

REGULAR MEETING OF THE
CITY OF CONCORD PLANNING COMMISSION
COUNCIL CHAMBER, 1950 PARKSIDE DRIVE
CONCORD, CALIFORNIA

WEDNESDAY, MAY 7, 2014

A regular meeting of the Planning Commission, City of Concord, was called to order by Chair Carlyn Obringer at 7:00 P.M., Wednesday, May 7, 2014, in the City Council Chamber.

I. ROLL CALL

All were present except Commissioner Hoag, who had an excused absence.

COMMISSIONERS PRESENT:

Chair Carlyn Obringer
Vice Chair John Mercurio
Commissioner Ernie Avila
Commissioner Tim McGallian

STAFF PRESENT:

Carol Johnson, Planning Manager
Andrew Mogensen, Principal Planner
Jason Hade, Associate Planner
Joan Ryan, Senior Planner
Mark Boehme, Acting Assistant City Attorney

II. PLEDGE TO THE FLAG

Vice Chair Mercurio led the pledge.

III. PUBLIC COMMENT PERIOD

Carol Johnson announced her pending departure from the City and introduced Andrew Mogensen as the interim Planning Manager and Planning Commission Secretary.

IV. ADDITIONS / CONTINUANCES / WITHDRAWALS

Staff reported there were no changes to the agenda.

V. CONSENT CALENDAR

APPROVAL OF MINUTES

Motion was made by Vice Chair Mercurio, and seconded by Commissioner McGallian to approve the meeting minutes of April 16, 2014 with benched corrections. The motion was passed by the following vote:

AYES: Avila, McGallian, Mercurio, Obringer
 NOES: None
 ABSTAIN: None
 ABSENT: Hoag

VI. PUBLIC HEARINGS

The notice of this public hearing was published in the Contra Costa Times and posted in the City’s posting cabinet on May 2, 2014.

1. DEVELOPMENT CODE CLEAN-UP TEXT AMENDMENT (PL131356 - DC, MC)

Project Planner Jason Hade presented the staff report. The main focus is primarily on the Food Vendor Group Sites such as micro-brewery/micro-distilleries and tasting rooms as well as mobile food vendors. Miscellaneous other changes are proposed to create processes for emerging new land uses which are not currently included in the Development Code. Staff conducted public outreach to the community and received positive feedback. Micro-breweries and micro distilleries would be permitted within certain areas subject to a Minor Use Permit. The micro-breweries and micro distilleries are limited to no more than 3,000 square feet of floor area for the production and packaging of alcoholic beverages from distribution, retail, or wholesale, on or off premises consistent with ABC regulations. The Text Amendment would permit tasting rooms in zoning districts to be identified via an Administrative Permit. Staff recommended adoption of Resolution No. 14-08PC and Resolution No. 14-09PC.

The following are comments by the Commissioners and clarifications by Project Planner Hade.

Commissioner Avila questioned if staff had received any comments from California Environmental Quality Act (CEQA). Associate Planner Hade responded that there had been no additional comments. Commissioner McGallian asked for clarification on the downtown Pedestrian zoning district usage public versus private property. Ms. Johnson explained the Downtown Pedestrian zoning for private property would not be allowed to have Food Vendor Group Sites. Vice Chair Mercurio inquired about the restroom requirements and the code enforcement. Mr. Hade responded by saying a condition of approval would be requested and the applicant would need to address the restroom situation and perhaps need to provide portable

restrooms. Hade also assured Vice Chair Mercurio that codes violations are being enforced. Vice Chair Mercurio also addressed the condition in regard to paving and Planning Manager Johnson suggested the wording be changed to “dust proof surface.” Chair Obringer had a few follow up questions about the construction site and if there would be a special permit granted. Chair Obringer asked when this would go in effect should it be approved by the City Council and the next steps. Planner Hade stated that the owner of the construction site would obtain a permit for Food Vendor Site from the city. Planning Manger Johnson explained the process for adoption and that an effective date would be close to August 1.

Public Comment

Hector Barragan, restaurant and commissary owner on Monument addressed the Commission. Mr. Barragan operates a food truck and believes the amendment would bring economic growth. Mr. Barragan stated his support for the amendment. Commissioner McGallian addressed the relationship of food truck to brick and mortar restaurant since Mr. Barragan runs both. Mr. Barragan believes that the food trucks attract people to come into the city.

Erin Schally, Concord resident, stated that she and her partners would like to open up a micro-brewery in Concord Industrial area with tasting room and a brewery.

Ray Barbour, Concord resident, stated support for the amendment.

Motion was made by Commissioner Avila and seconded by Commissioner McGallian to adopt Resolution No. 14-08PC recommending City Council adoption of the Negative Declaration for the Development Code Clean-Up Amendment which was circulated for public review on March 21, 2014 with a review period through April 9, 2014. The motion passed by the following vote:

AYES: Avila, McGallian, Mercurio, Obringer,
 NOES: None
 ABSTAIN: None
 ABSENT: Hoag

Motion was made by Vice Chair Mercurio and seconded by Commissioner Avila to adopt Resolution No. 14-09PC recommending City Council adopt an Ordinance approving the Development Code Clean-Up Amendment with a change to allow vendor trucks to operate on a dust proof surface. The motion passed by the following vote:

AYES: Avila, McGallian, Mercurio, Obringer,
 NOES: None
 ABSTAIN: None
 ABSENT: Hoag

2. DOWNTOWN CONCORD SPECIFIC PLAN (PL14160 – GP)

Chair Obringer recused herself from hearing item two due to the potential appearance of a conflict of interest.

