

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

**Wednesday, July 3, 2019**

A regular meeting of the Planning Commission, City of Concord, was called to order by Chair Barbour at 6:30 P.M., July 3, 2019, in the City Council Chamber.

***I. ROLL CALL***

***COMMISSIONERS PRESENT:*** Chair Ray Barbour  
Vice Chair John Mercurio  
Commissioner Jason Laub  
Commissioner Craig Mizutani  
Commissioner Mark Weinmann

***STAFF PRESENT:*** Mindy Gentry, Planning Manager/Secretary to the  
Planning Commission  
Margaret Kotzebue, Senior Assistant City Attorney  
Lorna Villa, Associate Planner  
Ryan Lenhardt, Senior Planner  
Mitra Abkenari, Assistant Engineer  
Winnie Chung, Transportation Program Manager II

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

Vice Chair Mercurio led the pledge.

***III. PUBLIC COMMENT PERIOD***

No public comment was heard.

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

There were none.

***V. CONSENT CALENDAR***

Chair Barbour requested the Argent Concord Extension be removed from the Consent Calendar.

***APPROVAL OF MINUTES***

No public comment was heard.

Motion was made by Commissioner Weinmann and seconded by Commissioner Laub to approve the meeting minutes of May 1, 2019. The motion was passed by the following vote:

AYES: Weinmann, Laub, Barbour, Mercurio, Mizutani  
 NOES: None  
 ABSTAIN: None  
 ABSENT: None

**VI. PUBLIC HEARINGS**

**Argent Concord Extension (PL19081 – UPA, MP, DR)** – Application for a two-year extension of the approval for Argent Use Permit Amendment, Minor Use Permit, and Design Review for a 181-unit apartment seven-story multi-family rental residential project on a 1.53 acre site. The General Plan designation is Downtown Mixed Use; Zoning classification is DMX (Downtown Mixed Use); APN 126-082-008. The original entitlement (PL16333- UP, MP, DR) was approved by the Planning Commission on December 15, 2016, and amended by the Planning Commission on June 7, 2017 (PL17115- UPA, MP, DR). CEQA: No further environmental review is required under Public Resources Code Section 21166 and CEQA Guidelines Section 15162 as there are no substantial changes proposed to the project, new circumstances or new information which would trigger further environmental review. **Project Planner: Lorna Villa @ (925) 671-3176**

Public Comment

Chair Barbour and Commissioners Laub and Weinmann expressed concerns regarding the current state of the vacant site and indicated interested in adding conditions of approval as an intermediate measure to minimize blight in the downtown.

Gordon Stankowski, working with the property owner, commented on the work which has been done and the upcoming work to be done on the property which will ensure the vacant lot is maintained. He also answered questions from the Commissioners on how long he has owned the property, financing of the project, and the economic viability of the project.

Mitra Abkenari, Assistant Engineer, made a comment that a permit will be required from the California State Water Resources Control Board if the current pavement is removed from the site.

Motion was made by Commissioner Laub approving a two-year extension of the approval for Argent Use Permit Amendment, Minor Use Permit, and Design Review (PL19081 – UPA, MP, DR), subject to the Second Amended Conditions of Approval set forth in Attachment A to Resolution 19-11PC and an amendment to Condition 11 to include perimeter fencing and drought-tolerant landscaping subject to subject to review and approval by the Design Review Board and removal of all hardscape.

The motion did not receive a second.

A revised motion was made by Commissioner Laub and seconded by Vice Chair Mercurio to adopt Resolution No. 19-11PC, approving a two-year extension of the

approval for Argent Use Permit Amendment, Minor Use Permit, and Design Review (PL19081 – UPA, MP, DR), subject to the Second Amended Conditions of Approval set forth in Attachment A to Resolution 19-11PC and an amendment to Condition 11 to include perimeter fencing and drought-tolerant landscaping subject to review and approval by the Design Review Board and removal of all hardscape to the maximum extent possible without triggering Stormwater Pollution Prevention Plan requirements.

The motion was passed by the following vote:

AYES: Laub, Mercurio, Barbour, Weinmann  
 NOES: Mizutani  
 ABSTAIN: None  
 ABSENT: None

**Avesta Assisted Living Facility (PL19036 – UP, DR, RT)** – Application for a Use Permit, Design Review, and Tree Removal for the construction of a 150,000 square foot residential facility for seniors, consisting of approximately 150 units (with proposed 117 assisted living and 33 memory care units) on a 1.1-acre site at 1335-1385 Galindo Street. The General Plan designation is Downtown Mixed Use; Zoning classification is DMX (Downtown Mixed Use); APNs 126-133-009, 013, and 126-164-052. CEQA: Pursuant to CEQA Guidelines Section 15332, the proposed project qualifies for an exemption as an Infill Development Project under CEQA. Furthermore, there is substantial evidence that the exceptions to categorical exemptions outlined in CEQA Guidelines Section 15300.2 do not apply to the proposed project, and therefore the proposed project is exempt from further CEQA analysis. **Project Planner: G. Ryan Lenhardt @ (925) 671-3162**

Ryan Lenhardt, Senior Planner, gave a presentation and answered questions from the Planning Commission regarding the recommendation by the Design Review Board, the options on design, and whether any other forms of communication were received.

Mohammed Javanbakht, the applicant, expressed his excitement for this project, further explained the project, and answered questions from the Commission regarding the in-house visiting physicians, employee incentives including transit passes, similar jobs under construction, and whether he wants to bring his project back to the Design Review Board for review of the Spanish-inspired proposed design.

No public comment was heard.

Motion was made by Vice Chair Mercurio and seconded by Commissioner Laub to adopt Resolution No. 19-10PC, approving the Avesta Assisted Living Facility Use Permit, Design Review, and Tree Removal (PL19036 - UP, DR, RT), subject to the Conditions of Approval set forth in Attachment A and with an additional condition of approval requiring the preparation of a Transportation Demand Management program approved by staff and a modification of conditions of approval numbers 123 and 122 allowing for a two-year extension of this approval. The motion was passed by the following vote:

AYES: Mercurio, Laub, Barbour, Mizutani, Weinmann  
 NOES: None

ABSTAIN: None

ABSENT: None

**VII. COMMISSION CONSIDERATIONS**

There were none.

**VIII. STAFF REPORTS / ANNOUNCEMENTS**

There were none.

**IX. COMMISSION REPORTS / ANNOUNCEMENTS**

There were none.

**X. FUTURE PUBLIC HEARING ITEMS**

Planning Manager Mindy Gentry announced the July 17<sup>th</sup> meeting will contain a presentation on Implementing SB 743 and Vehicle Miles Traveled as it pertains to the CEQA thresholds.

**XI. ADJOURNMENT**

Commissioner Weinmann moved to adjourn at 8:25 P.M. Vice Chair Mercurio seconded the motion. Motion to adjourn was passed by unanimous vote of the Commissioners present.

APPROVED:



Mindy Gentry  
Planning Manager / Secretary to the Planning Commission



Transcribed by Grant Spilman,  
Administrative Coordinator