



**Planning Commission
Regular Meeting**

**Tuesday, March 28, 2023, 7:00 P.M.
AGENDA**

Participate In-Person:

**San Rafael City Council Chambers
1400 Fifth Avenue, San Rafael, CA 94901**

or

Participate Virtually:

Watch on Webinar: <https://tinyurl.com/PlanningCommission23>

Watch on YouTube: <http://www.youtube.com/cityofsanrafael>

Telephone: 1 (669) 444-9171

Meeting ID: 815 0028 1975#

One Tap Mobile: US: +16694449171,, 81500281975#

CALL TO ORDER

Chair Saudi called meeting to order at 7:00 PM. She then reminded those who are attending that this hearing is simultaneously being translated and invited Planning Manager Leslie Mendez to call roll.

RECORDING OF MEMBERS PRESENT AND ABSENT

PRESENT: JON PREVITALI, COMMISSIONER
KELLY SHALK, COMMISSIONER
JON HAVEMAN, VICE-CHAIR
SAMINA SAUDE, CHAIR

ABSENT ALDO MERCADO, COMMISSIONER
SHINGAI SAMUDZI, COMMISSIONER

ALSO PRESENT: LESLIE MENDEZ, PLANNING MANAGER
ALI GIUDICE, COMMUNITY DEVELOPMENT DIRECTOR
ANA SANTIAGO, CODE ENFORCEMENT SUPERVISOR
CRISTINE ALILOVICH, ASSISTANT CITY MANAGER
DAVID SPILLER, POLICE CHIEF

APPROVAL OR REVISION OF ORDER OF AGENDA ITEMS

Chair Saude moved on to the order of the agenda, she asked if there are any changes.

No changes were made to the order of the agenda.

PUBLIC NOTIFICATION OF MEETING PROCEDURES

Chair Saude asked Planning Manager Leslie Mendez to address how public comment will work this evening. She mentioned that due to the number of folks in attendance, public comment will be limited to three minutes.

Planning Manager Leslie Mendez announced the process for Spanish interpretation for the evening. She informed the community that the in-person meeting would also be recorded and streamed live to YouTube and through Zoom, and members of the public could provide public comment either on the telephone or through Zoom. She explained the process for the community participating on the Telephone, through Zoom and in-person.

Chair Saude describes the meeting procedures for the night.

ORAL COMMUNICATIONS FROM THE PUBLIC

Chair Saude next allowed time for those who have urgent communication on a topic not on the agenda, to address the Commission at this time.

Leslie Mendez invited the public to give comments on items not on the agenda. She then provided reminders of how to give public comments for both in person, zoom, or by phone.

There was no comment from community members.

CONSENT CALENDAR

1. Approval of the Planning Commission Meeting Minutes of January 24, 2023
Recommended Action – *Approve minutes as submitted.*

Chair Saude invited public comment and there was none.

Commissioner Previtali moved, and Vice Chair Haveman seconded to approve both the Consent Calendar.

Acting Chair Saude then invited Planning Manager Leslie Mendez to take roll:

AYES: Commissioner Previtali, Shalk, Vice-Chair Haveman, and Chair Saude.

NOES: None

ABSENT: Commissioner Mercado and Samudzi

ABSTAIN: None

Motion carried 4– 0

ACTION ITEMS

2. 842 Fourth Street (George’s Nightclub/Evolution Nightclub & Restaurant) –
Revocation of Use Permit UP05-01 that permitted establishment of live entertainment and a cocktail lounge as part of a restaurant/supper club; T4MS 60/80 Zone; Esly Figueroa, Business Operator; Evolution Nightclub & Restaurant LLC, Business Owner; Sills Jordan R Revocable 2007 Trust, Property Owner; Case Number(s): PLAN23-018

Recommended Action – *Adopt a resolution revoking Use Permit UP05-01*

Chair Saude invited Staff to present the staff report for revocation of the Use Permit for George’s night club located at 842 Fourth Street.

Planning Manager, Leslie Mendez started off by presenting Chief Spiller from the Police Department, Ana Santiago from Code Enforcement, and staff’s legal counsel Connor

MacLean from the firm Burks, Williams & Sorensen. In addition, Eli Flushman, also from Burke, Williams and Sorensen was in virtual attendance acting as legal counsel for Planning Commission. She then presented the staff report and mentions Staff is here to answer any questions but only after representatives from George's Nightclub have the opportunity to present.

Eslly Figueroa, the owner of George's Nightclub provides comment.

Chair Saude asked for questions from the Commissioners, and to save comments and discussion until after the public hearing.

The Planning Commissioners presented questions to staff. Staff responded.

Chair Saude asked for Leslie Mendez to open the public meeting.

Leslie Mendez provided instructions once more on how to provide public comment for those who are watching and or present. There was no public comment.

Due to no public comment the Planning Commissioners decided to allow the owner Eslly Figueroa to provide her response.

Chair Saude closed the public hearing and turned it over to the Commissioners for any comments or discussion.

Commissioner Previtali moved, and Vice Chair Haveman seconded to accept the Staff's recommendation to adopt a resolution to revoke Use Permit UP05-01.

Chair Saude then invited Planning Manager Leslie Mendez to take roll:

AYES: Commissioner Previtali, Shalk, Vice-Chair Haveman, and Chair Saude.

NOES: None

ABSENT: Commissioner Mercado and Samudzi

ABSTAIN: None

Motion carried 4– 0

DIRECTOR'S REPORT

Planning Manager reported on the following items:

1. Commissioner updates: Hoping to hold interview in the next few weeks.
2. Letter from HCD: 3/20 received letter on draft Housing element. The letter is on the website and staff will revise.
3. Upcoming PC meetings: Second meeting in April there will be zoning changes, next meeting will be about 1515 Fourth Street. Which went to DRB on March 7th, 2023.

COMMISSION COMMUNICATION

Chair Saude asked if any members have any communication and allowed opportunity to provide comments.

Vice Chair Jon Haveman provided information following the Design Review Board meetings he attended.

ADJOURNMENT

There being no further business, Chair Saude adjourned the meeting at 8:02 PM.

LESLIE MENDEZ, Planning Manager

APPROVED BY PLANNING COMMISSION ON April 11, 2023