



Agenda
Planning Commission Meeting
7:00 P.M. on Tuesday, August 12, 2008
Clayton Community Library Meeting Room
6125 Clayton Road, Clayton

CALL TO ORDER, ROLL CALL, PLEDGE TO THE FLAG

Administrative

- 1A. Election of Chair and Vice Chair.
- 1B. Review of agenda items.
- 1C. Commissioner Hartley to report at the August 19, 2008 City Council meeting.

Public Comment

Approval of Minutes

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

Public Hearings

- 3A. **SPR 05-08, Site Plan Review Permit, Mike Roberts**, 1501 North El Camino Drive, APN 118-072-001. A Site Plan Review Permit to allow the construction of an addition to an existing single-story, single-family residence. The addition will measure approximately 14 feet in height and 500 square feet in area.
Proposed Action: Approval, with conditions.
- 3B. **SPR 06-08, Site Plan Review Permit, Joseph Swicegood**, 1420 Lydia Lane, APN 120-051-006. A Site Plan Review Permit to allow the construction of an addition to an existing single-story, single-family residence. The addition will measure approximately 15 feet in height and 370 square feet in area.
Proposed Action: Approval, with conditions.
- 3C. **UP 04-08, Use Permit, Clayton Mind and Body**, 6200 Center Street, Suite I, APN 119-620-060. A Use Permit to allow the operation of a massage therapy and skin care business in a ground-floor retail tenant space within the Town Center. The applicant is Clayton Mind and Body.
Proposed Action: Approval, with conditions.

Old Business

- 4. None

New Business

5. None

Communications

- 6A. Staff
6B. Commission

Adjournment

7. The next meeting of the Planning Commission is scheduled for **Tuesday, August 26, 2008.**

Most Planning Commission decisions are appealable to the City Council within ten (10) calendar days of the decision. Please contact Community Development Department staff for further information immediately following the decision. If the decision is appealed, the City Council will hold a public hearing and make a final decision. If you challenge a final decision of the City in court, you may be limited to raising only those issues you or someone else raised at the public hearing(s), either in oral testimony at the hearing(s) or in written correspondence delivered to the Community Development Department at or prior to the public hearing(s). Further, any court challenge must be made within 90 days of the final decision on the noticed matter. If you have a physical impairment that requires special accommodations to participate, please contact the Community Development Department at least 72 hours in advance of the meeting at 925-673-7340.

An affirmative vote of the Planning Commission is required for approval. A tie vote (e.g., 2-2) is considered a denial. Therefore, applicants may wish to request a continuance to a later Commission meeting if only four Planning Commissioners are present.

Any writing or documents provided to the majority of the Planning Commission after distribution of the agenda packet regarding any item on this agenda will be made available for public inspection in the Community Development Department located at 6000 Heritage Trail during normal business hours.

Minutes
City of Clayton Planning Commission Special Meeting
Tuesday, July 29, 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 Sandra Johnson

Absent: Vice Chair Tuija Catalano

Staff: Assistant Planner Milan Sikela, Jr.
Planning Intern Kristin Burger

Administrative

1A. Election of Chair and Vice Chair.

Commissioner Armstrong moved and Commissioner Johnson seconded a motion to continue the election of the Chair and Vice Chair to the next meeting on August 12, 2008. The motion passed 4-0.

1B. Review of agenda items.

1C. Commissioner Hartley to report at the August 19, 2008 City Council meeting.

Public Comment

Approval of Minutes

2. Approval of minutes from the meeting of June 24, 2008.

Commissioner Armstrong moved and Vice Chair Catalano seconded a motion to approve the minutes from the meeting of May 13, 2008, as amended. The motion passed 4-0.

Public Hearings

3A. **SPR 04-08, Site Plan Review Permit, Tom and Carol O'Neil, 333 Chardonnay Circle, APN 119-581-008.** A Site Plan Review Permit to allow the construction of single-story additions and interior remodeling measuring a total of 16 feet in height and adding approximately 700 square feet of area to the existing 2,800 square-foot, single-story, single-family residence.

Assistant Planner Sikela presented the staff report. The public hearing was opened. The applicant was available for questions.

There being no further public comment, the public hearing was closed. Commission questions included:

- What is the proposed front setback for the new garage? *Staff responded "twenty feet."*

- Regarding the condition requiring utilization of a carriage-door design style on the garage doors, are there similar designs for garage doors within the vicinity of the project site? *The applicant responded that there are many varying design styles throughout the neighborhood.*

Commissioner Odrzywolski moved and Commissioner Armstrong seconded a motion to approve Site Plan Review Permit SPR 03-08, with the findings and conditions recommended by staff. The motion passed 4-0.

- 3B. UP 03-08, Use Permit, Snap Fitness, 6200 Center Street, Suite G, APN 119-620-060. A Use Permit to allow the operation of a fitness center in a ground-floor retail tenant space within the Town Center.**

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

Commission comments and questions included:

- If any component of the project exceeds the parameters of the original approval, such as increased patronage or noise, can we condition the project so that the Commission may revisit the Use Permit? *Assistant Planner Sikela indicated that, if any of the parameters of the original Use Permit approval were exceeded, this would automatically trigger a re-visiting of the project by the City.*
- Did you contact any other Snap Fitness facilities? *Assistant Planner Sikela indicated that staff contacted other cities to research what restrictions they have placed on related projects and found that other cities had similar concerns about 24-hour uses and, as a result, had restricted the hours of the project.*
- Is this the first Use Permit application for a non-retail business in a ground-floor tenant space within the Town Center? *Assistant Planner Sikela responded "yes."*
- We need to ensure that the lights in the parking lot of the Village Oaks commercial building stay on late enough for the patrons using the facility during evening hours. *The property owner of the Village Oaks commercial building, Steve Coates, indicated that the lights in the parking lot run on solar cells so they are on at night and shut off during the day.*
- What efforts have been made to lease the tenant space to a retail tenant? *Mr. Coates indicated the following:*
 - *The tenant space has experienced a constant turnover of retail tenants.*
 - *Had four retail tenants in the last five years.*
 - *The tenant space faces south toward the parking lot. Hence, retail tenants seem to struggle at this location since the tenant space cannot be easily seen from the street.*
 - *We run ads for the tenant space in the Clayton Pioneer and receive very few calls from potential tenants. There just isn't the demand for retail at that location.*
- How long will the lease be for? *Mr. Coates responded "five years."*
- Would it be difficult to convert the tenant space back to retail? *Mr. Coates responded that no, it would not be difficult to convert the tenant space back to retail since there is minimal conversion of the space to non-retail uses with regards to the Snap Fitness proposal.*
- Do you anticipate that most of the ground-floor tenant spaces facing the parking lot will be filled with non-retail tenants? *Mr. Coates responded that he anticipates that only non-retail tenants will be able to succeed in these tenant spaces because of the low visibility and other factors. Both Starbucks and Pete's Coffee looked at these tenant spaces but found there just was not enough weekday traffic to support these businesses.*

- What would make these tenant spaces more attractive? *Mr. Coates responded that a synergy is needed, an attraction to the area during the weekdays that would equal the traffic on weekends.*
- Do these issues apply to all of your vacancies? *Mr. Coates responded that, yes, the issue applies to all tenant space. As a result, we are trying to make the spaces smaller. It seems that 1,000 square-foot spaces rent better than 2,000 square-foot or larger spaces.*
- Since Snap Fitness is a national chain, how did they respond to the City's requirement for shorter hours? *The representative of the applicant, Mike Monahan, indicated that many franchise locations have restricted hours, depending on the City they are located in; especially if the project is located adjacent to a residential area.*
- How is security provided? *Mr. Monahan responded that there are four to six cameras located in the fitness center. We keep the videos for thirty days to monitor any problems. We provide our members with cards and monitor card useage for any abuse.*
- How is access restricted after hours? *Mr. Monahan indicated that the card sensor runs on a time clock. The last entry would be allowed at 10:30 p.m.*
- Explain the safety devices. *Mr. Monahan indicated that "panic" buttons are available on the wall and on necklaces worn by members. In the instance that a member is on a treadmill, the necklace could be placed in the cup holder on the treadmill. If a panic button is pushed, it immediately sends a signal out to the Fire Protection District and Police Department. Both agencies would be provided with cards to enter the premises.*
- Did you consider other sites in Clayton? *Mr. Monahan responded that the Flora Square building had been considered, but the Village Oaks building was preferred.*
- Is this your first franchise and do other franchises operate their businesses in this manner? *Mr. Monahan responded that, yes, it was his first franchise; and, yes, other Snap Fitness franchises operate in this manner.*
- Are there any age restrictions? *Mr. Monahan responded that no one under sixteen years old may access the site. Also, if there is membership abuse, we can block access by restricting the membership card.*
- How will you monitor the site? *Mr. Monahan responded that he would monitor the site from his residence in Pleasant Hill along with help from on-site staff.*
- Explain the membership contract mentioned in your Statement of Operation. *Mr. Monahan indicated that there would be a membership contract with all members; however, there would be no certain time period that the members are obligated to enter into. That is part of the appeal of Snap Fitness.*
- As part of the project, would there be any modifications to the existing building? *Other than slight interior modifications to construct two dressing rooms/bathrooms, there would be no other modifications proposed.*

Debbie Sovereign, 578 Mount Dell Drive, indicated the following:

- I am the owner of Butterfly Life, a woman's fitness center located in Clayton Station.
- With the addition of Snap Fitness in the Town Center, there will be a surplus of fitness centers within the City.
- I have heard that another Snap Fitness is going into Clayton Station.
- Have concerns with health and safety issues regarding someone having a medical emergency such as a heart attack and no one being on-site to help them.

