

MEETING AGENDA
****SPECIAL MEETING****
CITY OF PLEASANT HILL PLANNING COMMISSION
SEPTEMBER 29, 2009
7:30 PM

COUNCIL CHAMBERS, 100 Gregory Lane, Pleasant Hill, CA 94523 www.pleasant-hill.ca.gov (925) 671-5209

CHAIR: DAVID MASCARO VICE CHAIR: JAMES BONATO MEMBERS: ROBERT ABBOTT, LOLA FELLINGER, KEN LOMBARDI, DIANA VAVREK, STEVE WALLACE

Members of the audience wishing to speak on any matter must fill out a card and turn it in to the secretary. Items not on the agenda will be considered during the Public Comment portion of the meeting. Comments on any item under the Public Hearing portion of the agenda will be accepted only when the public hearing is opened for that item. Comments are limited to three minutes per speaker. Presentations made by applicants are limited to a maximum combined time of 15 minutes. If the applicant or his or her representative fails to attend the public hearing concerning their application, the Planning Commission may take action to deny the application. An application may be entertained for continuance upon receipt of written notification of the applicant's inability to attend the hearing. Materials related to an item on this agenda submitted to the Commission after distribution of the packet are available for public review in the City of Pleasant Hill Planning Division at 100 Gregory Lane, Pleasant Hill, CA 94523 during normal business hours. Such documents are also available on the City of Pleasant Hill website at www.pleasant-hill.ca.us subject to staff's ability to post the documents before the meeting.

All matters listed under CONSENT CALENDAR are considered by the Commission to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a Commissioner prior to the time Commission votes on the motion to adopt. An appeal of the decision or conditions of the Planning Commission to the City Council must be filed with the City within ten calendar days of the date of the mailed notice of decision. No agenda item will be considered after 10:30 p.m. Remaining items will be rescheduled. The Planning Commission meetings are telecast the Friday following the Tuesday meeting from 4 p.m. to 6 p.m.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

STAFF INTRODUCTIONS

PUBLIC COMMENT

The public is welcome at this time to address the Planning Commission on any item, with the exception of items scheduled for Public Hearing at this meeting. Comments are limited to three minutes per speaker. Any public comments made regarding an item pending before the Commission do not go into the public record of that item.

PUBLIC HEARING

1. A REQUEST FOR REASONABLE ACCOMMODATIONS AND MINOR USE PERMIT NO. UP 08-008 ST. THERESA'S RETREAT – 20 PERSON CONGREGATE CARE, GENERAL FACILITY PROVIDING DRUG AND ALCOHOL TREATMENT

AND RECOVERY SERVICES: PROJECT SITE AT 2059 PLEASANT HILL ROAD &
OFF-SITE VISITATIONS AT 2115 PLEASANT HILL ROAD

(Continued from September 8, 2009)

Staff Report

Attachment A – Draft Planning Commission Resolution

Attachment B – Final Initial Study and Mitigated Negative Declaration

Attachment C – Summary of Public Records Request (updated)

Attachment D – Additional Applicant Information

Attachment E – Public Comments Received Since September 8, 2009

Attachment F – Transcription of September 8, 2009 Meeting (Pages 1-80)

Attachment F Part 2 – Transcription Continued (Pages 81-132)

The applicant is requesting Reasonable Accommodations and Minor Use Permit No. 08-008 for a 20-person congregate care, general facility to provide drug and alcohol treatment and recovery services within an existing residence at 2059 Pleasant Hill Road. The proposed use would be located within an existing 6,747 square foot, two story building that contains 11 bedrooms, shared restroom and shower facilities, shared dining and living facilities, a separate living area for potential staff use, and other related facilities that can accommodate multiple residents in one building. The building is currently used as a single family residence but was formerly a convent built for 20 persons and also was formerly approved as a retreat house for 20 people overnight and up to 25 people for seminars and classes (LUP 337-83). The following are the major components of the project proposal, which are subject to later change:

- The facility would be licensed by the State of California Department of Drug and Alcohol Programs.
- All clients would be screened for compliance with specified admission criteria prior to acceptance into the facility.
- Clients at the facility would be limited to adult women only.
- The facility would provide non-medical, long term drug and alcohol treatment and recovery services within a residential setting. No detoxification services would be provided. No medicinal marijuana would be dispensed on-site.
- The facility would house residents and staff, 24 hours per day 7 days per week.
- The clients of the facility would not be allowed to have vehicles on-site while residing at the facility.
- Clients of the facility would not be allowed to leave the property or gather in the front of the property except with a staff chaperone.
- The applicant has proposed a “Good Neighbor Policy” and a “Residential Admission Agreement” both of which contain rules and regulations for clients of the facility.
- Facility staffing would consist of a day, evening and night shift. The day shift would have up to 5 staff members, the evening shift up to 3 staff members, and the night shift would have ~~one~~ two staff persons. In addition, the facility would have 3 volunteers on-site at various times of the day.

