

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

**Wednesday, June 15, 2016**

A regular meeting of the Planning Commission, City of Concord, was called to order by Chair Obringer at 6:30 P.M., June 15, 2016, in the City Council Chamber.

***I. ROLL CALL***

**COMMISSIONERS PRESENT:** Chair Carlyn Obringer  
Vice Chair Jason Laub  
Commissioner LaMar Anderson  
Commissioner Ray Barbour

**STAFF PRESENT:** Andrew Mogensen, AICP, Principal Planner  
Margaret Kotzebue, Special Counsel  
Frank Abejo, Senior Planner  
Joan Ryan, AICP, Senior Planner

***II. PLEDGE TO THE FLAG***

Commissioner Anderson led the pledge.

***III. PUBLIC COMMENT PERIOD***

No public comment was heard.

***IV. ADDITIONS / CONTINUANCES / WITHDRAWALS***

None were announced.

***V. CONSENT CALENDAR***

No public comment was heard.

**APPROVAL OF MINUTES**

Motion was made by Vice-Chair Laub, and seconded by Commissioner Anderson to approve the meeting minutes of June 1, 2016. The motion was passed by the following vote:

AYES: Laub, Anderson, Barbour, Obringer  
NOES: None  
ABSTAIN: None  
ABSENT: None

**VI. PUBLIC HEARINGS**

**Concord Recycling Center Appeal (PL16011 – AC)** – Consideration of Pleasant Paper Recycling Inc.’s (dba “Concord Recycling Center”) Appeal of a Planning Division Interpretation of Concord Development Code Section 18.40.010(D) Regarding Outdoor Storage in the Service Commercial (SC) Zoning District and amendments to Use Permits 01-00 and 03-11 for 1320 and 1313 Galaxy Way to allow outdoor storage pursuant to Development Code Sections 18.200.170.D. and E. The Planning Commission’s consideration of and action on the Appeal does not constitute a “project” within the meaning of Public Resources Code Section 21065, 14 Cal Code Regs. Sections 15060(c)(2), 15060(c)(3), or 15378 because it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. Even if such activities did constitute a project under the CEQA, staff believes the activities they fall within the “common sense” CEQA exemption set forth in 14 Cal Code Regs. Section 15061(b)(3), excluding projects where “it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.” Moreover, even if the activities did not qualify for the common sense exemption, they are exempt from CEQA pursuant to CEQA Guidelines Sections 15301 (Existing Facilities), 15302 (Replacement or Reconstruction), and 15303 (New Construction or Conversion of Small Structures) because, among other things, they involve minor alterations to existing facilities, replacement or reconstruction of existing facilities, and construction and location of limited numbers of new small facilities or structures, all as further detailed in the staff report and attachments thereto. This item was continued from the March 16, 2016 Planning Commission hearing. **Project Planner: Andrew Mogensen @ (925) 671-3332**

Principal Planner, Andrew Mogensen, presented the report and answered questions from the Planning Commission.

The Appellant’s legal counsel, Garret Deal, spoke regarding his disagreement with the City’s position.

Public Comment

No public comment was heard.

The public comment period was reopened to allow Mike Jennings, project manager, to explain how the decision of the Planning Commission would impact the business.

The Planning Commission offered the appellant the opportunity to revise the plans. Garret Deal expressed he had no interest in amending the plans and asked for the appeal to be denied.

Motion was made by Vice-Chair Laub and seconded by Commissioner Anderson to adopt Resolution 16-03 PC denying the Pleasant Paper Recycling Inc.’s (dba “Concord Recycling Center”) Appeal. The motion passed by the following vote:

AYES: Laub, Barbour, Anderson, Obringer  
 NOES: None  
 ABSTAIN: None  
 ABSENT: None

**Woodside Place Residential Care Facility (PL16070 – UP)** – Application to establish a 12-bed residential care facility for the elderly at 1795 Woodside Court. The General Plan designation is Low Density Residential; Zoning classification is RS-8 (Single-family residential; minimum 8,000 square foot lots); APN: 114-360-017. Pursuant to the provisions of the California Environmental Quality Act (CEQA) of 1970, as amended, the project is classified as Categorical Exempt pursuant to Section 15301 Class 1 “Existing Facilities,” and Section 15303 Class 3 “New Construction or Conversion of Small Structures,” and therefore no further environmental review is required. **Project Planner: Frank Abejo @ (925) 671-3128**

Senior Planner, Frank Abejo, presented the report and clarified questions from the Planning Commission.

The applicant, Ian Salalila, explained the project further and answered questions from the Planning Commission. Hazel Salalila also answered questions from the Planning Commission.

Public Comment

The following individuals spoke regarding the project: Martin Garro, Steve Blum, Brian Muerla, Charles Paleja, Joy Foster, Jorge Tejada, Sally Chavez, Edwin Osada, Joseph LaManna and a resident named Jean.

