



Agenda
Planning Commission Meeting
7:00 P.M. on Tuesday, May 24, 2011
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. Commissioner Armstrong to report at the City Council meeting on June 7, 2011.

Public Comment

Approval of Minutes

- 2.. Approval of minutes from the meeting of May 10, 2011.

Public Hearing

- 3. **ENV 02-09, Environmental Review, Clayton Community Church**, APNs 118-560-010 and 119-011-003. Public review of the Clayton Community Church Project Draft Environmental Impact Report (Draft EIR), prepared in accordance with the California Environmental Quality Act. This document evaluates the potential environmental impacts of the proposed project and recommends mitigation measures to reduce impacts to a less than significant level, as feasible. The primary objective of the proposed project is to develop a new church and associated facilities on the subject property to serve the Clayton Community Church congregation and the local community. The project would result in the demolition of the former Pioneer Inn building, which exists on the subject property, and the redevelopment of the site with four buildings, including a 500-seat sanctuary, retail and office space, and associated facilities. The proposed buildings, in total, would comprise approximately 42,000 square feet of interior space.

The proposed buildings include the following:

- Building 1, which would be located in the northwestern portion of the site, would be a two-story 22,244-square-foot sanctuary building containing up to 500 seats.
- Building 2, which would be located slightly southeast of Building 1, would be a two-story building containing a total of 8,516 square feet of interior space, including 2,261 square feet of retail space and 6,255 square feet of office space, church classrooms, and a welcome center.
- Building 3, which would be located on the site of the Pioneer Inn, would be a two-story building containing a total of 10,204 square feet of interior space, including 5,696 square feet of retail space and 4,508 square feet of office space.
- Building 4, which would be located in the northeastern corner of the project site, would be a one-story building containing a total of 1,200 square feet of space and would function as the Church's teen center.

The project would require several entitlements from the City of Clayton: a General Plan Amendment (to allow assembly uses); Specific Plan Amendment (to allow assembly uses and establish lower on-site parking requirements); Zoning Amendments (to allow assembly uses; establish a consistent zoning designation for the site; and establish lower on-site parking requirements); Use Permit Approval; Development Plan Approval; and Tentative Parcel Map Approval (to divide the site into four parcels).

PROPOSED ACTION: Receive public comments on the legal adequacy of the Draft EIR prepared for the Clayton Community Church project. Comments should be focused on the completeness, accuracy, and clarity of the information provided in the Draft EIR. Comments submitted should be as specific as possible to facilitate responses that accurately address the comments received in a Response to Comments document to be prepared after the close of the comment period on June 25, 2011.

(Please Note: The public review comment period for this Draft EIR is from May 11, 2011 to June 25, 2011. The City must receive all comments regarding the adequacy of the Draft EIR within this time period. Written comments may be submitted in person, by mail, by e-mail, or by fax. The mailing and physical address is City of Clayton City Hall, 6000 Heritage Trail, Clayton, CA 94517-1250, the e-mail address is dwoltering@ci.clayton.ca.us, and the fax number is 925-672-4917. Direct all comments to David Woltering, AICP, and Community Development Director.

Copies of the Draft EIR are available for review Monday through Friday, between the hours of 9:00 a.m. and 5:00 p.m., at the City of Clayton City Hall, Community Development Department, 3rd floor, 6000 Heritage Trail, Clayton, CA 94517-1250, except on specified holidays. The Draft EIR is also available at the City of Clayton Library, 6125 Clayton Road, and on the City of Clayton Website at www.ci.clayton.ca.us. Additionally, CDs of this document may be purchased at the Clayton Community Development Department.)

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, June 14, 2011.**

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, May 10, 2011

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 Ted Meriam

Absent: Commissioner Tuija Catalano

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

Administrative

1A. Review of agenda items.

1B. Vice Chair Richardson to report at the City Council meeting on May 17, 2011.

Public Comment

None.

Approval of Minutes

2. Approval of minutes from the meeting of April 26, 2011.

Vice Chair Richardson moved and Commissioner Armstrong seconded a motion to approve the minutes, as submitted. The motion passed 4-0.

Public Hearing

3. **SP 01-11, Sign Permit, