



Agenda
Planning Commission Meeting
7:00 P.M. on Tuesday, November 9, 2010
Hoyer Hall, Clayton Community Library, 6125 Clayton Road, Clayton

CALL TO ORDER, ROLL CALL, PLEDGE TO THE FLAG

Administrative

- 1A. Review of agenda items.
- 1B. Chair Johnson to report at the City Council meeting on November 16, 2010.

Public Comment

Approval of Minutes

- 2. Approval of minutes from the meeting of October 26, 2010.

Public Hearings

- 3. **SPR 01-10, Site Plan Review Permit, Jan Richards**, 1381 Lydia Lane, APN 120-052-015. A request for a Site Plan Review Permit to allow the construction of a two-story addition on an existing single-story, single family residence. The addition measures approximately 24 feet in height and 1,700 square feet in area.

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, November 23, 2010**.

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
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.
- Visited the project site and 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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PLANNING COMMISSION STAFF REPORT

Meeting Date: November 9, 2010

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

Subject: Jan Richards
Site Plan Review Permit (SPR 01-10)

REQUEST

Approval of a Site Plan Review Permit to allow the construction of a two-story addition to an existing single-story, single-family residence. The addition measures approximately 23 feet in height and 1,700 square feet in area.

PROJECT INFORMATION

Applicant / Location: Jan Richards
1381 Lydia Lane
APN 120-052-015

General Plan Designation: Low Density - Single Family Residential (1.1 to 3.0 units per acre).

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

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

Public Notice: On October 29, 2010, 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 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 17.44.020 of the Zoning Ordinance authorizes the Planning Commission to approve a Site Plan Review Permit in accordance with the Standards of Review in Section 17.44.040.

DISCUSSION

The applicant is requesting approval of a Site Plan Review Permit to allow the construction of a two-story addition to an existing single-story, single-family residence. The addition measures 23 feet in height and 1,711 square feet in area and has been designed with matching blue/gray wood siding, composition roof material, and 5:12 roof pitch. The vicinity map, site plan, floor plan, architectural elevations, and roof plan are provided as an **Attachment**.

The addition has been designed with a country estate architectural style. The applicant has indicated that the addition was designed to have no impact to the existing front and side yard setbacks so as to maintain the open space around the residence. Given that the R-20 District that the residence is located in has larger setbacks than other Residential Districts and Planned Development zones (except the R-40 and R-40-H Districts which comprise only three neighborhoods in Clayton), the challenges with drafting a design that respects these larger setbacks are evident. As a result, the second-story addition has been located at the rear of the residence so as to minimize visual impacts from the public right-of-way as well as to sustain the existing open space areas in the front and side yards of the lot. Articulation is provided by the southern protrusion of the existing garage and second-story master bedroom addition, which adds undulation to the southern facade without compromising side yard open space. Integration has been provided with matching siding, roof material, and roof pitch. Visual interest is provided by the inclusion of french doors and varying window treatments on the west elevation of the addition, a balanced window theme on the east elevation of the addition, and a blending of massing and volume consistent with other existing residences in the neighborhood. Staff has provided a condition that the existing chimney on the south elevation be shown on the east elevation.

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
24,825 sq ft	6,206 sq ft	1,641 sq ft	2,676 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
24,825 sq ft	8,689 sq ft	1,641 sq ft	3,352 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 01-10 to allow the construction of a two-story addition to an existing single-story, single-family residence. The addition measures approximately 23 feet in height and 1,700 square feet in area.

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 Conditions of Approval

These conditions of approval apply to the Richards Residence Site Plan, Floor Plan, Architectural Elevations, and Roof Plan, prepared by Ridgeline Engineering, date stamped October 27, 2010.

1. The existing chimney shall be shown on the east elevation.
2. 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, but not limited to, attorney's fees, costs, 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 any 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.

