



CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT

April 21, 2025

Miguel Contreras, Associate Planner
Community Development
City of Brentwood
150 City Park Way
Brentwood CA 94513

RE: DR 24-013- Fire Station 94 Design Review Application

Dear Mr. Contreras,

Before the upcoming Planning Commission hearing, the Contra Costa County Fire Protection District (Fire District) wishes to provide a written response to some questions that arose during the previous hearing. Notably, many of these inquiries fall outside the scope of the design review of Fire Station No. 94 (Fire Station), which is the sole focus of this hearing. Additionally, many concerns are unsubstantiated and unsupported by any evidence in the record. On the contrary, substantial evidence in the record supports the approval of the Fire Station. Nevertheless, we want to provide a response to each of these questions in an effort to further inform the Planning Commission, City staff, the public, and the Council, if needed. The following information is provided for your consideration:

1. The streets of downtown are tight, and it is hard for the Fire District to navigate downtown.

Downtown conditions are present today, without the Fire Station, and the Fire District is currently providing services, including ladder truck operations, throughout downtown Brentwood. The Fire District recorded and shared a short video of engines navigating downtown. Establishing the Fire Station at this location enables us to position resources closer to where demands for those resources are located.

2. The Fire Station may need to expand in the future.

The City is required to evaluate the project before it, not speculate about future plans. Nevertheless, this Fire Station is intentionally designed to serve the needs of the city and fit within the Downtown Brentwood area, and there are no plans or thoughts of any future expansion. The Fire Station is designed as a single-

company station, and its capabilities will be complemented by existing and planned Fire District stations and resources.

The Fire District is currently planning Fire Station 90 at Lone Tree and Windy Springs in Brentwood. This station will be a larger, two-crew station with a Battalion Chief's office and dormitory, designed as a "battalion headquarters." Fire Station 90 will accommodate a ladder truck.

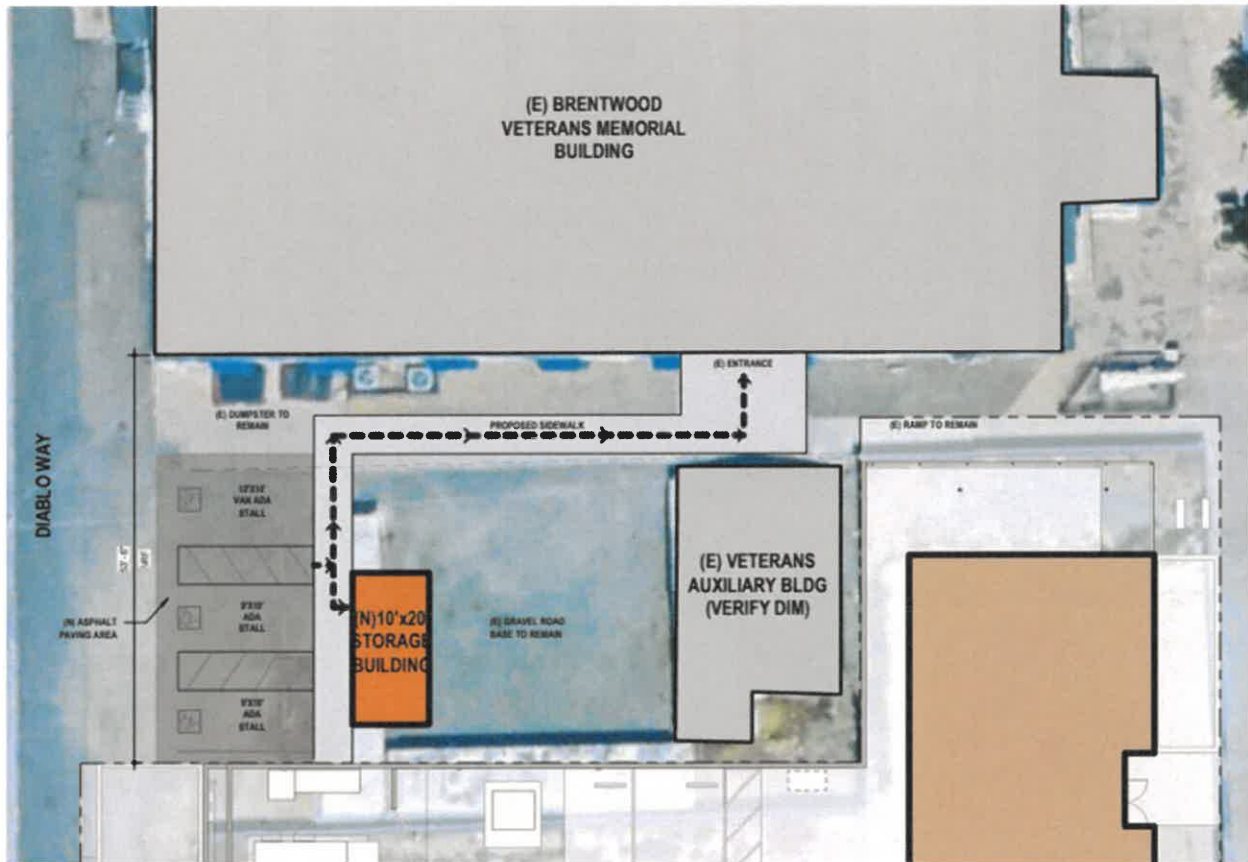
Historically, within the last 20 years, the Fire District has only "added on" to one fire station. This was an addition to an apparatus bay in Walnut Creek to accommodate a longer tiller truck. As explained above, a longer ladder truck would be able to be positioned at Fire Station 90 once it is completed.