Dayle Henrikson, 121 Cabernet Drive, indicated that he was concerned that, if the Use Permit were approved, there would be too many fitness centers in Clayton. As a result, Snap Fitness would fail.

Mr. Monahan indicated that there would not be a Snap Fitness in Clayton Station. The only Snap Fitness proposed within the City is the subject Use Permit request.

There being no further public comment, the public hearing was closed. Commission comments included:

- Snap Fitness will be a welcome addition to the Town Center.
- The issue of whether or not a business will succeed or fail is not under the purview of the Commission; only whether or not the project complies with the Use Permit requirements and any applicable Conditions of Approval. We hope that they succeed.
- The surveillance system and devices to alert public safety personnel in the event of a medical or other emergency seem adequate. Individuals could be exercising on City trails and have a medical emergency and there would not be surveillance or alert devices available.
- We are satisfied with the explanation provided by Mr. Coates regarding the attempts with leasing the tenant space to a retail tenant.
- The project-related issues such as parking, noise, lighting, and safety have been adequately addressed and meet the City's Use Permit requirements. If any of these issues become a problem, there are other mechanisms within the Municipal Code, such as Code Enforcement and/or City Police, that can address any project-related violations. These mechanisms would enable the Use Permit to be brought back before the Commission for further review and amendment.

Commissioner Hartley moved and Commissioner Johnson seconded a motion to approve Use Permit UP 03-08, with the findings and conditions recommended by staff. The motion passed 4-0.

3C. **TUP 16-08, Temporary Use Permit, Clayton Community Church.** A Temporary Use Permit to allow a soap box derby, classic car show, and inflatable children's jump house(s) on Saturday, August 30, 2008 from 7:30 a.m. to 4:30 p.m. The classic car show will be located on Main Street between Oak Street and Diablo Street, on Diablo Street between Center Street and Main Street, in the parking lots of the Clayton Community Church Offices, Kindercare childcare center, Hair By Jim, Skipolini's, and Royal Rooster. The inflatable children's jump house(s) will be located in the parking lot of the Kindercare child care center. The soap box derby will occur on Marsh Creek Road between Clayton Road and Center Street; and on Main Street between Marsh Creek Road and Diablo Street. The event will involve the following street closures:

- Marsh Creek Road from Clayton Road to Center Street;
- Main Street from Oak Street to Marsh Creek Road; and
- Diablo Street from Main Street to Center Street.

Assistant Planner Sikela presented the staff report. The public hearing was opened. The applicant was available for questions.

Commission comments and questions included:

- Condition 2 should be re-worded so that the event will be held in accordance with the description of the event provided by the applicant and with the analysis provided in the staff report.
- We would like to have the annual Temporary Use Permits applications from the Clayton Community Church clustered into one meeting, such as has been done tonight.
- How many show cars are expected to be on display? *The representative of the applicant, Mike Fossan, indicated that approximately 100 to 150 show cars are signed up.*

There being no further public comment, the public hearing was closed. The Commission had no further comments.

Commissioner Hartley moved and Commissioner Armstrong seconded a motion to approve Temporary Use Permit TUP 16-08, with the findings and conditions recommended by staff, and with Condition 2 as amended by the Commission. The motion passed 4-0.

3D. **TUP 17-08, Temporary Use Permit, Clayton Community Church.** A Temporary Use Permit to allow the Clayton Community Church to hold a Christmas Eve Family Event which will be open to the public. The event will occur on Wednesday, December 24, 2008 from 2:00 p.m. to 5:00 p.m. and will involve re-enactment nativity scenes inside the Clayton Community Church office building and exterior areas on the Clayton Community Church property. The event will also involve a “hay ride” starting in the parking lot of the Clayton Community Church property going east on Main Street, south on Morris Street, west on Center Street, and north on Oak Street, circling around to the Clayton Community Church parking lot. The set-up for the event will occur on Monday, December 22, 2008. The break-down for the event will occur on Friday, December 26, 2008.

Assistant Planner Sikela presented the staff report. The public hearing was opened. The applicant was available for questions.

The Commission commented that Condition 2 should be re-worded so that the event will be held in accordance with the description of the event provided by the applicant and with the analysis provided in the staff report.

There being no further public comment, the public hearing was closed. The Commission had no further comments.

Commissioner Hartley moved and Commissioner Johnson seconded a motion to approve Temporary Use Permit TUP 17-08, with the findings and conditions recommended by staff, and with Condition 2 as amended by the Commission. The motion passed 4-0.

Old Business

4. None.

New Business

5. None.

Communications

6A. Staff

Assistant Planner Sikela briefed the Commission on the current projects that staff is working on.

6B. Commission

The Commission discussed current projects that TRANSPAC is working on.

Adjournment

7. The meeting was adjourned at 8:33 p.m.

Submitted by
Milan J. Sikela, Jr.
Assistant Planner

Approved by
Keith Haydon
Chair

P:\ng Comm\2008\Minutes\0729

PLANNING COMMISSION STAFF REPORT

Meeting Date: August 12, 2008

From: Milan J. Sikela, Jr. *MS*
Assistant Planner

Subject: Mike Roberts
Site Plan Review Permit (SPR 05-08)

REQUEST

Approval of a Site Plan Review Permit to allow the construction of a single-story addition to a single-story single-family residence. The addition will measure approximately 14 feet in height and 500 square feet in area.

PROJECT INFORMATION

Applicant / Location: Mike Roberts
1501 North El Camino Drive
APN 118-072-001 (See **Exhibit A** for Location Map)

General Plan Designation: Low Density - Single Family Residential (1.1 to 3.0 units per acre). This proposal complies with the *General Plan* designation.

Zoning: Single Family Residential R-12 District (12,600 square-foot minimum lot area).

Environmental Review: Categorically exempt per Section 15303(a), Class 3 of the State CEQA Guidelines.

Public Notice: On August 1, 2008, a public hearing notice was posted at the notice boards, mailed to property owners within 300 feet of the site, and faxed to the newspapers. To date, no comments have been received by staff.

Agency Referrals: Comments from the City Engineer and City Stormwater Manager have been incorporated into the advisory notes. The Contra Costa County Building Inspection Department, Contra Costa County Fire Protection District, and Contra Costa Water District did not respond.

Authority: Section 17.44.030 of the Zoning Ordinance authorizes the Planning Commission to approve a site plan in accordance with standards in Section 17.44.050.

DISCUSSION

The applicant has requested approval of a Site Plan Review Permit to allow the construction of a great room addition measuring a total of approximately 500 square feet in area and 14 feet in height. The addition has been designed with matching stucco siding, trim, and 4:12 roof pitch. A new 30-year composition shingle roof is proposed for the entire residence as part of the project. The site plan, floor plan, architectural elevations, and roof plan are provided as **Exhibit B**.

Setback Analysis

The project meets the R-12 District standards as shown below.

Required Setbacks	Existing Setbacks	Proposed Setbacks	Project Compliance
Front Setback 20'	East 22'	East No Change	Yes
Side Setback 10' minimum interior 20' minimum exterior	North 10' 4" South 31'	North No Change South No Change	Yes Yes
Rear Setback 15'	West 33'	West 23'	Yes

Residential Floor Area Analysis

Building Footprint

The proposal meets the building footprint requirements as shown below.

Lot Size	Building Footprint Allowed	Existing Building Footprint	Proposed Building Footprint	Project Compliance
11,187 sq ft	3,300 sq ft	1,944 sq ft	2,444 sq ft	Yes

Floor Area

The proposal meets the floor area requirements as shown below.

Lot Area	Floor Area Allowed	Existing Floor Area	Proposed Floor Area	Project Compliance
11,187 sq ft	4,996 sq ft	1,944 sq ft	2,444 sq ft	Yes

Conclusion

Staff has reviewed the design aspects of the proposed plans relative to the standards for Site Plan Review Permits and determined that the project, as conditioned, is in conformance with the standards. The proposed findings listed below specifically address the standards.

RECOMMENDATION

Staff recommends that the Planning Commission approve Site Plan Review Permit SPR 06-08 to allow the construction of a single-story addition on a single-story single-family residence measuring approximately 14 feet in height and 500 square feet in area, based upon the following findings and subject to the following condition.

Proposed Findings of Approval

Based upon the evidence set forth in the staff reports, which includes relevant information from the project file, as well as testimony at the public hearing, the Planning Commission makes the following findings regarding the Site Plan Review Permit for the addition:

1. Is consistent with the General Plan designation and policies.
2. Meets the standards and requirements of the Zoning Ordinance.
3. Preserves general safety of the community regarding seismic, landslide, flooding, fire, and traffic hazards.
4. Maintains solar rights of adjacent properties.
5. Reasonably maintains the privacy of adjacent property owners and/or occupants.
6. Reasonably maintains the existing views of adjacent property owners and/or occupants.
7. Is complementary, although not identical, with adjacent existing structures in terms of materials, colors, size, and bulk.
8. Is compatible with the neighborhood and surrounding land uses.

The above-stated findings assume acceptance and approval of the proposed conditions of approval listed below.

Proposed Condition of Approval

This condition of approval applies to the Roberts Residence Site Plan, Floor Plan, Architectural Elevations, and Roof Plan submitted by the applicant, date stamped August 12, 2008.

1. The applicant agrees to indemnify, protect, defend, and hold harmless the City and its elected and appointed officials, officers, employees, and agents from and against any and all liabilities, claims, actions, causes, proceedings, suits, damages, judgements, liens, levies, costs, and expenses of whatever nature, including attorney's fees and disbursements arising out of or in any way relating to the issuance of this entitlement, any actions taken by the City relating to this entitlement, or the environmental review conducted under the California Environmental Quality Act for this entitlement and related actions.

