

Minutes
Clayton Planning Commission Meeting
Tuesday, October 26, 2010

Call to Order

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

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

Absent: None

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

Administrative

1A. Review of agenda items.

1B. Commissioner Meriam to report at the City Council meeting on November 2, 2010.

Public Comment

None.

Approval of Minutes

2. Approval of minutes from the meeting of September 28, 2010.

Vice Chair Richardson moved and Commissioner Catalano seconded the motion to approve the minutes from the meeting of September 28, 2010, as amended. The motion passed 5-0.

Public Hearings

3A. **UP 03-10, Use Permit, Longevity Fitness Studio**, 1026 Oak Street, Suite 102, APN 119-013-009. A request for a Use Permit to allow the operation of a fitness center in a ground-floor retail tenant space within the Town Center.

Director Woltering indicated that this item will not be considered at this meeting as authorization for consideration of a non-retail commercial use on the ground floor within the Flora Square project must be first authorized by an affirmative vote of the City Council. Consequently, this matter is being forwarded to the City Council for consideration.

3B. **VAR 01-10, Variance, Dana and Kathy Seemen**, 9001 Elk Drive, APN 118-650-002. A request for a Variance to allow an attached shade arbor to encroach 12 feet into the required 15-foot rear setback.

Assistant Planner Sikela presented the staff report. The applicant's representative, Greg Wrenn from Past The Gate, was available for questions.

The public hearing was opened. There were no public comments.

Commission comments and questions included:

- Does the rear edge of the shade arbor parallel the rear wall of the residence or the rear property line? Mr. Wrenn indicated that the rear edge of the shade arbor parallels the rear wall of the residence since the rear property line tapers toward the rear wall of the residence as it travels from east to west.
- How far apart are the support beams for the shade arbor? Mr. Wrenn indicated that the support beams are located two feet apart on center.
- Is the existing rear fence six feet in height and the proposed shade arbor ten feet in height? Mr. Wrenn indicated that was correct.
- The shade arbor will have minimal visual impact to surrounding properties and the public right-of-way, given that the structure is in the rear yard and the nearest residence to the structure is a single story and downhill from the subject property.
- Some of the Commissioners visited the project site and one Commissioner noted that the design of the shade arbor maintains the open look that the rear wrought iron fence provides.
- Staff's variance findings are very thorough.
- The Commissioners indicated support of staff's recommendation to approve the Variance.

Commissioner Catalano moved and Commissioner Meriam seconded a motion to approve Variance VAR 01-10, with the findings and condition of approval recommended by staff. The motion passed 5-0.

Old Business

4. None.

New Business

5. None.

Communications

- 6A. Staff.

Director Woltering indicated the following:

- The Maintenance Department will repair the lock on the door to the first-floor conference room at City Hall.
- The Growth Management Element Update will be brought back before the Planning Commission in approximately sixty days.
- Expansion of the Clayton Community Park parking lot needs to move forward by February 1, 2011. Raney Planning and Management is the consultant that has been hired to prepare the Mitigated Negative Declaration for the project, which will come before the Planning Commission at the meeting of December 14, 2010.

6B. Commission.

Commissioner Armstrong had the following questions:

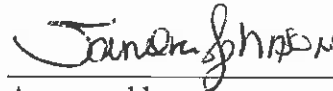
- Does there have to be a physical demonstration that the flood barriers are designed properly and available at the Flora Square building? Director Woltering responded that the flood barriers will need to meet certain Engineering specifications. Brackets would be installed in the doorways and the flood barriers would slide into the brackets.
- Have there been any new tenants in the Flora Square building? Director Woltering responded that a grocery store may be proposed for one of the ground-floor tenant spaces facing Center Street.

Adjournment

7. The meeting was adjourned at 7:35 p.m. The next regular meeting of the Planning Commission is scheduled on **Tuesday, November 9, 2010.**



Submitted by
David Woltering, AICP
Community Development Director



Approved by
Sandra Johnson
Chair

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