorical exemption under CEQA.

While we acknowledge that a formal legal buffer may not apply in this instance, the Council has independent discretion to weigh the policy implications of siting a cannabis retail operation directly adjacent to an active youth facility.

### III. Cross-Jurisdictional Traffic Impacts

The Islamic Society's parcel sits at the boundary between the City of San Pablo and the City of Richmond. Our facility serves as an active community and youth center, generating pedestrian and vehicle traffic on streets within both jurisdictions.

By approving a high-turnover retail cannabis operation directly adjacent to this boundary without any documented coordination with the City of Richmond, San Pablo is unilaterally exporting traffic and parking impacts across municipal lines. There is no evidence in the record that Richmond was consulted or that any inter-jurisdictional traffic mitigation was considered. This omission further disqualifies the project from categorical exemption.

### IV. Conclusion

The Board of Directors respectfully urges the City Council to:

1. **Uphold the appeal** and reverse the Planning Commission's approval of the Conditional Use Permit
2. **Reject the CEQA categorical exemption** under Section 15303 as legally inapplicable given documented unusual circumstances
3. **Order an independent traffic and parking study** that measures actual peak-load conditions during Friday prayers and Ramadan evening periods
4. **Alternatively, continue the hearing** to allow the Islamic Society adequate time to compile a full evidentiary record

Members of our Board and congregation will be present tonight at 6:00 PM to provide additional testimony.

Hmoud Albshayer

On behalf of the Board of Directors of the Islamic Society of West Contra Costa County

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Richmond, CA 94804