Advisory Notes

Advisory notes are provided to inform the applicant of: (a) Clayton Municipal Code requirements; or (b) requirements imposed by other agencies. The advisory notes state requirements that may be in addition to the conditions of approval.

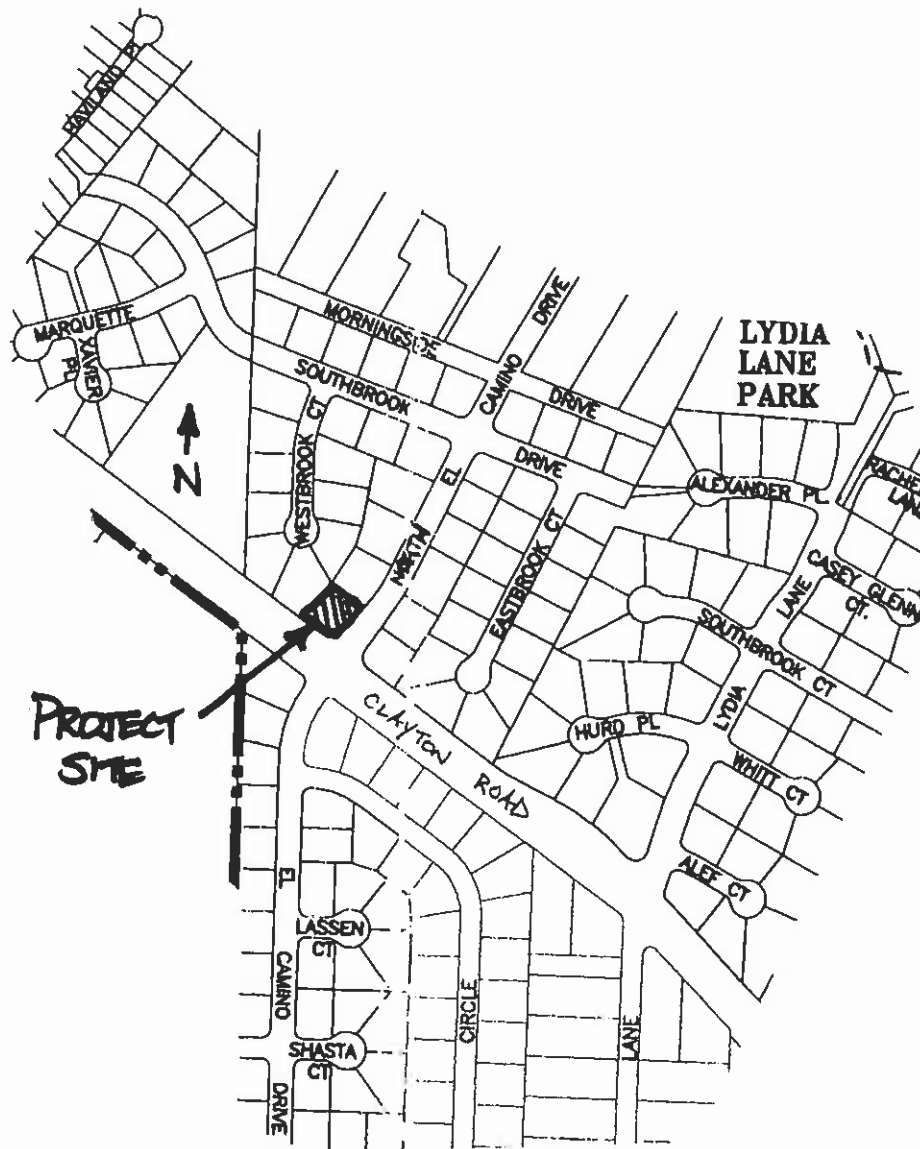
1. The applicant shall comply with all applicable state, county, and city codes, regulations, and adopted standards.
2. Prior to obtaining a building permit, the applicant shall prepare an erosion and stormwater control plan for review and approval by the City Engineer (CMC § 13.12.050).

3. Prior to the commencement of grading, demolition, or construction activities, the applicant shall obtain City approval of a construction and demolition recycling plan (CMC § 15.80.040).
4. This site plan permit shall be used, exercised, or established within twelve months after the granting of the Permit, or a time extension must be obtained from the Planning Commission, otherwise the Permit shall be void (CMC § 17.64.010-030).
5. All grading, construction, and other work shall occur only between 7:00 a.m. and 5:00 p.m. Monday through Friday. Any such work beyond these hours and days is strictly prohibited unless previously authorized in writing by the City Engineer (CMC § 15.01.010) located at 1005 Oak Street, 925-672-9700.
6. The applicant shall obtain the necessary building permits from the Contra Costa County Building Inspection Department.
7. Additional requirements may be imposed by the Contra Costa County Fire Protection District. Before proceeding with the project, it is advisable to check with the Fire District located at 2010 Geary Road, Pleasant Hill, 925-930-5500.
8. If the project site is located within an area subject to covenants, conditions, and restrictions (CC&R's) administered by a homeowners' association, additional requirements and/or approvals may be required by the homeowners' association. Before proceeding with the project, it is advisable to check with the homeowners' association to ensure any applicable requirements are met.

EXHIBITS

- A Location Map
- B Roberts Residence Site Plan, Floor Plan, Architectural Elevations, and Roof Plan submitted by the applicant, date stamped July 28, 2008

SPR\2008\06-08.sr1



Vicinity Map
1501 North El Camino Drive
APN 118-072-001

EXHIBIT A

THE NEW YORK-based VANDERBILT GROUP LLC recently announced a \$250-million, 10-year contract to build a new 100,000-sq-ft, 10-story office building for the U.S. Postal Service in Washington, D.C. The building is being constructed by the U.S. Postal Service's Washington-based contractor, J. Paul Smith & Co. Inc. The building is being constructed by the U.S. Postal Service's Washington-based contractor, J. Paul Smith & Co. Inc. The building is being constructed by the U.S. Postal Service's Washington-based contractor, J. Paul Smith & Co. Inc.

- [illegible]

[illegible][illegible]

EXHIBIT B (4 PAGES)

80

X

A1

SHEET

DATE: 12.14.11

BY: J. ROBERTS

SCALE: 1/8" = 1'-0"