3. The Veterans will lose storage as a result of this project.

This is inapt for a hearing focused on design review of the Fire Station. Nevertheless, the Fire Station will not result in the claimed loss of storage. Contra Costa County (County), the owner of the Veterans Memorial Building property, has offered to construct a storage building on the Veterans Memorial Building site. Similarly, the City of Brentwood has offered the Veterans organization the ability to remove the unlawful storage containers from the site and store them at the Public Works Corporation yard, as they do for other community-based groups.

4. What about ADA requirements at the Veterans Memorial Building?

While the Veterans Memorial Building is outside the scope of this design review, there are a few notable comments. The ADA ramp to the Veterans Memorial Building was determined to be on the Fire District's adjacent property. The Fire District granted an easement back to the County so that the ramp can remain undisturbed in its current location. The County may consider building additional ADA parking for the Veterans Memorial Building and has some preliminary plans. However, none of those issues are related to design review of the Fire Station located on adjacent Fire District-owned property.



5. Was the transfer from the County to the Fire District legal, and did it violate the special use tax or the Military and Veterans Code?

While this issue is outside the scope of the design review of the Fire Station, the County and the Fire District followed all applicable legal requirements when exchanging property rights.

The land transfer from the County to the Fire District, and the conveyance of an easement from the Fire District to the County, satisfied all applicable legal requirements, including all required public noticing. The property line was adjusted to provide the Fire District with an additional 13 feet at the back of the lot, allowing fire apparatus to enter from the rear of the property and maneuver into the Fire Station. Furthermore, the Fire District granted an easement to the County at the front of the lot, allowing the ADA-compliant wheelchair-accessible ramp to the Brentwood Veterans Memorial Building to remain in place.

These transfers did not violate the special use tax or the Military and Veterans Code. The special use tax that was mentioned was established in 1922, in accordance with the predecessor statute to Military and Veterans Code section 1262, which authorizes counties to purchase land and build veterans halls for

veterans to use. The tax was levied “for the purpose of building Memorial Halls in Contra Costa County for use of American Legion posts and ex-service men.” Tax revenues were used for that designated purpose before the sunset of the tax. The tax is no longer being collected.

