

Minutes
City of Clayton Planning Commission Special Meeting
Tuesday, March 25, 2008

Call to Order

Chair Haydon called the meeting to order at 7:00 p.m. at the Library Meeting Room, Clayton Community Library, 6125 Clayton Road, Clayton.

Present: Chair Keith Haydon, Vice Chair Tuija Catalano, Commissioner Bob Armstrong, Commissioner Joe Odrzywolski

Absent: Commissioner Ed Hartley

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

Administrative

1A. Review of agenda items.

1B. Commissioner Armstrong to report at the April 1, 2008 City Council meeting..

Public Comment

None.

Approval of Minutes

2. Approval of minutes from the regular meeting of March 11, 2008.

Chair Haydon moved and Commissioner Odrzywolski seconded a motion to approve the minutes from the regular meeting of March 11, 2008, as amended. The motion passed 4-0.

Public Hearings

3A. **GPA 01-07, Town Center General Plan Update, City of Clayton.** An amendment of the *General Plan* Land Use Element, Circulation Element, and Community Design Element to make additions, revisions, and deletions of various goals, policies, objectives, standards, permitted uses, guidelines, text, and figures regarding development in the Town Center as well as other miscellaneous minor revisions and updates. *Continued from the regular meeting of March 11, 2008.*

3B. **SPA 01-07, Town Center Specific Plan Update, City of Clayton.** An amendment of the *Town Center Specific Plan* including, but not limited to, Chapters 1 (Introduction), 3 (Municipal Services), 5 (Circulation), and 6 (Financial Implementation) to make additions, revisions, and deletions of various goals, policies, objectives, standards, permitted uses, guidelines, text, and figures. *Continued from the regular meeting of March 11, 2008.*

The continued public hearings were re-opened. Assistant Planner Sikela indicated that staff was recommending a tabling of GPA 01-07 and SPA 01-07 to an undetermined future meeting date and that the public hearings would be re-noticed accordingly.

Commissioner Armstrong moved and Commissioner Odrzywolski seconded a motion to table the public hearings for GPA 01-07 and SPA 01-07 to an undetermined future meeting date. The motion passed 4-0.

- 3C. **ENV 01-08, Environmental Review, Rivulet Mixed Use Project, Uzoma Nwakuche**, 1005 and 1007 Oak Street (APNs 119-050-009 and 119-050-034). A study session to discuss the status of the environmental review of the project.
- 3D. **DP 01-08, Development Plan, Rivulet Mixed Use Project, Uzoma Nwakuche**, 1005 and 1007 Oak Street (APNs 119-050-009 and 119-050-034). A request for approval of a development plan to allow the construction of a two-story mixed-use commercial/residential building with approximately 7,000 square feet of commercial retail on the first floor and up to seven residential units on the second floor. *Continued from the regular meeting of March 11, 2008.*

The study session for ENV 01-08 and the public hearing for DP 01-08 were opened. Assistant Planner Sikela presented the staff report. Director Woltering indicated that staff had been working on project compliance with City parking standards.

Bob Staehle, the representative of the applicant, indicated the following:

- The purpose of tonight's meeting is, in part, a preliminary review of the site plan.
- Creek setbacks have been adjusted to address anticipated direction from the Department of Fish and Game (DFG).
- We have been working with staff to resolve the parking issues.
- The elimination of angled parking in favor of parallel parking is being proposed to achieve the desired creek setbacks.
- We want to improve Mitchell Creek; DFG is aware of this.
- We will be reviewing the adjusted site plan with DFG.

Commission questions included:

- Will you be reinforcing the creek bank? *Mr. Staehle indicated that the creek bank would not be altered since this would require a streambed alteration agreement; However, he indicated that the creek setback would be stabilized and enhanced with plantings.*
- Will the concrete walkway be wrapped around the southwestern corner of the project near the creek bank for ingress and egress purposes? *Mr. Staehle indicated that it was likely that the concrete walkway would be wrapped around but we are attempting to retain an open and natural look in that area of the project.*
- Does the 9,400 square-foot footprint include sidewalk paving and ingress paving? *Mr. Staehle answered, no, it does not. Landscaping will be installed and paving removed on the High Street side of the project with the intent of keeping the project under 10,000 square feet.*
- Does the ingress/egress area along the creek require a railing? *Mr. Staehle responded that he did not know since the project is currently proposed to be 10 feet from the top of bank.*
- What we are seeing now appears to be well on its way to the kind of footprint we would like to see.
- Moving the footprint away from the creek is a good thing.