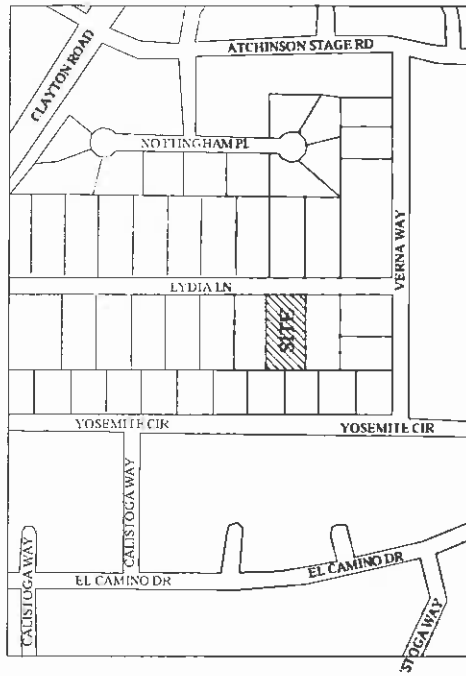
1. The applicant shall comply with all applicable state, county, and city codes, regulations, and adopted standards as well as pay all associated fees and charges.
2. Prior to obtaining a building permit, the applicant shall prepare an erosion and stormwater control plan for review and approval by the 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 Review 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&Rs) 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.

ATTACHMENT

Richards Residence Site Plan, Floor Plan, Architectural Elevations, and Roof Plan, prepared by Ridgeline Engineering, date stamped October 27, 2010.

SPR\2010\01-10.staff.report.1381.lydia.lane



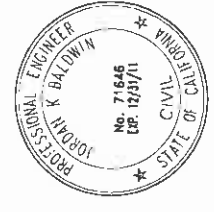
VICINITY MAP
NOT TO SCALE
RECEIVED

OCT 27 2010

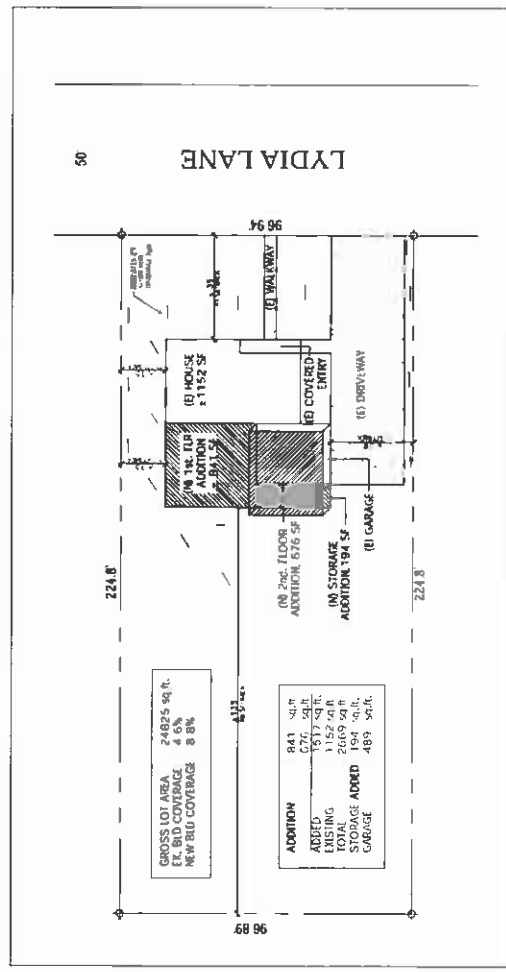
**CLAYTON COMMUNITY
DEVELOPMENT DEPT**

NOTES:

PROJECT: RESIDENTIAL ADDITION
OWNERS: JAN M RICHARDS
WENDY R HUNTER
APN#: 120-052-015-1
LEGAL: LOT 15 OF FREMONT
VILLAGE SUBDIVISION
ZONING: RESIDENTIAL