Joan Ryan, Senior Planner, presented the staff report. Mrs. Ryan stated the goals were to increase job creation, enhance business climate, expand the economic base, jump start land use, increase BART ridership and efficiency, construct housing projects, and promote mid and high-density housing. Staff has been incorporating changes based on the comments from Transform Summary, Frank J. Dodd Summary, CCSC Summary, and ULI Summary. The staff would also like to include a monitoring plan to demonstrate progress that has been made. The Environmental Addendum to the General Plan states no proposed rezoning, no increase in traffic, climate action plan adopted, improves timing for incorporation with Housing Element. Staff recommended that the Commission approves carrying over the meeting to discussion on May 21, 2014.

Commissioner McGallian requested clarification on resident Adam Foster's comments in the errata sheet. He voiced his concerns with a plan-proposed mid-block crossing on Willow Pass. Commissioner McGallian pointed out strengthening connection between Park N Shop and downtown. He suggested the Park N Shop be renamed and branded as part of the downtown.

Commissioner Avila stated his key focus on two anchors to catalyze the plan and asked if there was much discussion about a sports complex. Mrs. Ryan only remembers discussions about schools and that younger parents needed to get involved. Ryan stated the Open Space was not discussed outside of Todos Santos Plaza. Commissioner Avila asked what we can do to be a sparkplug to make this a reality. Commissioner Avila spoke about a lack of sports facilities, which could be a great benefit to draw people in. The second issue of concern for Commissioner Avila was the integration and the future plan of John Muir and the Concord hospital campus. Planner Ryan confirmed there had been some discussion.

Commissioner McGallian stated he liked the great comments like sports facility. McGallian mentioned there is a piece of Redevelopment land on Concord Ave. that could be used as the entry way to the sports complex and this could possibly be the spark plug referenced by Commissioner Avila.

Vice Chair Mercurio mentioned the Reuse Area has a plan for a tournament facility. Mercurio asked how the development community has reacted to the plan. Planner Ryan stated they are very interested. Ryan noted that perception matters and schools are some potential reasons the developers

are passing on Concord. There have been many developers interested. Vice Chair Mercurio had questions about the bike facilities on Grant Street, the bike route into Mt. Diablo High School, and the gate being closed during a school session. Mercurio wants to see route adjusted and wants to see a continuous network. Vice Chair Mercurio questioned if the separate owners at Park N Shop could possibly be the holdup on development. Planner Ryan confirmed the ownership issues makes development there challenging.

Public Comment

Joel Devalcourt, of Greenbelt Alliance states the current plan will move Concord forward. Two recommendations were provided. Mr. Devalcourt stated they were very excited about the upcoming bicycle master plan project. They want the downtown area to set the vision. Devalcourt shared a quote from Mayor Grayson that stated Concord should be a place for all people. Currently there is no vision for all people. The plan should say housing is available at a range of income levels.

Comments from the Commissioners

Commissioner McGallian pointed out the ULI presentation has a handout that goes along with the presentation link, which is very useful. Vice Chair Mercurio stated he will be asking about Clay Alley next time.

Motion was made by Commissioner McGallian and seconded by Commissioner Avila to continue this item to May 21, 2014. The motion passed by the following vote:

AYES:	Avila, McGallian, Mercurio,
NOES:	None
ABSTAIN:	Obringer (recused)
ABSENT:	Hoag

Chair Obringer rejoined the Commission.

VII. COMMISSON CONSIDERATIONS

There were no items to be considered.

VIII. STAFF REPORTS / ANNOUNCEMENTS

Ms. Johnson referenced a new process for future use of action minutes and that Andrew Mogensen would be serving as Secretary to the Commission. The Commissioners asked questions regarding the retention schedule for videos.

IX. COMMISSION REPORTS/ANNOUNCEMENTS

Commissioner Avila complemented Joan Ryan and thanked Carol Johnson for her service. Commissioner McGallian thanked Joan Ryan and Carol Johnson. Vice Chair Mercurio thanked Carol Johnson. Chair Obringer thanked Carol Johnson and mentioned the 2nd annual Art, Wine and Beer Walk.

X. FUTURE PUBLIC HEARING ITEMS

Planning Manager Carol Johnson announced that Planner Mogensen will be the secretary on May 21, 2014 that there will be a continuance for the Downtown Concord Specific Plan. Also the revised resolution regarding the Fast Auto Loans will be a consent item and on June 4, 2014 HSG Element Review will take place.

XI. ADJOURNMENT

Commissioner McGallian moved to adjourn at 9:03 P.M. Vice Chair Mercurio seconded the motion. Motion to adjourn was passed by unanimous vote of the Commissioners present.

APPROVED:



Andrew J. Mogensen, AICP
Planning Commission Secretary

Transcribed by Toi Wells