Motion was made by Vice Chair Laub and seconded by Commissioner Anderson to continue the item, Woodside Place Residential Care Facility (PL16070 – UP), and request staff to bring back findings for denial at the July 6, 2016 meeting. The motion passed by the following vote:

- AYES: Laub, Anderson, Barbour, Obringer
- NOES: None
- ABSTAIN: None
- ABSENT: None

**DG Concord LLC Amendments (PL15497 – TA, GPA, RZ)** – Application by DG Concord LLC for a proposed amendment to the General Plan, Downtown Specific Plan, Development Code Section 18.45.010(C), and a Change of Zoning from Downtown Mixed Use (DTMU/DMX) to West Concord Mixed Use (WCMU/WMX) for six parcels located on the north side of Concord Avenue between State Highway 242 and Bonifacio Street. An Addendum to the 2012 Supplemental Environmental Impact Report for the 2030 Concord General Plan (SEIR) dated May 2016 has been prepared for consideration with the proposed actions. **Project Planner: Andrew Mogensen @ (925) 671-3332**

Principal Planner Andrew Mogensen presented the staff report and answered questions from the Planning Commission.

Will Steadman, representing the applicant DG Concord LLC., spoke about the project and answered questions from the Planning Commission.

Public Comment

No public comment was heard.

Motion was made by Commissioner Barbour and seconded by Commissioner Anderson to adopt Resolutions 16-09 PC, 16-10 PC, and 16-11 PC, recommending City Council approval and adoption of the Addendum to the 2012 SEIR for the West Concord Mixed Use General Plan Amendment and Amendment to the Downtown Specific Plan, the Text Amendment to Development Code Section 18.45.010(B), and the Change of Zoning from Downtown Mixed Use to West Concord Mixed Use for six parcels located on the north side of Concord Avenue between Highway 242 and Bonifacio Street. The motion passed by the following vote:

AYES: Barbour, Anderson, Laub, Obringer  
 NOES: None  
 ABSTAIN: None  
 ABSENT: None

**Inclusionary Housing Text Amendment to the Development Code (PL16109 – DC) -** Proposal of a text amendment to Section 18.185.020(1) of the Concord Development Code to provide for a Reduction in the Minimum Applicable Project Size, subject to the Inclusionary Housing Ordinance from Five Units to Two Units or more. The proposed changes would reduce the project size for those projects subject to the City’s Inclusionary Housing Ordinance. Pursuant to the provisions of the California Environmental Quality Act (CEQA) of 1970, as amended, the project is classified as exempt pursuant to 15061(B)(3), and no further environmental review is required. **Project Planner: Joan Ryan @ 925 671-3370**

Senior Planner Joan Ryan presented the report and answered questions from the Planning Commission.

Public Comment

No public comment was heard.

Motion was made by Vice-Chair Laub and seconded by Commissioner Anderson to adopt Resolution 16-05 PC, recommending the City Council pass an Ordinance approving the Development Code Amendment (PL160109-DC) to Sections 18.185.020 and 18.185.040 to reduce the minimum applicable project size, subject to the Affordable Housing Ordinance, from five units to two, subject to an annual review. The motion passed by the following vote:

AYES: Laub, Anderson, Barbour, Obringer  
 NOES: None  
 ABSTAIN: None  
 ABSENT: None

**VII. COMMISSION CONSIDERATIONS**

There were none.

**VIII. STAFF REPORTS / ANNOUNCEMENTS**

Principal Planner Andrew Mogensen announced the Housing and Economic Development Committee will be hosting a rental housing workshop on Monday, June 27, 2016 at 5:30 P.M. in the City Council chambers with another workshop to be held on Tuesday, July 26<sup>th</sup> at the City Council meeting. He also announced the last Bicycle and Pedestrian Plan advisory committee meeting will be held on Monday, July 25<sup>th</sup> and the item will return to the Planning Commission for consideration on August 3<sup>rd</sup>.

**IX. COMMISSION REPORTS/ANNOUNCEMENTS**

There were none.

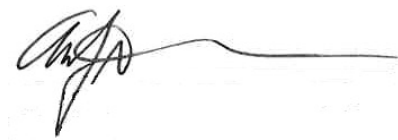
**X. FUTURE PUBLIC HEARING ITEMS**

Principal Planner Andrew Mogensen announced the next Planning Commission on July 6<sup>th</sup> will contain the Woodside Place Care Facility continued item.

**XI. ADJOURNMENT**

Chair Obringer announced the adjournment would be made in memory of the victims of the recent Orlando shootings. Vice Chair Laub moved to adjourn at 10:11 P.M. Commissioner Anderson seconded the motion. Motion to adjourn was passed by unanimous vote of the Commissioners present.

APPROVED:



Andrew Mogensen, AICP  
Principal Planner



Transcribed by Grant Spilman,  
Administrative Coordinator