

Planning Commission Minutes
Regular Meeting
November 18, 2008
Martinez, CA

CALL TO ORDER

The meeting was called to order by Chair Frank Kluber at 7:06 p.m. with all members present except Commissioner Avila, who was absent.

ROLL CALL

PRESENT: Frank Kluber, Planning Commission Chair, Fred Korbmacher, Planning Commission Vice Chair, Donna Allen, Planning Commissioner, Harriett Burt, Planning Commissioner, Lynette Busby, Planning Commissioner, and Mark Hughes, Planning Commissioner.

EXCUSED: Mike Marchiano, Planning Commission Alternate

ABSENT: Anamarie Avila Farias, Planning Commissioner.

Staff present:

Karen L. Majors, Assistant City Manager/Community Development Director

Tim Tucker, City Engineer

Corey Simon, Senior Planner

Anjana Mepani, Assistant Planner

AGENDA CHANGES

Staff indicated that Item #3 would be continued to December 9 or later.

PUBLIC COMMENT

There was none.

CONSENT ITEMS

1. *Minutes of October 28, 2008, meeting.*

Commissioner Busby asked that the minutes show her as excused, not absent, at the last meeting, since she let staff know ahead of time she would not be present.

On motion by Fred Korbmacher, Planning Commission Vice Chair, seconded by Donna Allen, Planning Commissioner, to approve the Minutes of October 28, 2008, meeting, as amended. Motion unanimously passed 5 - 0. Yes: Frank Kluber, Planning Commission Chair, Fred Korbmacher, Planning Commission Vice Chair, Donna Allen, Planning Commissioner, Harriett Burt, Planning Commissioner, and Mark Hughes, Planning

Commissioner, Abstain: Lynette Busby, Planning Commissioner.

REGULAR ITEMS

2. *Concord Korean Baptist Church UP #07-13, DR #07-21 Public hearing on a request to approve a Conditional Use Permit and Design Review to construct a new two-story multi-purpose building and playground at the site of the Concord Korean Baptist Church. The proposed multi-purpose building would be approximately 16,826 sq. ft. and would have similar uses as the buildings that would be demolished on the property. Based on on-site parking and leased spaces, 210 parking spaces would be provided to meet the parking requirement. New landscaping, paving, and street front upgrades are proposed for Hiller Lane. A Conditional Use permit to exceed the maximum height allowed (25ft.) by approximately 10 ft. 5 inches in the R-10 zoning district is proposed. Design Review is required for non-residential projects. This property is located at 5000 Hiller Lane. Applicant: Eichleay Engineers, Inc./Russ Meyer, AIA (AM)*

Assistant Planner Anjana Mepani presented the staff report, including UP and DR requests including a height variance. She noted that a hearing is required because this is a non-residential use in a residential area. She reviewed details of the project, indicating that an Initial Study and Negative Declaration was completed with no significant impacts found. She also noted that a letter regarding the drainage was received from Flood Control after the close of the comment period. She discussed issues with parking, traffic, the proposed building height and street frontage improvements; and she noted that letters were received from neighbors and emails from church members. Staff recommends approval. She answered questions from the Commission, as follows:

Vice Chair Korbmacher asked about a letter from the HOA attorney. Staff said it was attached to the staff report.

Commissioner Allen asked if it is to be a church only, or whether a school will also operate at the new facility. Ms. Mepani confirmed no private school was planned.

Commissioner Allen asked about page H of the site plan, which shows the "assumed property line" stops abruptly. Staff deferred to the applicant to explain.

Chair Kluber asked about the reason for the traffic study. Ms. Mepani said it was done as part of the CEQA process.

Chair Kluber opened the public hearing.

Pastor David Gill greeted the Commission and expressed gratitude for the opportunity to present the project. He noted the church has been in Martinez for over 30 years and was very grateful for the community. He commented on the process thus far and prayers offered on behalf of the project. He asked for approval from the Commission, as the new

building will be an asset to the community.

Russ Meyer, Eichleay Engineers, - architect for the project - made a presentation discussing the site plan, demolition plan, sitting and location of the proposed building, PG&E easement onsite, input from and response to the Fire District, City Engineer comments, floor plan, elevations, materials, issues raised by neighborhood and outreach made by the church. He expressed optimism at the possibilities for the project.

Commissioner Hughes asked whether the self-policing of the parking will continue beyond the approval stage, and the architect said yes. Ms. Mepani said there was a condition of approval related to that. Commissioner Hughes was impressed with the spirit of outreach and cooperation shown over the last two years.