PROJECT: 1001 NORTH E. CALINDO

CLIENT: MIKE ROBERTS

DESIGNER: ANTHONY HOME DESIGN, LLC

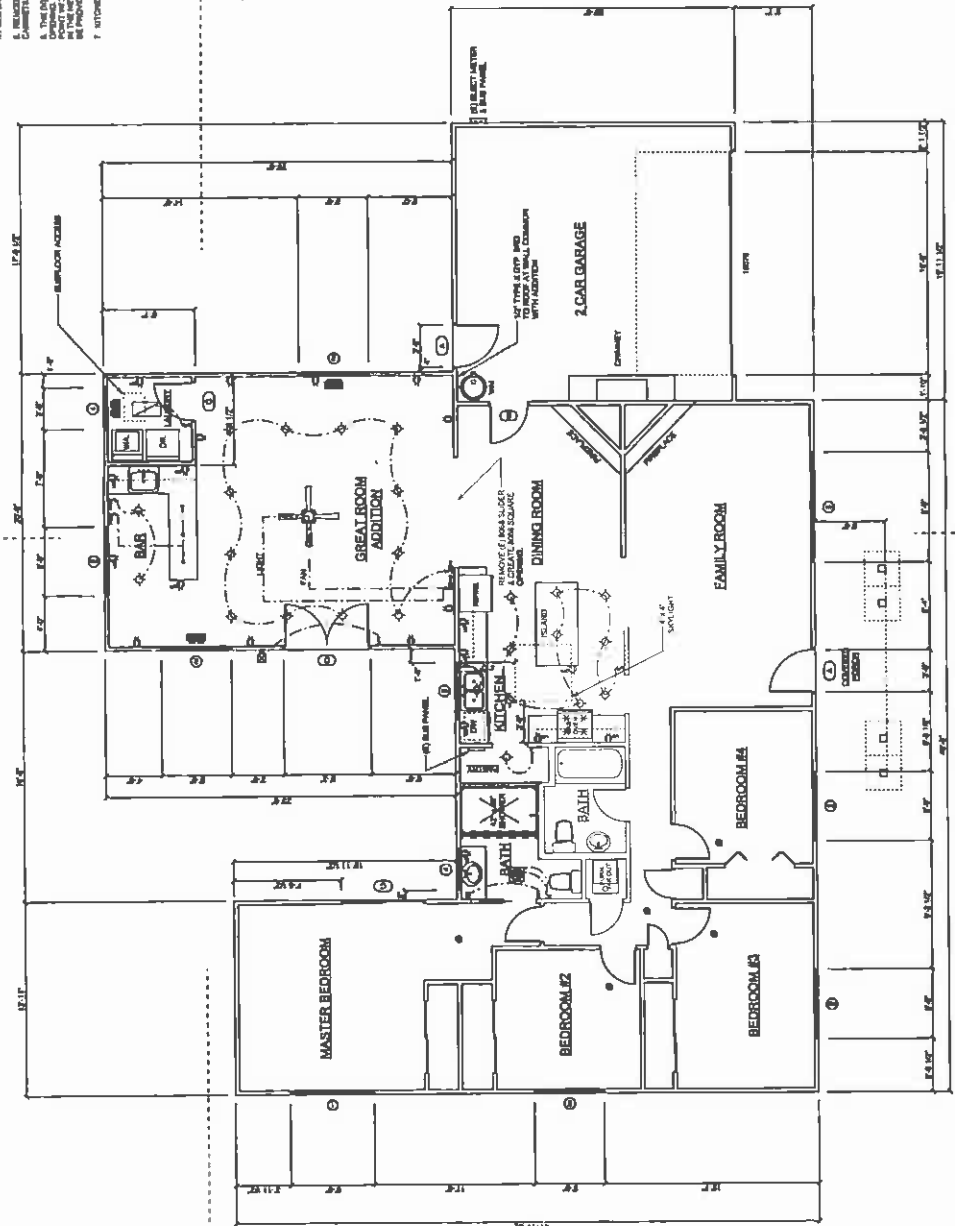
FLOOR PLAN

PLANS FOR
MIKE ROBERTS
1501 NORTH E. CALINDO
CLAYTON, CA 94517
925-353-8164

ANTHONY
HOME DESIGN, LLC
1001 NORTH E. CALINDO
CLAYTON, CA 94517
(925) 353-8164

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- FLOOR PLAN NOTES:
1. SEE SHEET 101 FOR ADDITIONAL NOTES AND SCHEDULES.
 2. PROVIDE PHONE, CABLE TV AND SIGNAL WIRE OUTLETS PER CONNECTION OF THE HOUSING.
 3. REMOVING (R) 2ND CLOSET DOOR AT BACK OF HOUSE. SEE SHEET 101.
 4. RELOCATE HALL AT MASTER BATH AND RELOCATE BATH. CREATE NEW PANTRY AT OLD LAUNDRY ROOM.
 5. RELOCATE KITCHEN. CONFIRM ALL MEASUREMENTS IN FIELD PRIOR TO ORDERING CABINETS.
 6. THE NEW MASTER BEDROOM SHALL BE REMOVED UP AS IT IS AN UNDESIRABLE LOCATION FOR THE MASTER BEDROOM. THE NEW MASTER BEDROOM SHALL BE PROVIDED WITH A 12' X 12' CLOSET AT THE END OF THE HALL. ACCESS FOR THE MASTER BEDROOM SHALL BE PROVIDED BY CREATING A HOLE FROM THE EXISTING ATTIC TO THE NEW ATTIC. KITCHEN LIGHTING SHALL BE 100% RECESSED.



X

A2

SHEET

DATE: 2-10-2020

PROJECT: 2019-001

SCALE: 1/4" = 1'-0"

DESIGNED BY: J. P.

THIS SET OF DRAWINGS, INCLUDING ALL NOTATIONS, DIMENSIONS, AND SPECIFICATIONS, IS THE PROPERTY OF THE DESIGNER. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN.

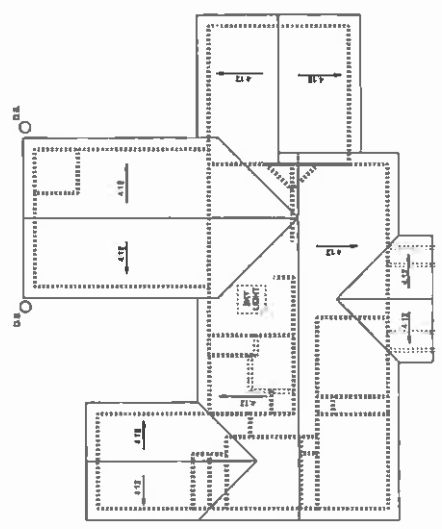
ELEVATION PLAN

PLANS FOR:
MIKE ROBERTS
1501 NORTH EL CAMINO
CLAYTON, CA 94517
925-363-8164

ANTHONY
HOME DESIGN, LLC
15015 PALMDALE BLVD
CLAYTON, CA 94517
925-363-8164

NO.	DESCRIPTION	DATE
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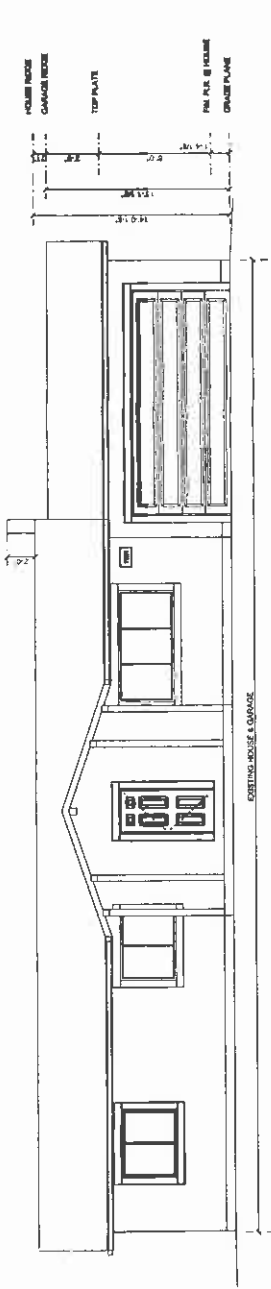
ROOF PLAN
1/4" = 1'-0"



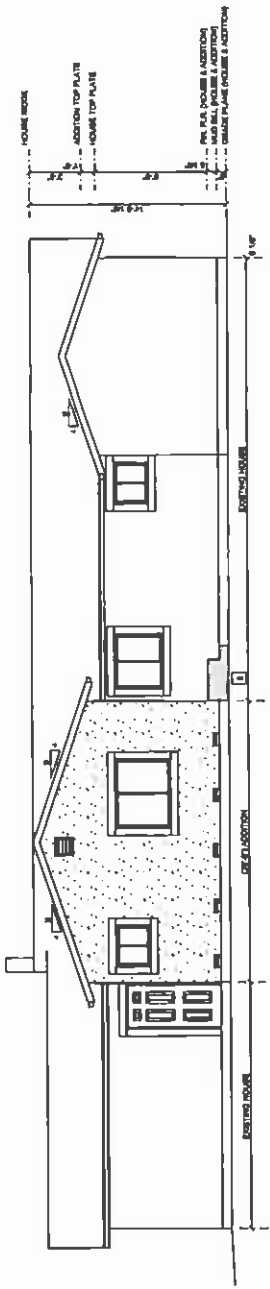
ELEVATION NOTES.

1. ROOF PITCH IS 4:12 TYPICAL. VERIFY PITCH IN FIELD (V/U).
2. ALL NEW EXTERIOR WALLS TO MATCH EXISTING. STUCCO OVER BUILDING PAPER SHALL BE USED ON ROOF.
3. ALL NEW ROOF CEILINGING TO BE 1/2" TYPICAL. VERIFY PITCH IN FIELD (V/U).
4. ALL NEW ROOF CEILINGING TO BE 1/2" TYPICAL. VERIFY PITCH IN FIELD (V/U).
5. ALL NEW ROOF CEILINGING TO BE 1/2" TYPICAL. VERIFY PITCH IN FIELD (V/U).
6. ALL NEW ROOF CEILINGING TO BE 1/2" TYPICAL. VERIFY PITCH IN FIELD (V/U).
7. ALL NEW ROOF CEILINGING TO BE 1/2" TYPICAL. VERIFY PITCH IN FIELD (V/U).
8. ALL NEW ROOF CEILINGING TO BE 1/2" TYPICAL. VERIFY PITCH IN FIELD (V/U).
9. ALL NEW ROOF CEILINGING TO BE 1/2" TYPICAL. VERIFY PITCH IN FIELD (V/U).
10. ALL NEW ROOF CEILINGING TO BE 1/2" TYPICAL. VERIFY PITCH IN FIELD (V/U).
11. THE TOP OF CONCRETE SHALL BE 2" MIN. ALL ROOFING WITHIN 2" OF CHIMNEY.

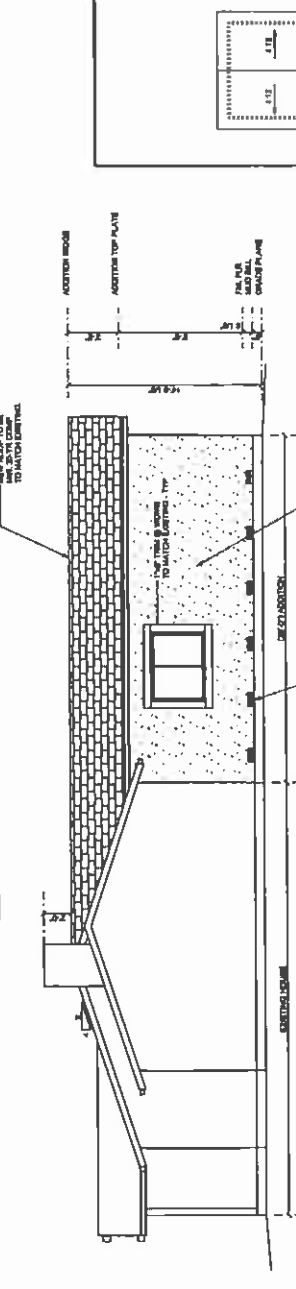
SOUTHEAST (FRONT) ELEVATION



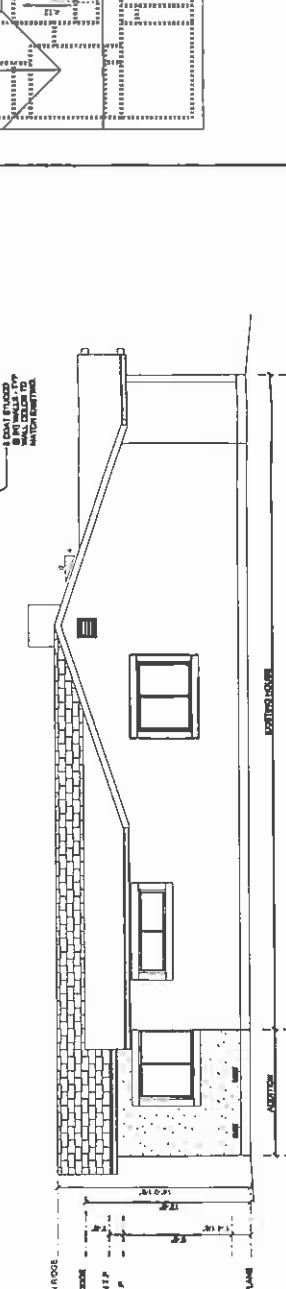
NORTHWEST (BACK) ELEVATION



NORTHEAST (SIDE) ELEVATION



SOUTHWEST (SIDE) ELEVATION



PLANNING COMMISSION STAFF REPORT

Meeting Date: August 12, 2008

From: Milan J. Sikela, Jr. MS
Assistant Planner

Subject: Joseph Swicegood
Site Plan Review Permit (SPR 06-08)

REQUEST

Approval of a Site Plan Review Permit to allow the construction of single-story addition to a single-story, single-family residence. The addition will measure approximately 15 feet in height and 350 square feet in area.