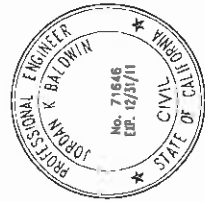


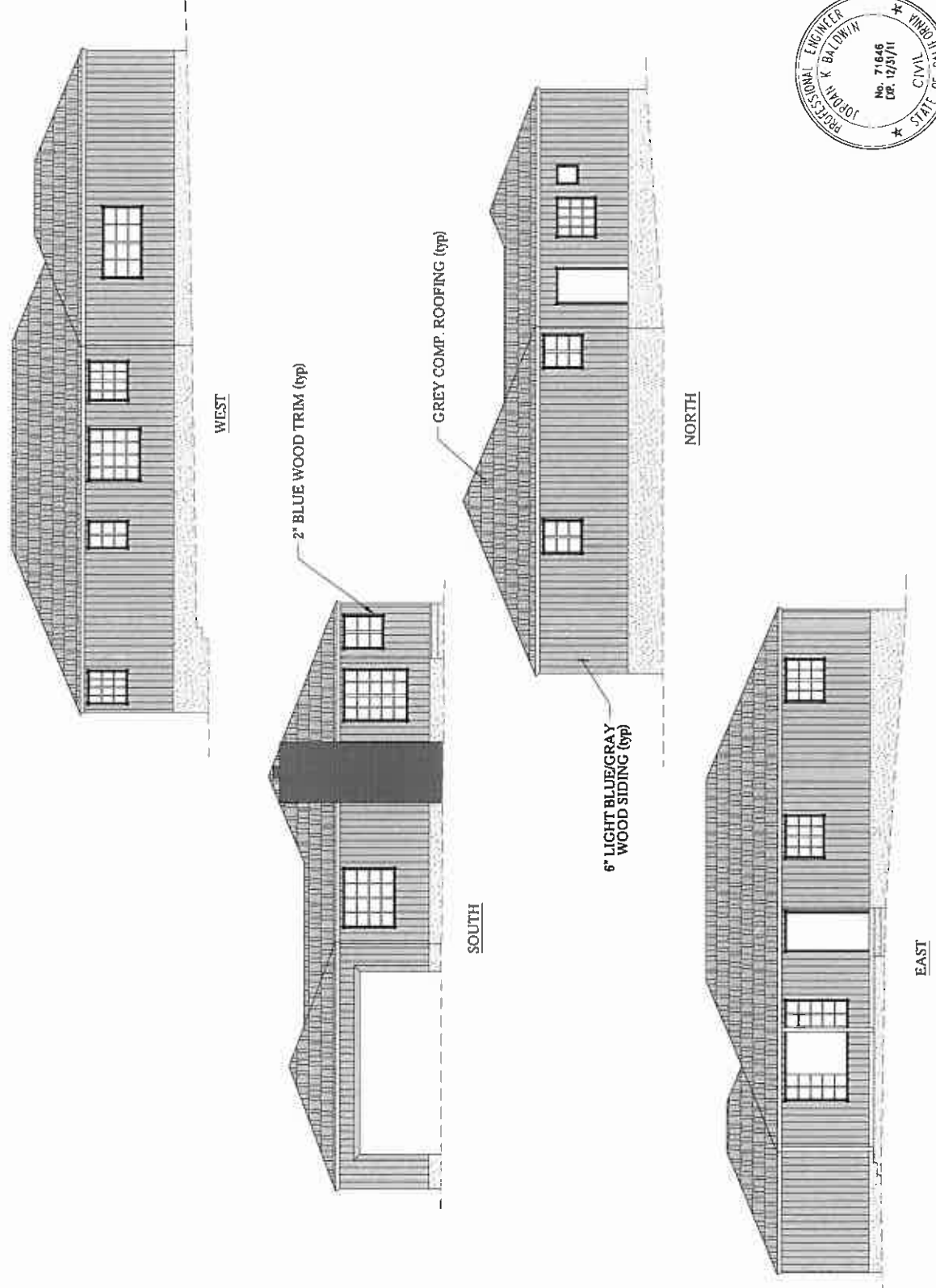
AERIAL SITE MAP
1" = 40'