Mr. Meyer also responded to Commissioner Allen's question about the assumed property line and fire department requirements for fire separation distances.

Commissioner Allen asked again about the possibility of a private school. Mr. Meyer said there is a language school that meets onsite, but no full school is planned. Commissioner Allen asked about children's activities during the week, and Mr. Meyer said there is nothing formal proposed.

Commissioner Allen asked if any consideration was given to acquiring the vacant parcel to the south to allow expansion into that area. Pastor Gill said it was owned by the church of Christ, and there was no plan currently to buy it. He also discussed parking space rentals from neighboring property owners.

City Engineer Tim Tucker noted that the traffic study addressed the issue - if the congregation grows, other options were available.

Chair Kluber noted it is environmentally preferable to use existing paved surfaces, rather than paving another area for parking.

Chair Kluber noted the church has consistently presented scholarships to community students in need. He asked about the proposed playground equipment and the ages it will serve. Mr. Meyer said it is currently used by 3-6 yr olds.

These members of the public spoke in opposition to the project:

Anjat Nari discussed his concerns with parking impacts (not just on Sundays), use of the cul-de-sac as a turnaround area, children playing in the road, and loud music at the church on some occasions.

Patrick Chaney commented on parking issues, noting that offsite parking does not work for late arrivals (who often park in front of Hiller Lane residences). He was also concerned about the existing portable classroom building north of the sanctuary.

Zir Iyer, attorney representing Stonecliff HOA, acknowledged some attention has been given by the church to parking concerns. She reiterated concerns with late attendees and future problems with increased congregational size, stating that the proposed parking will not meet that need. She questioned whether the new multipurpose building use will be limited to Sundays only. Chair Kluber asked about the response to the church's overtures for cooperative efforts. Ms. Iyer said letters have been sent from the HOA on numerous occasions regarding parking and traffic, but it has not been possible to resolve the issues.

Commissioner Busby asked how many members were in the Stonecliff HOA; Ms. Iyer said there were 45. Commissioner Busby asked if the City has ever been asked to do permit parking in the area. Mr. Tucker said he did not think the City can regulate parking on a private road. Ms. Iyer said since it is already private road so the residents should not have to create a permit system. Commissioner Busby asked if the HOA has enforced towing; Ms. Iyer said only when cars are blocking driveways.

Commissioner Busby expressed concern that no meeting has taken place between the church and the association. Ms. Iyer said the association does want to resolve the issues and would participate if someone were to mediate.

Chair Kluber asked whether parking would still be an issue if the attended parking system is enforced all the time. Ms. Iyer said no, but congestion will still create problems.

Chair Kluber noted that the Design Review Committee has reviewed the plans and made recommendations about the size and scale of the building.

Mr. Chaney indicated he was on the Board of Directors of Stoneridge HOA, and no outreach was made to the HOA as far as he knows. Commissioner Busby asked, and staff confirmed that the neighbors were notified of the project.

Mr. Chaney acknowledged he would be willing to talk with the Church further.

Steve Vawter, Martinez Church of Christ, commented on parking issues: the attendants are not always on-duty, and there are problems with parking in non-rented spaces on the Church of Christ property. He was also concerned about the size of the proposed multi-use room, particularly whether it might later be converted to a worship area. He noted that the easement for the storm drain is on the Church of Christ property. He asked what will happen if the agreements for the leased parking spaces end. He noted there is no grass area to accommodate attendees at the Korean Church site, and there is often overflow into the Church of Christ field. He noted the field will never be for sale, as the Church of Christ hopes some day to build new worship building themselves.

Commissioner Burt asked if the Korean church members have used the Church of Christ field without permission. Mr. Vawter said yes. Commissioner Burt asked if the Korean Church had been made aware of the issues raised by the Church of Christ. Mr. Vawter said they have been told about parking issues, but not about the field use. Mr. Vawter acknowledged the issues currently can be addressed, but he was concerned about what

would happen if the parking agreements end.

Commissioner Allen asked if there have always been extra parking spaces on the Church of Christ property. Mr. Vawter said no, the Church was originally approved for 600 seats, but the auditorium plans were revised.

Vice Chair Korbmacher asked if the Church of Christ is over parked. Mr. Vawter said yes currently, but hopefully their Church will grow in membership also. There was some discussion of the original approvals for the Church of Christ and the location of the leased spaces on the Church of Christ lot. Commissioner Busby asked if the Church of Christ still leases spaces to county offices during the week.