PROJECT INFORMATION

Applicant / Location: Joseph Swicegood
1420 Lydia Lane
APN 120-051-006 (See **Exhibit A** for Location Map)

General Plan Designation: Low Density - Single Family Residential (1.1 to 3.0 units per acre). This proposal complies with the *General Plan* designation.

Zoning: Single Family Residential R-20 District (20,000 square-foot minimum lot area).

Environmental Review: Categorically exempt per Section 15303(a), Class 3 of the State CEQA Guidelines.

Public Notice: On August 1, 2008, a public hearing notice was posted at the notice boards, mailed to property owners within 300 feet of the site, and faxed to the newspapers. To date, no comments have been received by staff.

Agency Referrals: Comments from the City Engineer and City Stormwater Manager have been incorporated into the advisory notes. The Contra Costa County Building Inspection Department, Contra Costa County Fire Protection District, and Contra Costa Water District did not respond.

Authority: Section 17.44.030 of the *Zoning Ordinance* authorizes the Planning Commission to approve a site plan in accordance with standards in Section 17.44.050.

DISCUSSION

The applicant has requested approval of a Site Plan Review Permit to allow the construction of a bedroom addition measuring a total of approximately 350 square feet in area and 15 feet in height. The addition has been designed with matching stucco siding, window and french door design styles, concrete tile roof material, and a 4:12 roof pitch. The site plan, roof plan, and architectural elevations are provided as **Exhibit B**.

Setback Analysis

The project meets the R-20 District standards as shown below.

Required Setbacks	Existing Setbacks	Proposed Setbacks	Project Compliance
Front Setback 25'	West 20'	West No Change	Yes*
Side Setback 15' minimum 35' aggregate	North 16' 2" South 10' Aggregate 26' 2"	North 14' 2" South No Change Aggregate 24' 2"	Yes* Yes Yes*
Rear Setback 15'	East 35' 10"	East No Change	Yes

*See discussion below.

The side setback for the R-20 District is 15 feet minimum and 35 feet aggregate. However, Section 17.36.040 of the *Zoning Ordinance* relaxes this regulation for interior and aggregate side setbacks on residential lots established prior to February 16, 1968. Lots with widths no less than 80 feet and no greater than 100 feet are allowed reduced interior side setbacks of 10 feet and aggregate side setbacks of 20 feet. The residence was constructed in 1960 using Contra Costa County zoning standards, prior to the neighborhood being annexed into the City. Since the width of the subject property is approximately 97 feet, the proposed 14-foot north side setback, 10-foot existing south side setback, and proposed 24-foot aggregate side setback complies with City zoning standards.

The front setback for the R-20 District is 25 feet. No modification is proposed for the front setback; however, the existing front setback on the residence is 20 feet. The residence was oriented on the lot using Contra Costa County development standards which evidently allowed for 20-foot front setbacks. Since the project does not involve modifications to the front of the residence, the residence is legal non-conforming with regard to the front setback.

Residential Floor Area Analysis

Building Footprint

The proposal meets the building footprint requirements as shown below.

Lot Size	Building Footprint Allowed	Existing Building Footprint	Proposed Building Footprint	Project Compliance
21,825 sq ft	5,456 sq ft	2,377 sq ft	2,727 sq ft	Yes

Floor Area

The proposal meets the floor area requirements as shown below.

Lot Area	Floor Area Allowed	Existing Floor Area	Proposed Floor Area	Project Compliance
21,825 sq ft	5,456 sq ft	2,377 sq ft	2,727 sq ft	Yes

Conclusion

Staff has reviewed the design aspects of the proposed plans relative to the standards for Site Plan Review Permits and determined that the project, as conditioned, is in conformance with the standards. The proposed findings listed below specifically address the standards.

RECOMMENDATION

Staff recommends that the Planning Commission approve Site Plan Review Permit SPR 06-08 to allow the construction of a single-story addition to an existing single-story, single-family residence measuring approximately 15 feet in height and 350 square feet in area, based upon the following findings and subject to the following condition.

Proposed Findings of Approval

Based upon the evidence set forth in the staff reports, which includes relevant information from the project file, as well as testimony at the public hearing, the Planning Commission makes the following findings regarding the Site Plan Review Permit for the addition:

1. Is consistent with the General Plan designation and policies.
2. Meets the standards and requirements of the Zoning Ordinance.
3. Preserves general safety of the community regarding seismic, landslide, flooding, fire, and traffic hazards.
4. Maintains solar rights of adjacent properties.
5. Reasonably maintains the privacy of adjacent property owners and/or occupants.
6. Reasonably maintains the existing views of adjacent property owners and/or occupants.
7. Is complementary, although not identical, with adjacent existing structures in terms of materials, colors, size, and bulk.
8. Is compatible with the neighborhood and surrounding land uses.

The above-stated findings assume acceptance and approval of the proposed conditions of approval listed below.

Proposed Condition of Approval

This condition of approval applies to the Roberts Residence Site Plan, Roof Plan, and Architectural Elevations, submitted by the applicant, date stamped July 31, 2008.

1. The applicant agrees to indemnify, protect, defend, and hold harmless the City and its elected and appointed officials, officers, employees, and agents from and against any and all liabilities, claims, actions, causes, proceedings, suits, damages, judgements, liens, levies, costs, and expenses of whatever nature, including attorney's fees and disbursements arising

out of or in any way relating to the issuance of this entitlement, any actions taken by the City relating to this entitlement, or the environmental review conducted under the California Environmental Quality Act for this entitlement and related actions.

Advisory Notes

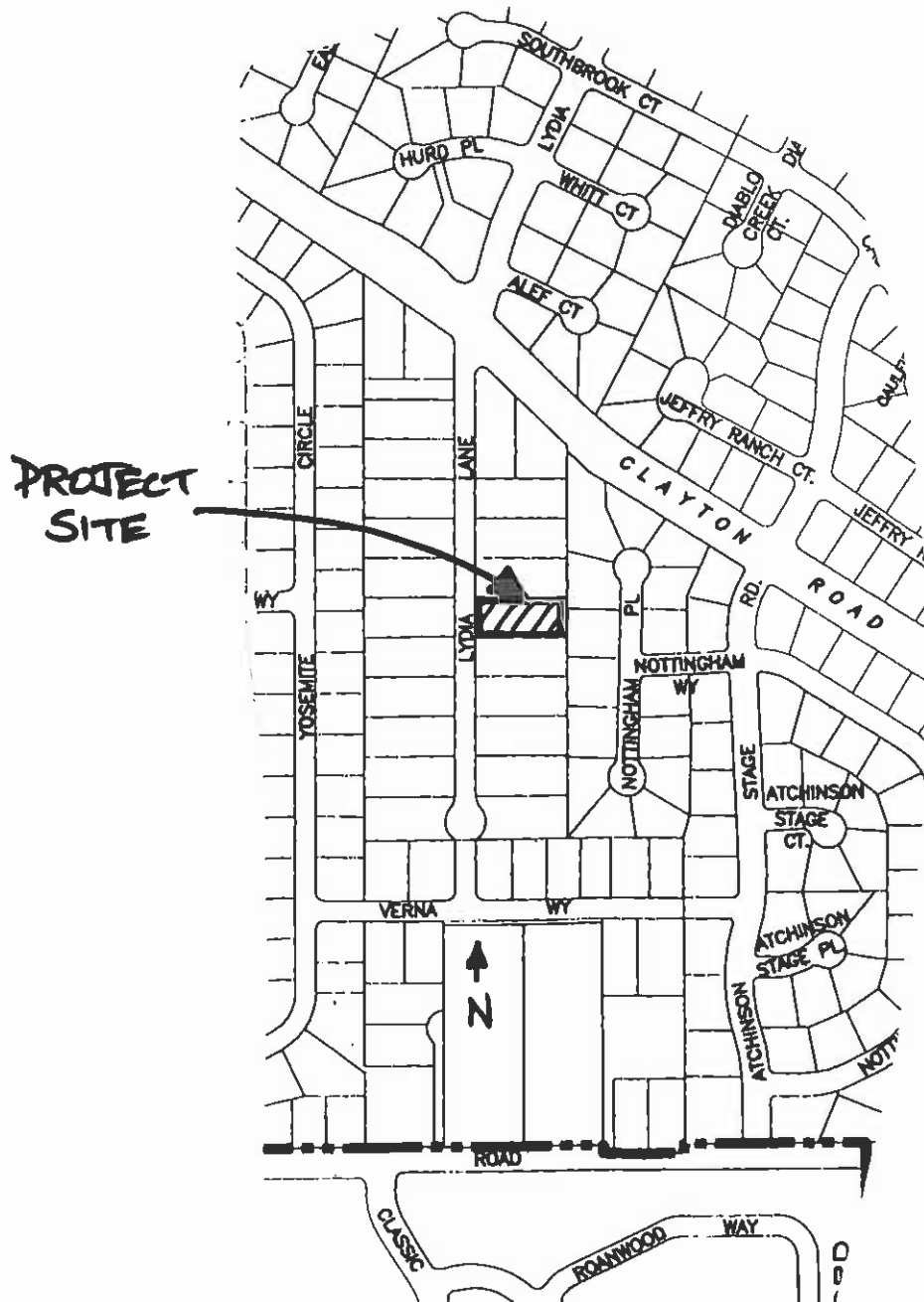
Advisory notes are provided to inform the applicant of: (a) Clayton Municipal Code requirements; or (b) requirements imposed by other agencies. The advisory notes state requirements that may be in addition to the conditions of approval.

