

Minutes
City of Clayton Planning Commission Meeting
Tuesday, May 13, 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, Commissioner Bob Armstrong, Commissioner Ed Hartley, Commissioner Joe Odrzywolski

Absent: Vice Chair Tuija Catalano

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

Administrative

1A. Review of agenda items.

1B. Chair Haydon to report at the May 20, 2008 City Council meeting.

Public Comment

None.

Approval of Minutes

2. Approval of minutes from the special meeting of April 29, 2008.

Chair Haydon moved and Commissioner Odrzywolski seconded a motion to approve the minutes from the special meeting of April 29, 2008, as amended. The motion passed 4-0.

Public Hearings

3. **SPR 02-08, Site Plan Review, Jeannette and George Streeter**, 9 Rolen Court, APN 119-113-012. A request for a site plan review permit to allow the completion of construction of a rear-yard deck measuring approximately 1,180 square feet in area and up to 10 feet in height with a 3-foot, 7-inch tall safety railing atop and surrounding the deck.

The public hearing was opened. Assistant Planner Sikela presented the staff report.

Chair Haydon indicated that he conducted a site visit of the subject property.

Commissioner Armstrong indicated that he visited the property to the east of the subject property.

The public testimony period was opened.

The applicant, George Streeter, indicated the following:

- Dead bushes and shrubs were removed from the rear yard between the deck and the rear property line.
- When we moved into the residence, there was an existing deck in the rear yard which was unsafe; my sister stepped on a nail sticking out from the deck.
- The new deck is better, stronger, and safer.

- We were not aware that we needed to obtain a building permit for the new deck because it was just a replacement of the previously-existing deck.

Commission questions included:

- Was the new deck engineered? *Mr. Streeter responded that Gilbert Fitch and Associates engineered the deck with the topographical survey conducted by a company called Quiet River.*
- How far does the new deck extend out beyond the old deck? *Mr. Streeter responded that the new deck is in the same location as the old deck, with a slight expansion near the bedroom to allow for handicap access.*
- Are you in agreement with the landscape plan condition that would require you to replant trees? *Mr. Streeter answered "Yes."*
- Did you contact your neighbors regarding the project? *Mr. Streeter answered "No."*

Dennis Webb, 951 Oak Street, indicated the following:

- We live east of the subject property.
- Our property is approximately 50 feet lower in elevation than the subject property.
- Had concerns regarding the stability, safety, and visibility of the new deck.
- I called the Clayton Community Development Department and they did not have any records of the permit.
- How can we find the results of the Contra Costa County Building Department's inspection of the deck? *Director Woltering indicated that staff could research the inspection results and contact Mr. Webb to inform him of those results.*

Commission questions included:

- How close is your home from the rear property line of the subject property? *Mr. Webb answered that it is approximately 70 feet.*
- Did you remove trees from your property that were located adjacent to the rear property line of the subject property? *Mr. Webb answered that he had removed two diseased pine trees approximately five years ago.*

There being no further comments, the public testimony period was closed. Commission comments included:

- Major concerns are with the safety of the deck.
- We prefer to receive a site plan review request before the construction of the project begins.

Commissioner Armstrong moved and Commissioner Odrzywolski seconded a motion to approve site plan review permit SPR 02-08, with the findings and conditions recommended by staff. The motion passed 4-0.

Old Business

4. None.

New Business

5. None.

Communications

6A. Staff

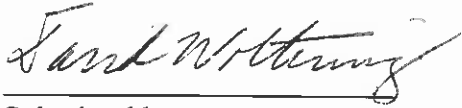
Director Woltering provided a brief update on the Rivulet project.

6B. Commission

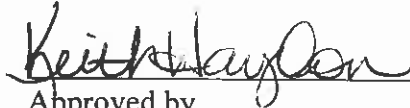
By consensus, the Planning Commission cancelled the May 27, 2008 Commission meeting to bring anticipated agenda items together to make meetings more efficient.

Adjournment

7. The meeting was adjourned at 8:00 p.m.



Submitted by
David Woltering, AICP
Interim Community Development Director



Approved by
Keith Haydon
Chair

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