Ryan Sneed, Churchwood HOA, expressed concerns about parking and traffic. He was not completely opposed to the project, but questioned why so large a building is needed if it is only to be used two days a week.

Jerry Philips, Skillcraft, commented on the parking agreement between his company and the Korean Church, and he indicated there are additional spaces if the Church needs them. He noted that the Church has responded well to him and his needs.

Mr. Meyer responded to concerns expressed thus far, noting the kids in street will be addressed through changes in the design, the leased spaces should resolve parking problems, and he acknowledged the portable building mentioned by Mr. Chaney is not part of the project. He thought it should be possible to extend the time of parking attendant duty, and he noted that the new building will be planned to meet the needs of the current congregation. He questioned whether the area is really appropriate for residential use rather than the opposite (he briefly discussed the history of the area). He was also willing to work out any issues with the neighborhood, but some in the neighborhood do not seem to be willing. He acknowledged there might be a need for some turnaround area on the upper part of Hiller Lane. He also reiterated the offer to dedicate a right-of-way on Hiller Lane to the City.

Mark Seo, member at Concord Korean, also responded to concerns of the neighbors, offering a full commitment to work with them to resolve the issues as much as possible. He noted that the neighbors don't seem opposed to the project if the issues can be addressed. He also commented that the letters from Ms. Iyer seem threatening, in contrast to the willingness of the Holiday Hills HOA to discuss issues together. He reviewed his attempts to contact the management company for Churchwood and Stonecliff, and said he was unsure how else it could have proceeded. He also discussed the parking attendant program and the desire to balance neighbors' needs with church member needs. He reiterated that the building will be used for the children, not expanded uses. He also commented on community efforts performed by church members, and he expressed confidence that the issues can be resolved.

Commissioner Hughes asked about the possibility of hiring a professional parking service. Mr. Seo said it could be considered.

Commissioner Allen asked about the sign "NewCovenantChurch.org" on the Korean church building. Mr. Seo said it is for English-speaking members and the church's desire to expand that ministry.

Commissioner Burt asked if there has been any parking consulting done to see if a change of striping could increase the number of spaces. She also asked about possible handicapped parking closer to the Korean church building. Mr. Meyer discussed additional handicapped spaces and the re-striping of current parking areas.

Commissioner Burt confirmed with the neighbors that there was no concern with parking on the church portion of Hiller Lane.

Commissioner Allen asked about the demographics of the congregation and the possibility of using a shuttle service to reduce the number of cars. She also suggested discussing with the Church of Christ a second ingress/egress point. Mr. Seo clarified there is currently no parking in the driveway area.

Chair Kluber asked whether there would be a need for overflow parking during the week. Mr. Seo said no, but indicated willingness to handle it in the same manner as Sundays. He also committed to ending the use of the dirt area owned by the Church of Christ.

Dean Jimenez, pastor of Hope Center Covenant Church, offered thanks and hope for the process, noting his church had followed a similar process recently in Pleasant Hill.

Mary Griffin commented on her recent interaction with the pastor of Concord Korean in ministering to Korean-speaking seniors. She thought this was a beautiful project that will be an asset to the community.

David Oh, deacon at Concord Korean, commented on why the congregation wants to replace the existing building, which is 70-80 years old.

Hung Suet Kwon, associate pastor at Concord Korean, commented on the benefit to the children of the congregation, as well as the neighborhood.

Bruce Kim expressed full support for the project, as it will provide a safe place for positive entertainment for the children.

Moon Lim, fundraising coordinator, commented on the difficult economic times, noting the importance of a good environment for children.

Robert Ilwater asked for support of the project, noting the children will be safer when they don't have to play in the parking lot.

David Yun, youth pastor, expressed full support of the project as beneficial to the children's program at the church. He commented on overcrowded classrooms in the

existing facility. He indicated he will make an effort to keep the youth and children off the neighboring property.

Rose Yue, youth ministry leader and children's teacher, noted some of the issues raised by the neighbors will be resolved through the new building (no longer playing in the streets, parking lot or on the neighbor's property). She also commented on the role the church has played in the community over the last 30 years.

Keith Williams, pastor of the Baptist Church in Martinez, commented on the integrity of Concord Korean Baptist Church

Charles Han, New Covenant Church member, commented on the DRC approval as well as the good job done by the parking team.

Steve Vawter disputed some of the history given by the architect, noting that originally all the property on Hiller Lane was owned by the Church of Christ, and the Churchwood homes were built before the Korean Church. He expressed support for church growth and proper spiritual care for children, but he was concerned about unforeseen changes that might come in the future.