1. The applicant shall comply with all applicable state, county, and city codes, regulations, and adopted standards.
2. Prior to obtaining a building permit, the applicant shall prepare an erosion and stormwater control plan for review and approval by the City Engineer (CMC §13.12.050).
3. Prior to the commencement of grading, demolition, or construction activities, the applicant shall obtain City approval of a construction and demolition recycling plan (CMC § 15.80.040).
4. This site plan permit shall be used, exercised, or established within twelve months after the granting of the Permit, or a time extension must be obtained from the Planning Commission, otherwise the Permit shall be void (CMC §17.64.010-030).
5. All grading, construction, and other work shall occur only between 7:00 a.m. and 5:00 p.m. Monday through Friday. Any such work beyond these hours and days is strictly prohibited unless previously authorized in writing by the City Engineer (CMC §15.01.010) located at 1005 Oak Street, 925-672-9700.
6. The applicant shall obtain the necessary building permits from the Contra Costa County Building Inspection Department.
7. Additional requirements may be imposed by the Contra Costa County Fire Protection District. Before proceeding with the project, it is advisable to check with the Fire District located at 2010 Geary Road, Pleasant Hill, 925-930-5500.
8. If the project site is located within an area subject to covenants, conditions, and restrictions (CC&R's) administered by a homeowners' association, additional requirements and/or approvals may be required by the homeowners' association. Before proceeding with the project, it is advisable to check with the homeowners' association to ensure any applicable requirements are met.

EXHIBITS

- A Location Map
- B Swicegood Residence Site Plan, Roof Plan, and Architectural Elevations, submitted by the applicant, date stamped July 31, 2008

SPR\2008\06-08.sr1



Vicinity Map
1420 Lydia Lane
APN 120-051-006

DEFERRED SUBMITTALS:

N/A

VICINITY MAP:



SHEET INDEX:

- A0.1 COVER
- A0.2 GENERAL NOTES
- A1.1 SITE PLAN
- A1.3 SITE PLAN - NOT TO SCALE
- A2.1 FLOOR PLAN-AS BUILT PLAN
- A2.2 FLOOR PLAN (N) WITH DEMO
- A2.5 FLOOR PLAN (N) W/ ELECTRICAL PLAN
- A4.1 EXTERIOR ELEVATIONS
- A4.2 EXTERIOR ELEVATION
- A6.1 SECTION VIEWS
- A6.2 SECTION VIEWS
- A7.1 FOUNDATION PLAN
- A7.2 FOUNDATION PLAN W/ FLOOR & DECK FRAMING
- A8.1 ROOF FRAMING PLAN
- S1.0 STRUCTURAL NOTES
- S1.1 STRUCTURAL DETAILS
- S1.2 FOUNDATION/ROOF FRAMING DETAILS
- T.24 TITLE 24 ENERGY REPORT DOCUMENTS

SWICEGOOD RESIDENCE MASTER BEDROOM SUITE ADDITION

1420 LYDIA LANE, CLAYTON CA

APN# 120-051-006

EXHIBIT B
(4 PAGES)

RECEIVED

JUL 31 2008

CLAYTON COMMUNITY
DEVELOPMENT DEPT.

CONTRACTOR'S RESPONSIBILITIES

1. CONTRACTOR, INCLUDING OWNER-CONTRACTOR, SHALL BE RESPONSIBLE FOR ALL PREPARATION AND CONSTRUCTION AT THE SITE PRIOR TO THE COMMENCEMENT OF THE WORK.
2. THE INTENT OF THESE DRAWINGS ARE NOT LIMITED TO THE EXACTITY OF THE CONSTRUCTION, BUT ARE INTENDED TO ILLUSTRATE THE CONCEPTS.
3. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE OWNER AND THE DECISION OF ANY CONDITIONS PRIOR TO THE FIELD TO BE CONFORMED TO FROM THE DRAWING ON THE PLANS OR OF EXISTING CONDITIONS ON THE FIELD AND WHICH MIGHT AFFECT THE CONSTRUCTION AND THE COMPLETION OF THE PROJECT.

JOE SWICEGOOD RESIDENCE
1420 LYDIA LANE
CLAYTON CA
CITY OF CLAYTON JURISDICTION
APN - 120-051-006

A0.1
COVER

DRAWN BY: RON SWICEGOOD / RS HOME DESIGN
222 SOLAR WAY, HEALDSBURG, CA 95448
OFFICE: (707) 431-8333, CELL: (707) 417-2333, FAX: (707) 431-0343
E-DRS: rsw@rs-homedesign.com www.rs-homedesign.com

REVISIONS:
REV: 1/1/08
REV: 7/1/08
REV: 7/1/08

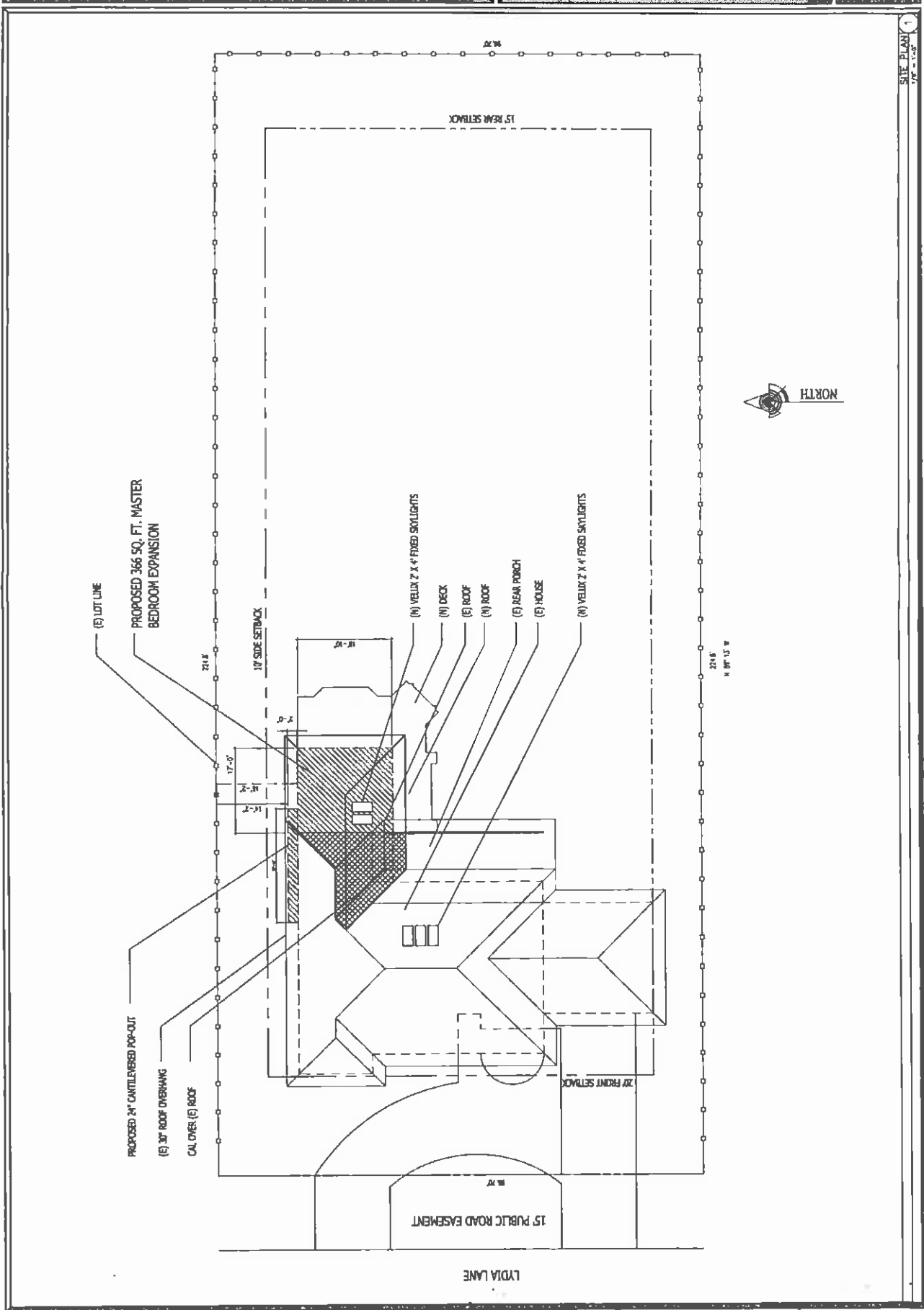
A1.1

SITE PLAN

JOE SWICGOOD RESIDENCE
 1420 LYDIA LANE
 CLAYTON CA
 CITY OF CLAYTON JURISDICTION
 APN# 120-051-006

DRAWN BY: RON SWICGOOD/RS HOME DESIGN
 222 SOLAR WAY, HEALDSBURG, CA 95448
 OFFICE: (707) 431-8332 CELL: (707) 417-2333 FAX: (707) 431-0243
 E-MAIL: ron@rs-homedesign.com www.rs-homedesign.com