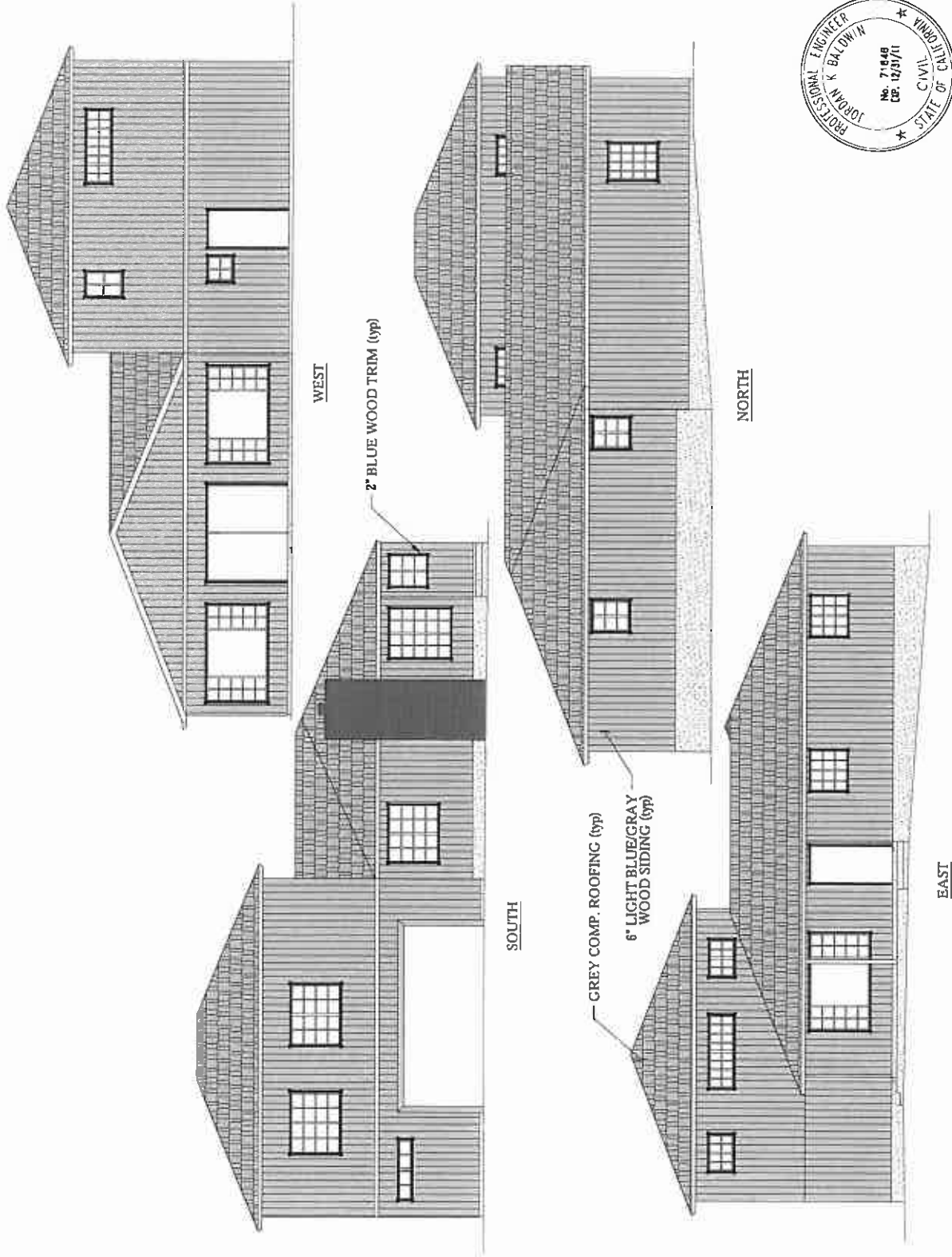


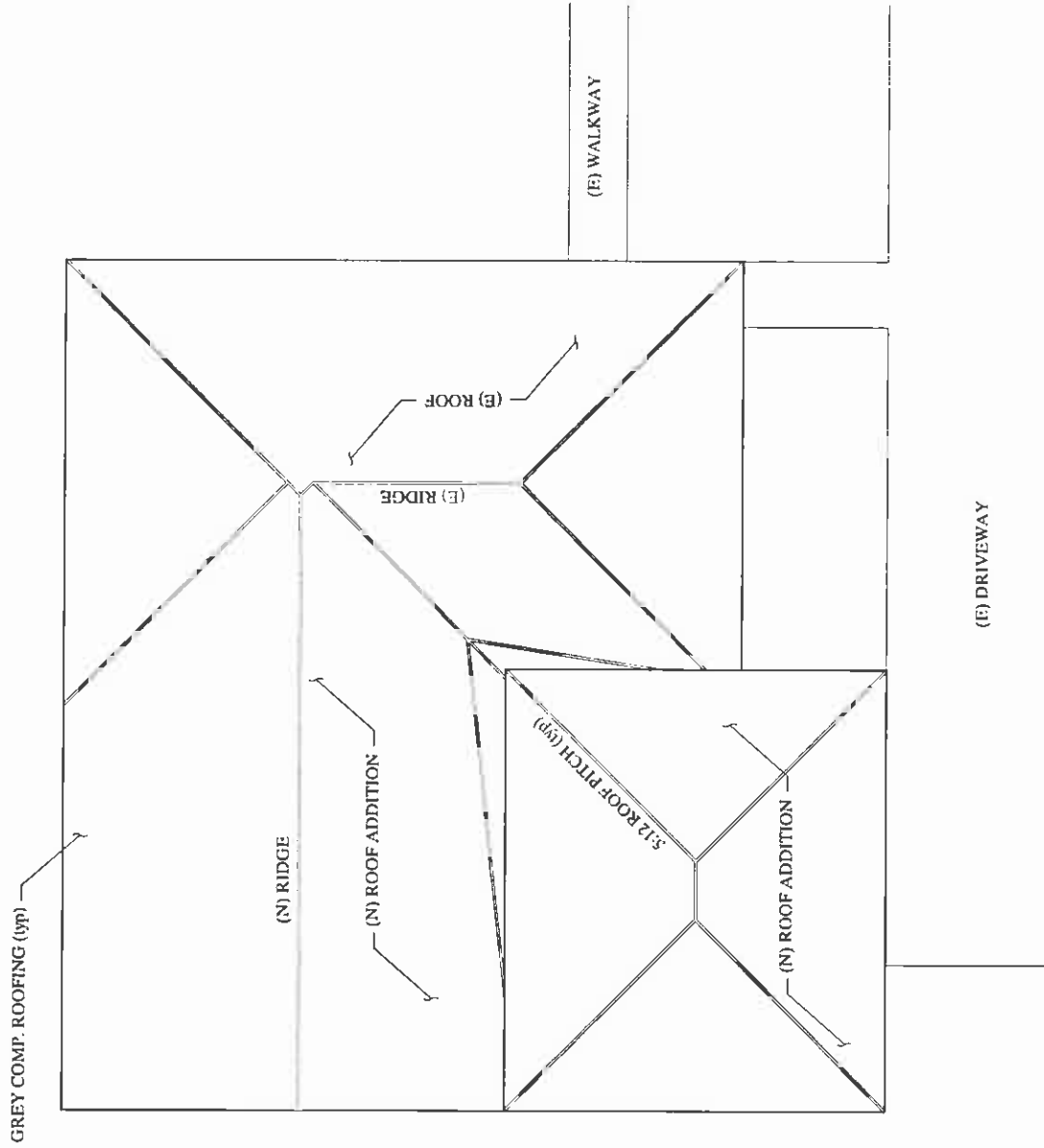
SITE PLAN
1" = 40'

ATTACHMENT

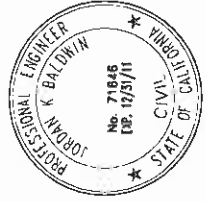
[illegible]







ROOF PLAN



NORTH



WEST



EAST



WEST/NORTH



EAST/SOUTH



SOUTH



NEIGHBOR'S HOME TO THE NORTH
(SIMILAR TO PROPOSED DESIGN)