The County owns the land and the Veterans Memorial Building and leases it to the Brentwood Veterans Memorial Building Board of Trustees. Because the County owns the land, the County was authorized to use a portion of the land for a fire station in 1937, to replace the fire station in 1957, and to transfer the fire station land to a fire district. While the veterans meet at the Veterans Memorial Building under their lease with the County, Military and Veterans Code section 1266 does not give the veterans a property right in the Veterans Memorial Building, or the surrounding County-owned property, or any adjacent properties. Moreover, nothing in the Military and Veterans Code can prevent the Fire District from using Fire District-owned property to construct and operate the Fire Station.

6. Does the Americans with Disabilities Act apply to the project?

The ADA applies to the project, and the Fire Station is designed to meet all applicable ADA requirements. Nevertheless, this issue is irrelevant for review and determination under the California Environmental Quality Act.

7. The Fire Station project will end the farmers' market and other downtown functions.

This is inapt for a hearing focused on design review. Nevertheless, the Fire Station will not end the farmers' market or other downtown functions. The current footprint of the farmers' market does not include the space in front of the Fire Station.

Other City events could, potentially, require temporary street closures. If the City or another applicant wishes to temporarily close the street in front of the Fire Station to vehicular traffic, the Fire District would evaluate the feasibility of that request, just as it does for the current farmers' markets, and the district would issue permits accordingly. The Fire District looks forward to being present for downtown events, as it has for many years. Depending on the scale of an event, it may be possible to pre-position apparatus so that emergency response could occur from the rear of the building for a short period of time to accommodate the event.

8. Diablo Way is inadequate to support fire apparatus

No evidence, and certainly no substantial evidence, in the record supports this claim. Contrary to that claim, the City of Brentwood Engineering Department has determined that Diablo Way is sufficient to support fire apparatus. This is an existing condition of a city street.

9. Diablo Way is used for delivery truck loading and unloading.

This is inapt for a hearing focused on design review of the Fire Station. Nevertheless, it should be noted that vehicle loading and unloading in areas obstructing traffic or parking stalls is currently prohibited. The Fire Station's location does not change this. We are aware Diablo Way is used for deliveries. A fire engine successfully maneuvered around a semitruck that was unloading on Diablo Way, and this video has been submitted to the Brentwood Planning Department.

10. The project is massive and oversized.

There is no evidence, and certainly no substantial evidence, in the record to support this claim. The Fire District was extremely intentional about how the station was designed. The Fire Station was designed to fit seamlessly within the scale guidelines of Downtown Brentwood and not overpower nearby buildings. The building complies with all zoning setbacks, height limits, and floor area ratio. The Fire Station is limited to two stories, with an overall height of 36'2", which is considerably lower than the 48' maximum allowable height in the Downtown Brentwood area. The setbacks match those of the adjacent buildings. The design maintains continuity with the low-to-mid-rise character of the area and incorporates step-back features to reduce the perceived bulk of the structure. Its mass purposefully drops to a single story on the south side, transitioning to the adjacent property while maintaining a clear open setback between the Fire Station and the neighboring Veterans Hall. The new Fire Station will be oriented with its primary entrance facing First Street to enhance street activity. Transparent elements, such as the apparatus bay doors and glazing along the ground floor level, create an open feel, contributing to the pedestrian environment that the Downtown Specific Plan encourages. The main entrance will be identifiable and accessible, featuring design elements such as signage, lighting, and landscaping to reinforce its civic function while maintaining an inviting street presence.

11. The station should not be downtown.

This is not an issue appropriate for design review. The Fire District would not be spending \$12 million to design and construct a station if this were not an optimal location based on available data. The Fire District makes station location decisions based on available data and information, with the aim of enhancing responses to service calls and better serving our communities. The "heat map" on the Fire District's website displays the total number of calls that the Fire District responded to in 2024. The data illustrates the volume of emergency service calls from Brentwood and Oakley and the current times those calls have to wait for an engine to respond from the existing fire station on John Muir Parkway. Constructing this Fire Station in Downtown Brentwood will place

emergency responders closer to where emergency calls have historically occurred, reducing response times and increasing the likelihood of survival for citizens and visitors to Brentwood who require emergency care.