REVISIONS:	DATE
REVISED: 5/14/08	
FINALS: 7/11/08	

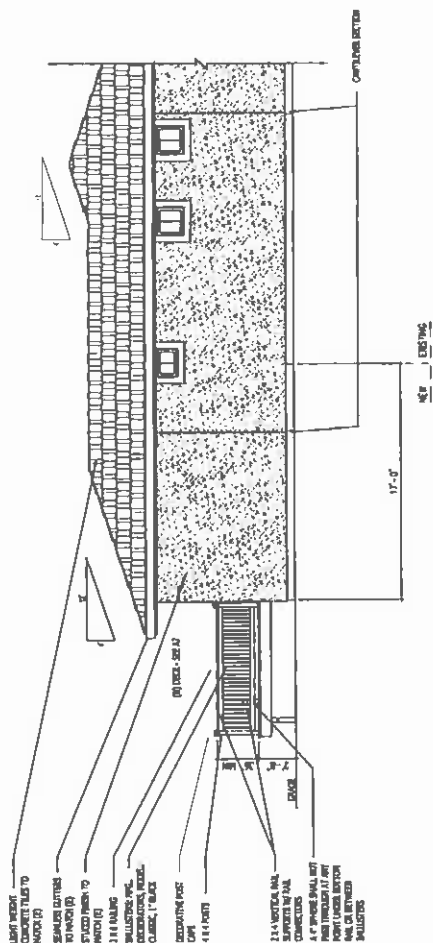
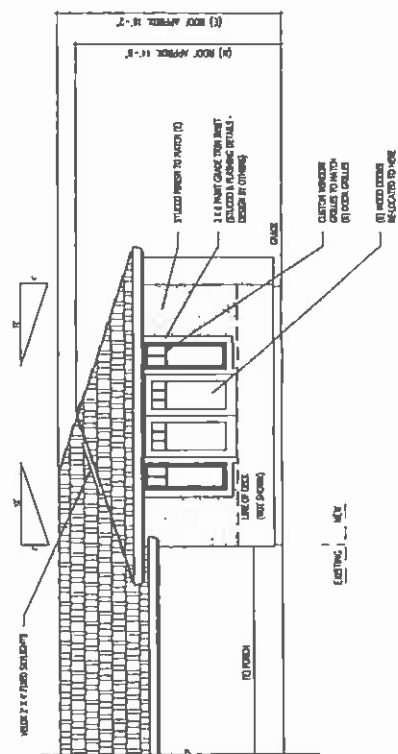


JOE SWICEGOOD RESIDENCE
1420 LYDIA LANE
CLAYTON CA
CITY OF CLAYTON JURISDICTION
APN# 120-051-006

DRAWN BY RON SWICGOOD/RS HOME DESIGN
222 SOLAR WAY, HEALDSBURG, CA 95448
OFFICE (707) 431-8332 CELL (707) 477-2533 FAX (707) 431-0343
E-DRSS: rons@homedesign.com www.rs-homedesign.com

DRAFTS: 4/14/08
 REVISIONS: 7/11/08

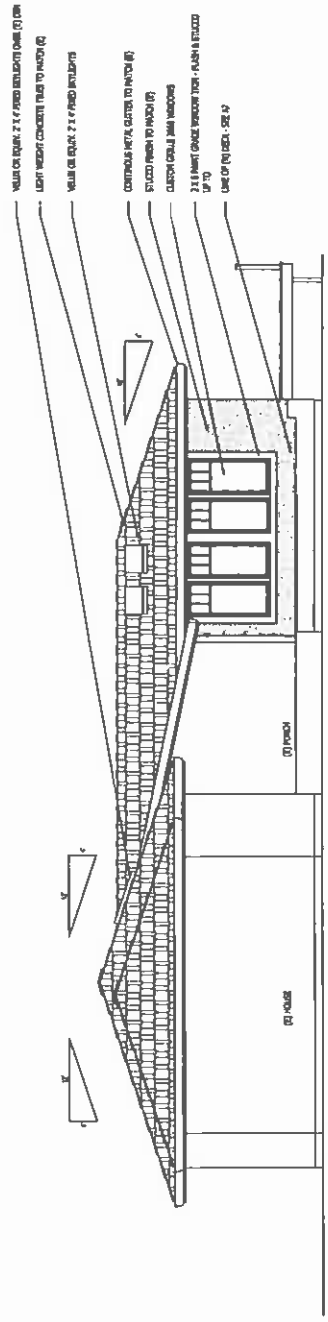
ELEVATION VIEW / NORTH

ELEVATION VIEW/EAST 2
1/8" = 1'-0"

JOE SWICEGOOD RESIDENCE
1420 LYDIA LANE
CLAYTON CA
CITY OF CLAYTON JURISDICTION
APN# 120-051-006

DRAWN BY: RON SWICEGOOD/RS HOME DESIGN
202 SOLAR WAY, HEALDSBURG, CA 95448
OFFICE (707) 431-8332, CELL (707) 477-2253, FAX (707) 431-0343
E-ADDRESS: ron@rs-homedesign.com www.rs-homedesign.com
SUBMITTED DATE

REVISIONS: 9/14/08
FINALS: 7/11/08
REVISIONS:



EXISTING NEW

PLANNING COMMISSION STAFF REPORT

Meeting Date: August 12, 2008

From: Milan J. Sikela, Jr. 
Assistant Planner

Subject: Clayton Mind and Body
Use Permit (UP 03-08)

REQUEST

A Use Permit to allow the operation of a massage therapy and skin care business in a ground-floor retail tenant space within the Town Center.

PROJECT INFORMATION

Applicant / Location: David Godsoe
Clayton Mind and Body
6200 Main Street, Suite I
Clayton, CA 94517
APN 119-620-060 (See **Exhibit A** for Location Map)

Property Owner: Stephen J. Coates
Coates & Sowards, Inc.
1725 South Bascom Avenue #104
Campbell, CA 95008

General Plan Designation: Town Center Commercial.

**Town Center Specific
Plan Designation:** Town Center Commercial.

Zoning: Limited Commercial (L-C) District.

Environmental Review: Categorically exempt per Sections 15303(c) of the State CEQA Guidelines.

Public Notice: On August 1, 2008, a public hearing notice was posted at the notice boards, mailed to property owners within 300 feet of the site, and faxed to the newspapers. To date, no comments have been received by staff.

Agency Referrals: Comments received from the Police Department have been incorporated into the text of the staff report.

Authority: Section 17.60.030.C.7 of the Municipal Code authorizes the Planning Commission to approve a Use Permit for non-retail commercial uses in ground-floor commercial locations within the Town Center.

BACKGROUND

On November 10, 1998, Clayton Mind and Body received approval from the Planning Commission to operate a massage therapy and skin care business in the Town Center at 1007 Oak Street. Since that time, the Rivulet mixed-use development has been proposed to include the parcel at 1007 Oak Street. As a result, Clayton Mind and Body must vacate the premises and is proposing to relocate within the Town Center.

ANALYSIS

Clayton Mind and Body is proposing to operate a massage therapy and skin care business in an existing 1,000 square-foot ground-floor commercial space within the Village Oaks commercial center. According to Section 2.3 of the Town Center Specific Plan, specified non-retail commercial uses proposed for a ground-floor location within the Town Center require approval of a Use Permit. This Use Permit requirement for non-retail ground-floor commercial uses in the Town Center was implemented in order to encourage retail uses in ground-floor commercial spaces and, thereby, support the establishment of a strong retail district in the Town Center.

Clayton Mind and Body is proposing to operate from 9:00 a.m. to 9:00 p.m. seven days a week. Three to four employees will be on site during business hours with a maximum of four clients on site at any one time (a Statement of Operation is provided as **Exhibit B**). The conversion of the ground-floor tenant space will involve installation of interior walls to provide separate rooms for massage as well as reception, storage, and break areas (a floor plan is provided as **Exhibit C**). No exterior modifications to the tenant space are proposed to occur.

The Police reviewed the Use Permit request and advised staff that no problems have ever been reported in the ten years that Clayton Mind and Body has been in operation. Standard conditions of approval related to massage therapy businesses have been provided as a result of the Police Department's review.

Parking impacts are anticipated to be minimal since a maximum of eight people are propose to be on site at any one time. The City's off-street parking space requirements in Chapter 17 of the Municipal Code are the same for "personal services" and "medical" as they are for "retail" at one space per 250 square feet of floor area. The parking lot at the Village Oaks commercial center has adequate parking to accommodate the anticipated demand for project-related parking spaces.

RECOMMENDATION

Staff recommends that the Planning Commission approve Use Permit UP 04-08 to allow the operation of a massage therapy and skin care business in a ground-floor retail tenant space within the Town Center.

Proposed Findings for Approval

Based on the evidence in the staff report and project file, as well as testimony at the hearing, the Planning Commission finds the project, as conditioned:

1. Is consistent with the General Plan designation and policies and Town Center Specific Plan designation and policies.
2. Meets the standards and requirements of the Zoning Ordinance.
3. Preserves general safety of the community regarding seismic, landslide, flooding, fire, and traffic hazards.
4. Imposes no significant negative impacts upon the health or general welfare of residents or employees of the City.
5. Incorporates a permit that will be in accord with the purpose of Use Permits as stated herein.
6. Is not negatively influential to minors.
7. Will not present any impacts upon the Town Center with regards to increased crime, loitering, or large concentrations of people.