Seeing no further speakers, Chair Kluber closed the public hearing.

Ms. Mepani noted that the conditions of approval stipulate that the multi-purpose building may only be used for auxiliary uses, as well as stipulating the approved hours of operation, and a requirement to maintain adequate parking, some type of parking attendant systems and adequate signage.

Commissioner Hughes recommended changing the requirement for "parking attendants or signage" to "parking attendants *and* signage."

Ms. Mepani also noted worship service hours will be adjusted, no overlap, so ingress and egress will not happen at the same time.

Commissioner Burt commented on the need to remember the Golden Rule, "do to others...", as well as "honor thy neighbor". She reviewed issues raised by the neighbors - parking, littering, illegal use of neighboring church property, and traffic impacts on the Stonecliff neighborhood. She acknowledged valid concern on the Church's part regarding negative interactions with the HOA representative. She also agreed that the attorney letters are somewhat harsh, with no conciliatory efforts given. She commented on the definite need for the parties involved to talk to each other. She would even add it to the conditions of approval, if possible. She thought the recommended conditions of approval were fair and adequate, and she was appreciative of the project itself.

Commissioner Allen was also appreciative of the good done by the church in the community. She was still not sure, however, about whether there is going to be a school,

and exactly when and what activities will be taking place to ensure there is adequate parking at those times. She suggested more specifics as to the purposes before she votes.

She also asked staff about recording parking agreements with those willing to lease spaces, noting that less than half of the needed parking will be onsite. She asked whether the number required is net or gross. She asked what course the Commission can take if the parking attendants are volunteer. She also noted that landscaping along the existing portable building might mitigate the visual impacts.

Vice Chair Korbmacher indicated he thought it was a great project, and the improvements will allow existing classes to be moved into the new building. He acknowledged the building could be used for other purposes in the future. He was mostly supportive of the project, but he acknowledged the importance of educating church members regarding parking. He echoed Commissioner Burt, "respect thy neighbor."

Commissioner Hughes was very supportive of the project, expressing confidence that the applicant is sincere in their desire to work with the neighbors and the City. He thought this proposed design is better than it was 2 years ago. Since parking is still an issue, he recommended adding a requirement for professional parking staff rather than shuttle service. He was supportive of the project.

Commissioner Busby expressed optimism that offsite parking usually works, especially when it is close enough to walk into the facility. She agreed signage closer to Hiller Lane should be larger, but she was not supportive of requiring paid parking attendants. She expressed appreciation for the desire to invest in the community through improved facilities. She expressed hope that the neighbors and the church can work together to resolve the issues remaining.

Chair Kluber thanked members of the community for attending, especially those in opposition to the project, as their input is valuable too. He acknowledged that parking and traffic are safety issues, the church needs to be good neighbors and ensure that parking program is enforced; he was hesitant to require paid staff, however. He was supportive of the project with the change suggested by Commissioner Hughes.

On motion by Frank Kluber, Planning Commission Chair, no second required to approve UP #07-13 and DR #07-21, with a change to Condition #3, change "or" to "and" regarding parking agreements and parking attendants. Motion passed 6 - 1. Yes: Kluber, chair, Korbmacher, Burt, Busby, and Hughes, No: and Allen, Absent: Avila, Excused: Marchiano.

Commissioner Allen explained why she reluctantly voted no.

Staff corrected numbering in the conditions of approval, confirming it is the first Condition #3 that Commissioner Hughes changed.

3. *THE WORK SHOP FOR 630 COURT STREET HAS BEEN CONTINUED TO*

TUESDAY, DECEMBER 9, 2008. Workshop to review preliminary plans for the rehabilitation and expansion of existing 2-story commercial building at 630 Court Street. Proposed modifications would include: the reuse of the ground floor as a restaurant; improvements within the public right-of-way, including but not limited to permanent outdoor seating; and addition of office space requiring an exception to 3-story, 40 feet maximum height limit of the CC - "Central Commercial" zoning district.

COMMISSION ITEMS

Commissioner Hughes expressed appreciation for Chair Kluber's leadership. He asked staff when new officers should be elected.

STAFF ITEMS

Ms. Majors and the Commission discussed potential dates for the 630 Court Street workshop.

COMMUNICATIONS

Ms. Majors commented on the hiring process for the Planning Manager position.

ADJOURNMENT

Chair Kluber adjourned the meeting at 10:15 p.m.