

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

Wednesday, February 5, 2020

A regular meeting of the Planning Commission, City of Concord, was called to order by Chair Barbour at 6:30 P.M., February 5, 2020, in the City Council Chamber.

1. ROLL CALL

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

COMMISSIONER ABSENT: Commissioner Mark Weinmann

STAFF PRESENT: Mindy Gentry, Planning Manager/Secretary to the  
Planning Commission  
Margaret Kotzebue, Senior Assistant City Attorney  
Frank Abejo, Principal Planner  
Sarah Yuwiler, Assistant Planner  
Coleman Frick, Senior Planner

2. PLEDGE TO THE FLAG

Commissioner Mizutani led the pledge.

3. PUBLIC COMMENT PERIOD

No public comment was heard.

4. CONSENT CALENDAR

APPROVAL OF MINUTES

No public comment was heard.

Motion was made by Vice Chair Mercurio and seconded by Commissioner Laub to approve the meeting minutes of December 4, 2019. The motion was passed by the following vote:

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

5. PUBLIC HEARINGS

**T-Mobile at 1477 Babel Lane Appeal (PL20004 – AP)** – Appeal of the Zoning Administrator’s approval of a Minor Use Permit application (PL18243 – MP) to construct a 40-foot tall monopine with six (6) panel antennas, three (3) remote radio units (RRUs), and equipment enclosure at 1477 Babel Lane. The General Plan designation is Medium Density Residential; Zoning classification is RM (Residential Medium Density); APN: 105-091-021. CEQA: Categorically exempt pursuant to CEQA Guidelines Sections 15303 (New Construction), and 15332 (Infill Development Projects). **Project Planner: Sarah Yuwiler @ (925) 671-3465**

Sarah Yuwiler, Assistant Planner, gave a presentation and answered questions from the Planning Commission pertaining to:

- the changes to the benched resolution
- protected trees and tree heights
- the applicant’s options based on the Commission’s decision
- whether other telecommunication sites were studied

Scott Dunaway, the applicant for T-Mobile, gave a presentation and introduced T-Mobile engineer, Wendelio, to explain the coverage maps.

Commissioner Laub asked a question regarding the value pertaining to co-locating on a site and the difference between a macro site and a micro site. He also asked staff about the Commission’s ability to deny a macro site and push towards a micro site.

Vice Chair Mercurio asked the applicant for clarification of the numbers on the coverage maps.

Commissioner Mizutani asked the applicant if, based on the maps provided, there is still inadequate cell coverage in Concord and asked if the sphere of influence map takes the existing antennas into consideration.

Chair Barbour asked for clarification on the difference between handoffs and dropped calls and how they relate to each other, capacity, how the coverage maps are created, and whether the applicant looked at additional sites.

Public Comment

No public comment was heard.

Motion was made by Commissioner Laub and seconded by Commissioner Mizutani to adopt Resolution 20-04PC denying the appeal and further upholding the Zoning Administrator’s approval of the T-Mobile Monopine Wireless Facility Minor Use Permit, subject to the Conditions of Approval set forth in Attachment A to the benched Resolution 20-04PC. The motion was passed by the following vote:

AYES: Laub, Mizutani, Barbour, Mercurio

NOES: None  
 ABSTAIN: None  
 ABSENT: Weinmann

**City of Concord Development Code Update – Cannabis Regulations** – Public hearing to consider adoption of Resolution 20-01PC, recommending the City Council amend the Development Code through text amendments to the land use tables (18.30-18.60), Commercial Cannabis Overlay District (18.110), Signs (18.180), Development Agreements (18.460), and General Terms (18.20), relating to commercial cannabis regulation. CEQA: Not a “project” under CEQA Guidelines Sections 15060(c), 15378 and Public Resources Code 21065; in the alternative, if deemed a “project,” exempt pursuant to Section 15061(b)(3) and CEQA does not apply under Business and Professions Code Section 26055(h). **Project Planner: Coleman Frick @ (925) 671-3281**

Coleman Frick, Senior Planner, gave a presentation and answered questions from the Commission pertaining to:

- a day care use (or sensitive use) in relation to the proposed buffer zone
- development agreements
- whether the buffer zones are state requirements and how it relates to storefront retail
- clarification on the Request for Proposal process
- distinction between the Type 11 and 13 distribution
- signage

Public Comment

Matt Light asked the Commission to include in its recommendation to Council that the Request for Proposal give consideration to individuals who have participated with the City throughout this process.

Motion was made by Commissioner Laub and seconded by Commissioner Mercurio to adopt Resolution 20-01PC, recommending City Council amend the Development Code with text amendments to the land use tables (18.30-18.60), Commercial Cannabis Overlay District (18.110), Signs (18.180), Development Agreements (18.460), and General Terms (18.20), relating to commercial cannabis regulation with the benched map. The motion was passed by the following vote:

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

6. COMMISSION CONSIDERATIONS

Commissioner Laub asked staff to look into the Argent approval as the maintenance of the site is not in conformance with the conditions of approval.

Chair Barbour asked if a condition of approval is not being met, does that void the extension.

Commissioner Mizutani explained his recollection of the meeting.

7. STAFF REPORTS / ANNOUNCEMENTS

Mindy Gentry announced the City Council introduced the Small Cell Site Wireless Facilities Ordinance and also adopted the policy and procedures at the last Council meeting.

8. COMMISSION REPORTS / ANNOUNCEMENTS

Chair Barbour reported back on his attendance at the Planning Commissioners Conference at Sonoma State.

9. FUTURE PUBLIC HEARING ITEMS

Mindy Gentry announced the February 19<sup>th</sup> meeting currently has the Brenden Theatres Use Permit Amendment, the Clayton Road Townhomes, and the Tabernacle Preschool.

10. ADJOURNMENT

Chair Barbour moved to adjourn at 8:16 P.M. 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