12. The turn radius studies are inaccurate. They do not show clearances required for parked cars.

There is no evidence, and certainly no substantial evidence, in the record to support this claim. To the contrary, substantial evidence in the record establishes that the Fire Station is properly sited. The turn radius study indicates that the Fire Station is accurately sited to support fire apparatus ingress and egress from and onto city streets. The studies demonstrate that left and right turns for fire apparatus egress from the Fire Station onto First Street do not conflict with on-street diagonal parking. To ensure the turn radius studies were correct, Type 1 and Type 3 Contra Costa County Fire Engines visited the site, backed up to the sidewalk, and could turn left and right without crossing the parking stalls. Additionally, the engines backed into the site and pulled out onto Diablo Way. Video of the driving demonstration has been provided to the Brentwood Planning Department.

13. What about the Sand Creek and Laurel site?

Alternative siting is not properly an issue for design review. Nevertheless, the Fire District does not own property at the described Sand Creek and Laurel site. Before its annexation to the Fire District, the former East Contra Costa Fire District abandoned this option long ago because it does not provide ideal emergency response capabilities in all directions. Downtown Brentwood has been the focus of planning efforts even before the annexation of ECCFD's territory to the Fire District. The project before the Planning Commission is this Fire Station, on this Fire District-owned property, using the design before the commission.

14. What about the risk to pedestrians on the sidewalk?

The new Fire Station includes pedestrian warning lights on the sidewalk to alert pedestrians when the apparatus bay doors open. Furthermore, the design ensures that the apparatus driver has a clear view of the sidewalk before crossing the sidewalk with the vehicle, prioritizing pedestrian safety. Drivers are trained to look both ways before exiting and to be aware of their surroundings.

15. Will the area behind the fire station be used to perform apparatus maintenance?

This is not a proper subject for design review. Nevertheless, no heavy maintenance will occur on-site. The District operates a large apparatus shop in Concord where all significant maintenance is conducted. The crew at the station will carry out fire apparatus cleaning and DOT safety inspections.

16. The Veterans Memorial Building is a place of peace and serenity for veterans.

This is inapt for a hearing focused on design review of the Fire Station. Nevertheless, the fire station on this site coexisted peacefully with the Veterans Memorial Building for decades without conflict. The emergency sirens would still be present downtown even without the Fire Station in the event of emergency responses in Downtown Brentwood. These are existing conditions. Moreover, the Fire Station will not affect or impair the use of the Veterans Memorial Building by the veterans or any other group.

17. Are toxins associated with the fire apparatus and fire turnout gear?

This is inapt for a hearing focused on design review of the Fire Station. Nevertheless, both gear and equipment are cleaned in accordance with National Fire Protection Association (NFPA) standards. The Fire Station will not generate industrial waste from its operations. Any waste classified as biohazard, such as soiled gloves or sharps, will be disposed of by a licensed medical waste contractor, as is the current practice at other stations.

18. Were there hazardous materials on the site?

Based on testing data, no hazardous materials were found on-site. The previous fire station structure was old and contained asbestos materials, such as flooring and other components. Old paint with lead was also present. When the previous fire station was demolished, these materials were abated in compliance with all applicable Bay Area Air Quality Management District, City of Brentwood, and OSHA regulations. Permits were applied for and granted. Additionally, soil tests were performed, and it was determined that no hazardous materials were present. A third party was hired to review and document the strict protocols associated with this process.

Thank you for the opportunity to address some of the community's concerns. We look forward to the design review criteria hearing. Our goal is to ensure the Brentwood community is well served by a new Fire Station that is better positioned to respond to emergency calls from Brentwood residents.

Sincerely,



Aaron J. McAlister
Deputy Fire Chief

cc: Contra Costa County