- Outdoor activities are proposed, including outdoor grilling/cooking/eating, meditation, gardening, reading, ~~smoking area~~, listening to soft music, and other similar activities.
- Five additional off-site parking spaces for facility use would be provided at 2115 Pleasant Hill Road (First Christian Church).

(note: changes or clarifications to the project description are shown in strike-out/underline type)

The applicant is requesting reasonable accommodations from the following City requirements pursuant to PHMC Chapter 18.112 and state and federal fair housing laws:

- Relief from the City's standard condition of approval requiring an applicant to indemnify the City from future claims, actions or proceedings against the City.
- Relief from referral of this minor conditional use permit to the Planning Commission or City Council in reference to P.H.M.C. Section 18.95.020. The accommodation requested is for the Zoning Administrator to grant Use Permit Number UP 08-008 for St. Theresa's Retreat, a long-term residential treatment facility for women suffering from drug and alcohol addiction disorders at 2059 Pleasant Hill Road, Pleasant Hill, CA filed September 2008. This accommodation also requests that no additional conditions relating to security, property improvements, public improvements, operations, extraordinary regulation, reporting, and oversight related to women in recovery be included with the issuance of this permit aside from those imposed by Land Use Permit NO. 337-83.
- Relief from the City's requirement that the applicant construct an eight foot tall perimeter fence around the property (PHMC § 18.25.040.A.4 & 18.55.140.A).
- Relief from the City's requirements as set forth in the Pleasant Hill Corridor Concept Study, regarding the requirement to construct sidewalk, curb and gutter improvements along the street frontage of the property.
- Relief from the following City parking related requirements as set forth in various sections of Chapter 18.55:
 - Parking and loading space dimensions include width and depth and buffer area adjacent to obstructions.
 - Parking and loading supply requirements
 - Adding wheel stops for each parking space that abuts a fence, curb, wall, or landscape walkway.
 - Parking aisle dimensions including driveway widths.
 - Driveway widths and clearances, including width for one and two-way access.
 - Driveway visibility requirements.
 - Parking area screening, lighting and landscaping requirements including:
 - Screening with an eight foot tall wall or fence from adjacent residential "R"-districts.
 - Complying with lighting requirements for parking lots.
 - Providing 10% of the parking lot area as landscaping.
 - Installing planting strips along property lines adjoining residential "R"-districts and along street property lines.

- Installing a landscape planter at the end of parking rows.
- Installing a minimum of 1 tree for every 3 parking spaces in the parking area.
- Providing any other paving, surfacing, drainage, lighting, signs, striping, etc. that is deemed necessary within the parking and driveway area.
- Complying with loading space regulations include size dimensions and location within a required front yard.

Scheduled off-site visits between clients, family members and friends and related educational presentations would occur at 2115 Pleasant Hill Road (First Christian Church) once a week on Saturday's from 9:00am through 12:00pm.

The project site is located in the *R-10 Single Family Residential* zoning district. Assessor's Parcel Number 166-330-015.

Project Planner: Troy Fujimoto, 925-671-5224 or tfujimoto@ci.pleasant-hill.ca.us

DISCUSSION ITEMS

1. [REVIEW OF THE DRAFT AGENDA FOR REGULAR MEETING ON OCTOBER 13, 2009](#)

The next meeting of the Planning Commission will be on October 13, 2009. A draft agenda for this meeting, listing the scheduled agenda items, hearings, and discussion items, was included in the agenda packet for Commissioners to review. At their discretion, Commissioners may ask questions and receive a brief description from staff regarding the agenda.

2. STAFF COMMUNICATIONS

Staff may provide the Commission with a brief update on matters of general interest and/or suggest topics for consideration on future agendas.

COMMISSIONER REPORTS AND ANNOUNCEMENTS

1. REPORTS from Commissioners on Meetings or Conferences Attended at City Expense.
2. ANNOUNCEMENTS and comments from Commissioners.

Adjourn to a regular meeting of the Planning Commission on October 13, 2009, at 7:30 P.M., in the City Hall Council Chambers, 100 Gregory Lane.