- Where will the elevator be located? *We are still proposing to keep the elevator at the north end of the project since the handicapped parking will be located nearby and the north end is where the main access to the residential units will be located.*
- The ingress/egress door on the creek side serves the staircase? *Mr. Staehle indicated, yes it does and we have moved the ingress/egress door closer to High Street to reduce the impervious surface area.*
- What is the minimum pedestrian distance you are showing on the plans on the Oak Street side? *Mr. Staehle indicated that it was 5 feet at the south end of the overhang and 4 feet, 6 inches at the north end of the overhang.*
- The minimum pedestrian width shown on the plans is too narrow, due to the triple columns on the end of the walkway roof.
- Is the proposed adjusted building footprint generally within the existing building footprint at the site? *Mr. Staehle responded "Yes."*

The public testimony period was opened.

Troy Bristol, representing Save Mount Diablo, indicated the following:

- Appreciate the work of staff and the applicant to ensure Mitchell Creek is not encroached upon.
- Support preparation of a mitigated negative declaration and request the opportunity to receive the document when it is distributed.

Gloria Utley, 5950 High Street, indicated the following:

- Access to garages on High Street appear to impede access across the High Street bridge to our driveways. *Mr. Staehle responded that the project would not impede access across the High Street bridge to the residences west of the project site.*
- What is happening with the small triangular piece on the west side of the creek near the High Street bridge without blocking access for the Utleys and other residences across the High Street bridge? *Mr. Staehle responded that the issue was still unresolved.*
- We like the frogs in the creek; we want them to stay.

Commissioner Odrzywolski asked if there will be enough space on High Street to allow vehicles to cue up for entrance into the garages? *Mr. Staehle responded that, with the 52 feet of right-of-way on High Street, there should be room to accommodate cars cueing up.*

Lanny Utley, 5950 High Street, indicated the following:

- Have lived at 5950 High Street for 40 years.
- Do not understand why we are taking the smallest parcels in the Town Center and building these types of dense projects on them.
- We need to address where the garbage cans will go that are placed by the residents on the High Street bridge.
- How will the applicant address placement of the 14 +/- garbage cans for the seven downstairs commercial units and seven residential units upstairs? *Mr. Staehle indicated that trash will be accommodated by one large commercial dumpster so there will not be 14 or so individual garbage cans generated by the tenants and residents occupying the project.*

Steve Carvajal, 989 Oak Street, indicated he also had concerns about the parking and trash issues related to the project.

Commission comments and questions included:

- Has the developer thought about the trash issue? *Mr. Staehle indicated that the large commercial dumpster would be located inside the building.*
- How will the trash be serviced? *Mr. Staehle indicated that a commercial truck will enter High Street, pick up the trash, and back out onto Oak Street.*
- We think you are moving in the right direction but there are issues that remain and must be addressed.

Commissioner Odrzywolski moved and Vice Chair Catalano seconded a motion to continue the study session for ENV 01-08 and the public hearing for DP 01-08 to the next regular meeting of April 8, 2008. The motion passed 4-0.

Old Business

4. None.

New Business

5. None.

Communications

- 6A. Staff

Director Woltering indicated that the City Clerk requested that the Commissioners submit their Form 700 documents prior to the April 1, 2008 deadline.

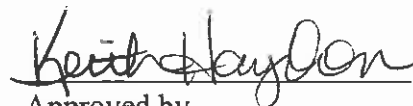
- 6B. Commission – None.

Adjournment

7. The meeting was adjourned at 8:05 p.m.



Submitted by
David Woltering, AICP
Interim Community Development Director



Approved by
Keith Haydon
Chair

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