Proposed Conditions of Approval

1. The applicant shall comply with all applicable State, County, and City codes, regulations, and adopted standards.
2. A maximum of one (1) client shall be allowed to receive a massage at one time in one massage room.
3. The hours of operation shall be 9:00 a.m. to 9:00 p.m.
4. All massage therapists shall be certified by the American Institute of Massage and Therapy or institutional equivalent thereof.
5. The project shall be operated in accordance with the submitted "Statement of Operation" dated July 11, 2008 (Exhibit B of this staff report).
6. The applicant agrees to indemnify, protect, defend, and hold harmless the City and its elected and appointed officials, officers, employees, and agents from and against any and all liabilities, claims, actions, causes, proceedings, suits, damages, judgements, liens, levies, costs, and expenses of whatever nature, including attorney's fees and disbursements arising out of or in any way relating to the issuance of this entitlement, any actions taken by the City relating to this entitlement, or the environmental review conducted under the California Environmental Quality Act for this entitlement and related actions.

Advisory Notes

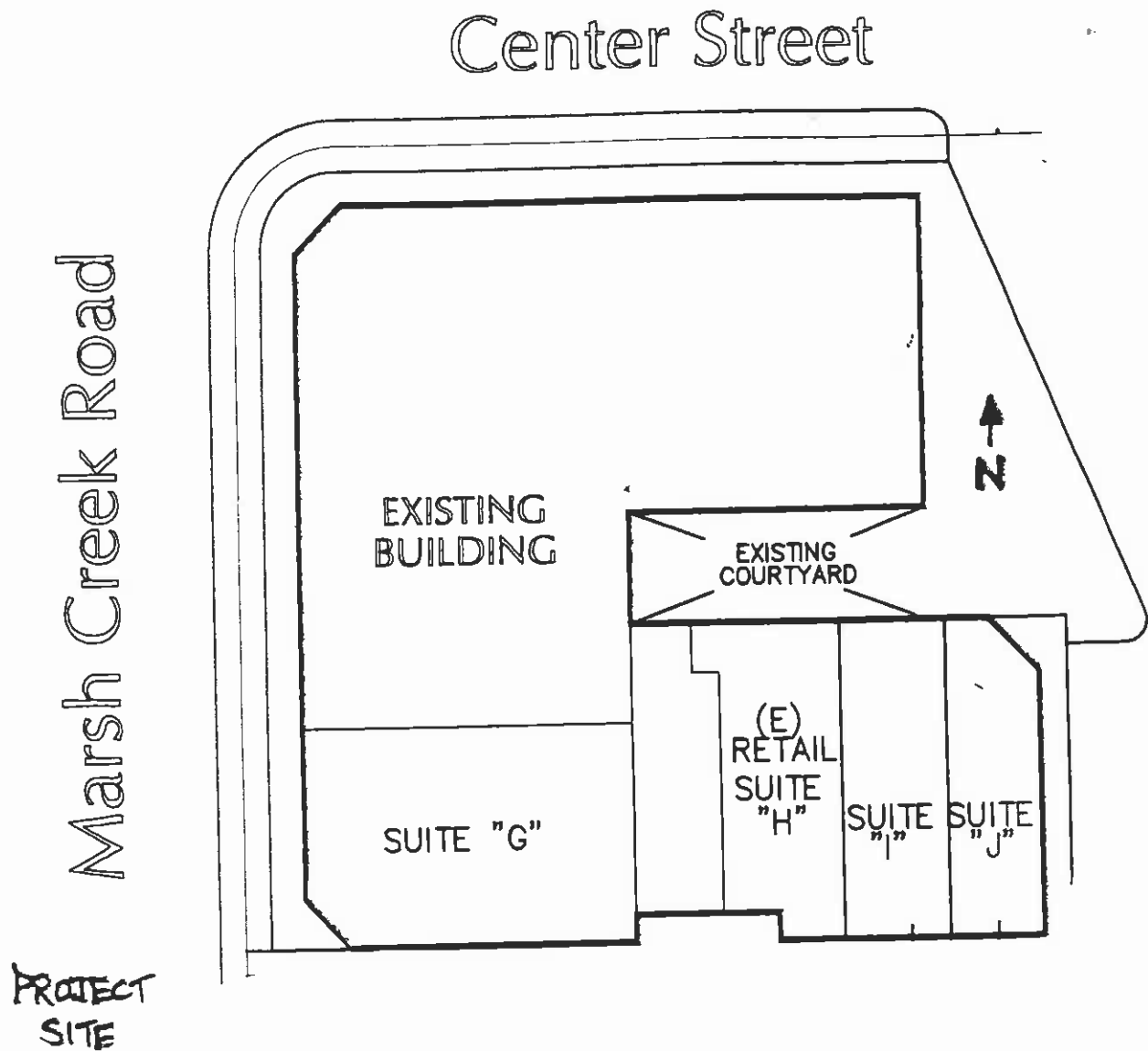
Advisory notes are provided to inform the applicant of: (a) Clayton Municipal Code requirements; or (b) requirements imposed by other agencies. The advisory notes state requirements that may be in addition to the conditions of approval.

1. Comply with all applicable State, County, City, and fitness center codes, regulations, and adopted standards.
2. This permit shall be used, exercised, or established within twelve months after granting of the permit or a time extension must be obtained from the Planning Commission otherwise the permit shall be null and void (CMC § 17.64.010-030).

EXHIBITS

- A Location Map
- B Clayton Mind and Body Statement of Operation, submitted by the applicant, date stamped July 11, 2008
- C Clayton Mind and Body Floor Plan, submitted by the applicant, date stamped July 11, 2008

UP\2008\04-08.sr1



Location Map
6200 Center Street, Suite G
APN 119-620-060

EXHIBIT A

Milan Sikela

From: David Godsoe [cmbcgod@mind-and-body-connections.com]
Sent: Friday, July 11, 2008 12:25 PM
To: msikela@ci.clayton.ca.us
Subject: permit request

Milan,
Here is the revised letter.
Thanks,
David

July 11, 2008

Community Development Department
6000 Heritage Trail
Clayton CA 94517

RECEIVED

JUL 11 2008

**CLAYTON COMMUNITY
DEVELOPMENT DEPT.**

To Whom It May Concern:

This is a statement of operation as requested for a use permit for 6200 Main Street Suite I in downtown Clayton.

Type of Activity: Massage therapy and skincare with some retail of skincare and home massage products and other related products.

Hours of operation: Sunday through Saturday 9:00 AM to 9:00 PM

People working: 3 to 4 depending on need.
Max Number of clients: 4

I am an existing business and I have to relocate due to the impending sale of the property at 1007 Oak Street.

In addition, I am authorizing the use of the security deposit that you have on hand for 1007 Oak Street to pay whatever fees that are needed for the use permit.

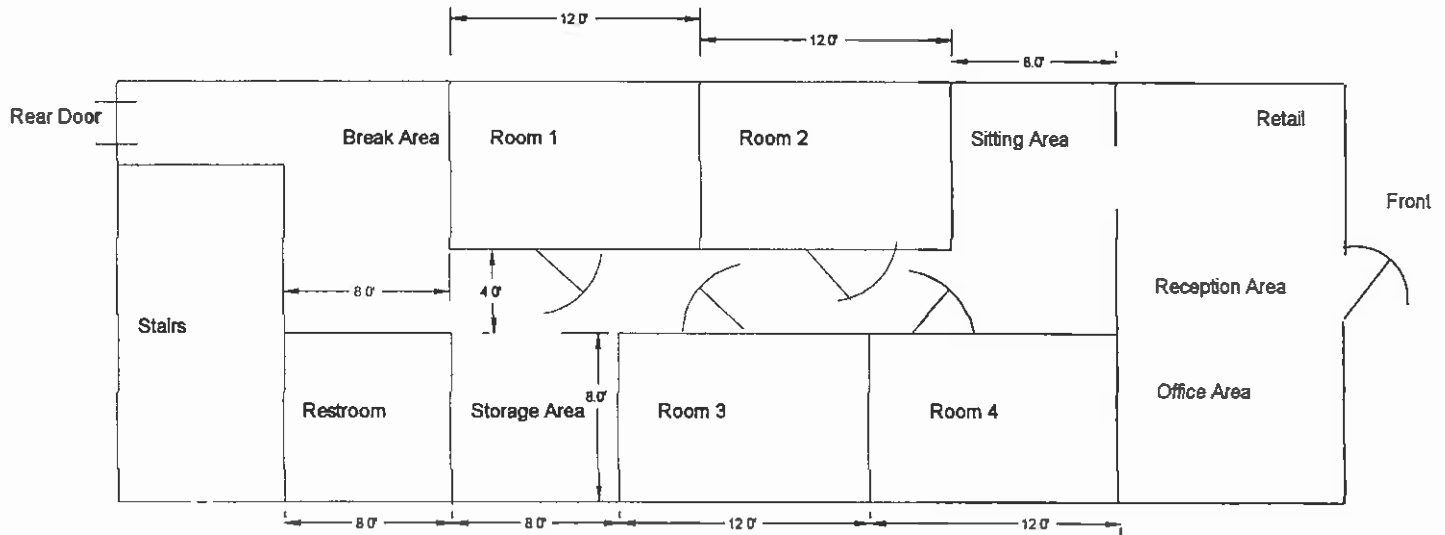
Thank you,

David L Godsoe
Owner
Clayton Mind & Body Connections
1007 Oak Street
Clayton CA 94517

8/8/2008

EXHIBIT B

← 2



Village Oaks
Clayton, CA
For David Godsoe
Clayton Mind & Body Connections
925-673-0686
fax 925-673-5116

RECEIVED

JUL 11 2008

CLAYTON COMMUNITY
DEVELOPMENT DEPT.