

Minutes
City of Clayton Planning Commission Meeting
Tuesday, February 9, 2010

Call to Order

Chair Bob Armstrong called the meeting to order at 7:00 p.m. at Hoyer Hall, 6125 Clayton Road, Clayton.

Present: Chair Bob Armstrong, Vice Chair Sandra Johnson, Commissioner Ted Meriam, Commissioner Dan Richardson

Absent: Commissioner Tuija Catalano

Staff: Community Development Director David Woltering
Assistant Planner Milan Sikela, Jr.

Administrative

1A. Review of agenda items.

1B. Commissioner Richardson to report at the City Council meeting on February 16, 2010.

Public Comment

None.

Approval of Minutes

2. Approval of minutes from the meeting of January 26, 2010.

Commissioner Richardson moved and Vice Chair Johnson seconded the motion to approve the minutes from the meeting of January 26, 2010, as amended. The motion passed 4-0.

Public Hearings

3. **SPR 11-07, Extension of Site Plan Review Permit, Ramon Velasquez, 1816 Ohlone Heights, APN 118-392-001.** A request to extend for an additional six (6) months (from March 17, 2010 to September 17, 2010) and amend a Site Plan Review Permit to modify an existing retaining wall, screen fence atop the retaining wall, and landscape and related improvements in the exterior side yard of the subject property. The proposed amendments include adding a lower retaining wall and setting back by three (3) feet the existing six (6) foot high solid board fence atop the existing retaining wall, instead of replacing the solid board fence with a five (5) foot high open type, wrought-iron fence which would be set back three (3) feet from the back of the existing retaining wall.

The public hearing was opened. Director Woltering presented the staff report.

Vice Chair Johnson asked if what exists at the project site now will remain? Director Woltering answered "no" and added that it is expected that the fence and landscaping will be modified and a lower retaining wall being proposed may be approved for installation.

The applicant, Ramon Velasquez, indicated his biggest concern is privacy and safety. A wrought iron (open type) fence will not provide the privacy and safety he desires for his family. A solid wood fence would address these concerns.

Commissioner Meriam asked Mr. Velasquez what is his opinion of including Chinese Pistache trees in his landscape plan? Mr. Velasquez answered that he liked Chinese Pistache trees and that they are included in the proposed plantings of his Preliminary Landscape Plan.

Vice Chair Johnson said that a wrought iron fence would be more costly to install and agreed that it would not provide the privacy desired.

Mr. Velasquez said he spoke to eight of his neighbors and they were in support of his proposed modifications to the property.

Commissioner Richardson asked if shifting the solid wood fence back by three feet would be allowed by the Municipal Code. Director Woltering answered "yes".

Commissioner Meriam indicated that planting vegetation in front of the solid wood fence would soften the look of the fence.

Diana Kostik, representing Tom Stubblefield (also in the audience) from Stubblefield Landscape Inc., indicated that 90% of the solid wood fence would be covered with vegetation over time.

Tom Castle, engineer for Mr. Velasquez, indicated the following:

- It is better to leave the lower retaining wall at its proposed height because increasing the height would require a larger footing which would impact the sidewalk.
- The best scenario for the issues on-site is being proposed.

Commissioner Richardson asked if there was a footing on the existing retaining wall. Mr. Castle answered that there is no footing.

Commissioner Richardson asked if a soils report was done. Mr. Castle answered no, that Uniform Building Code standards with a safety factor of 1.5 was used.

Commissioner Richardson asked if there were any utilities in the areas of the existing and proposed retaining wall. Mr. Castle answered "no".

Chair Armstrong indicated he agreed with Vice Chair Johnson regarding retaining the solid wood fence as long as it would be located three feet behind the existing retaining wall.

Commissioner Richardson concurred and added that landscaping in front of the fence would provide screening. The Commission also indicated ongoing maintenance of the proposed landscaping will be very important to the success of this proposal.

Commissioner Meriam indicated he was pleased with the plan.

By consensus, the Commission agreed that Condition 1 should be eliminated, Conditions 2 modified to retain but set back by three feet the solid wood fence, and that Condition 3 should be modified to remove the Camphor tree and accept the Chinese Pistache tree as the accepted tree for the project.

Commissioner Meriam moved and Vice Chair Johnson seconded a motion to approve an additional six-month extension (from March 17, 2010 to September 17, 2010) to amend a Site Plan Review Permit to to modify an existing retaining wall, screen fence atop the retaining wall, and landscape and related improvements in the exterior side yard of the subject property, with removal of Condition 1 and amendment of Conditions 2 and 3. The proposed amendments include adding a lower retaining wall and setting back by three (3) feet the existing six (6) foot high solid board fence atop the existing retaining wall, instead of replacing the solid board fence with a five (5) foot high open type, wrought-iron fence which would be set back three (3) feet from the back of the existing retaining wall.

Old Business

4. Discussion regarding Draft Water Efficient Landscape Ordinance.

Director Woltering presented the staff report.

Vice Chair Johnson asked if this ordinance is in compliance with State requirements. Director Woltering answered, yes, the objective is to be equally effective, but less complicated and easier to understand and implement.

Vice Chair Johnson agreed that the revised draft version appears easier to understand.

Commissioner Meriam asked if this would replace Chapter 17.80. Director Woltering answered yes, it would.

What impact will the 5,000 to 2,500 square foot threshold for applicability for homeowners have in the real world? Director Woltering indicated that, although most residential lots in Clayton are 10,000 square feet in area or greater, staff anticipated that more developments, such as the one proposed for Hurd Ranch, will be using smaller lots at 5,000 square feet in area or less in the future. Consequently, the actual impact for Clayton may not be significant.

Chair Armstrong asked which type of water meter will be required for irrigation systems. Director Woltering answered that CCWD-approved water meters would likely be used.

Chair Armstrong asked if a landscape auditor would have to be used to monitor project compliance.

Commissioner Meriam asked if it mattered where the source of water came from. Director Woltering indicated that source of water is not specified in the ordinance. The objective is to use water more efficiently for landscape applications, regardless of the source.

New Business

5. None.

Communications

6A. Staff.

6B. Commission.

Review regarding Planning Commission Meeting Procedures and Protocol.

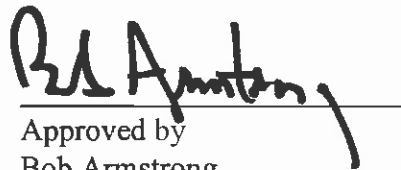
By consensus, the Commission moved the item to the meeting of February 23, 2010 as study session.

Adjournment

7. The meeting was adjourned at 8:10 p.m.



Submitted by
David Woltering, AICP
Community Development Director



Approved by
Bob Armstrong
Chair

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