

**REGULAR MEETING OF THE
CITY OF CONCORD PLANNING COMMISSION
COUNCIL CHAMBER, 1950 PARKSIDE DRIVE
CONCORD, CALIFORNIA
January 18, 2012**

A regular meeting of the Planning Commission, City of Concord, was called to order by Chair John Mercurio at 7:03 P.M., Wednesday, January 18, 2012, in the City Council Chamber.

ROLL CALL

COMMISSIONERS PRESENT: Chair John Mercurio; Vice Chair Ernie Avila; Commissioner Robert Hoag; Commissioner Tim McGallian; and Commissioner Gene Sylls

COMMISSIONERS ABSENT: None

STAFF PRESENT: Victoria Walker, Community and Economic Development Director; Carol Johnson, Planning Manager; and G. Ryan Lenhardt, Senior Planner

PLEDGE TO THE FLAG

Commissioner Sylls led the Pledge of Allegiance.

PUBLIC COMMENT PERIOD

There were no comments from the public.

ADDITIONS / CONTINUANCES / WITHDRAWALS

While there were no additions, continuances, or withdrawals, Planning Manager Carol Johnson requested that Staff Reports / Announcements, Carondelet Lighting Update, be considered out of order on the meeting agenda and moved for consideration prior to the Consent Calendar.

STAFF REPORTS / ANNOUNCEMENTS

Ms. Johnson took this opportunity to introduce Victoria Walker, the new Community and Economic Development Director who had joined the City of Concord on January 5 and who had come from the City of Walnut Creek.

Ms. Walker thanked the members of the Planning Commission for their service on behalf of staff and the community who appreciated their work. She was welcomed by the Commission.

Ms. Johnson also offered a status report on the Development Code Update and reported that a study session that had originally been scheduled for this meeting had been continued to the meeting of February 15 to allow staff to be more prepared. She asked the Commission permission to schedule a special meeting on February 29 when the new Affordable Housing Overlay and Development Standards would be discussed. She added that the Final Environmental Impact Report (FEIR) and ordinance would be presented for Commission adoption on July 18, 2012.

1. Carondelet Lighting Update

Senior Planner G. Ryan Lenhardt advised that the Carondelet Lighting Update did not require action. The Planning Commission had approved the project in August 2011, which decision had been appealed to the City Council which had later upheld the Commission's decision subject to conditions of approval regarding the light standards on the south property line adjacent to Walnut Creek residents. As part of those conditions, nine light standards had to be removed within six months of the approval of the project giving Carondelet until April 2012 to complete that work. He reported that the light standards had been replaced. Carondelet was also to install seven new light standards no taller than 15 feet in height and had instead installed seven standards at 12.5 feet tall; lower than what the City Council had allowed. Carondelet was also to report to staff in one week of completion of that project which had been done and staff was directed to notify neighbors of this meeting and the staff report, which had also been completed.

Mr. Lenhardt reported that staff had walked the site with the Lighting Consultant last week and had confirmed that all lighting standards had been installed pursuant to the plans. The lighting was now at 50 percent, with the curfew hours specified in the project conditions between 11:00 P.M. and 5:00 A.M. Staff had confirmed that the foot candle levels were consistent with the conditions of approval at the property line. A control needed to be installed into the control panel to allow the lights to be fully illuminated at 100 percent and a follow-up inspection would occur with staff and the Lighting Consultant in the future to confirm that requirement.

Mr. Lenhardt explained that staff had been advised by one neighbor that the light fixture was visible from a rear yard and a special inspection would be scheduled with that neighbor and the Lighting Consultant to clarify the situation and whether or not any shielding or baffling should be incorporated into the light standard behind that residence.

Vice Chair Avila noted that when the 100 percent illumination capacity was added, the controls that would reduce it to 50 percent levels during curfew hours should also be checked with capacity and control panel checks conducted as well.

Mr. Lenhardt stated that staff would be happy to offer a follow-up staff report to the Planning Commission once the project was complete.

Commissioner Hoag expressed his pleasure with Carondelet's response, asked staff to follow up on the issue requested by Vice Chair Avila, and supported continued staff follow-ups to ensure that all conditions have been met. He appreciated Carondelet's timely response.

Commissioner Sylls was also pleased that Carondelet had taken advantage of the good weather to complete the project.

Chair Mercurio concurred, commended Carondelet’s response and expressed his hope that the issues that had been raised by the one neighbor who had concerns would be satisfactorily addressed.

PUBLIC COMMENTS:

KATHY CARROLL, Arkell Road, Walnut Creek, who lived near Carondelet High School, noted that the lighting at half power was more than sufficient and if brought up to 100 percent would impact a number of neighbors. She noted that more than one neighbor was concerned with the lights and where they were located, and reported that the lights were bright behind her home. As to other things that needed to be done that had been recommended by the Lighting Consultant, she requested that the lights be shielded in the parking lot, that amber instead of bright white lights be used, and while she was pleased that the number of standards had been reduced to seven, she stated that shielding still needed to be addressed as recommended by the Lighting Consultant. She also reported that she had planted three trees in her backyard to address the concern but the lights still shone directly into her home. She asked that Carondelet be required to address a number of existing ongoing issues before commencing the new building project, which Carondelet had agreed to do, and asked that someone from the City visit her home to see firsthand her concerns with the lighting.

CONSENT CALENDAR

1. December 7, 2011 Meeting Minutes

MOTION: Commissioner Hoag moved to approve the minutes of the December 7, 2011 meeting, as submitted. Commissioner McGallian seconded the motion.

- AYES: Hoag, McGallian, Avila, Mercurio
- NOES: None
- ABSTAIN: Sylls
- ABSENT: None

2. Krispy Kreme Doughnuts (UP 11-005) – Application for a Use Permit to reopen an existing 3,973 square foot retail bakery and drive-through facility at the Willows Shopping Center located at 1991 Diamond Boulevard. This entitlement was approved by the Planning Commission on April 3, 2002. The General Plan designation is West Concord Mixed Use; Zoning classification is PD (Planned District); APNs 126-440-004, -005. Project Planner: G. Ryan Lenhardt @ (925) 671-3162.

MOTION: Commissioner McGallian moved to adopt Resolution No. 12-01(PC), approving Krispy Kreme Doughnuts Use Permit (UP 11-005), subject to the Conditions of Approval. Commissioner Avila seconded the motion.

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

NON-CONSENT ITEMS

There were no non-consent items.

COMMISSION CONSIDERATIONS

There were no Commission considerations.

COMMISSION REPORTS / ANNOUNCEMENTS

Given a potential conflict with the date of the next meeting of the Design Review Board (DRB), Vice Chair Avila asked his alternate, Commissioner Hoag, to attend the next meeting of the DRB, although when advised that the January DRB meeting had been cancelled, he advised that there would be no conflict.

FUTURE PUBLIC HEARING ITEMS

Ms. Johnson reported that there were no additional hearing items at this time. When asked, she stated that this was her first official meeting with the Planning Commission.

The Commission welcomed Ms. Johnson to the City of Concord and to the Planning Commission.

ADJOURNMENT

BY ORDER OF THE CHAIR THE MEETING WAS ADJOURNED AT 7:21 P.M.

APPROVED:



Carol Johnson
Planning Commission Secretary

Transcribed by Anita Tucci-Smith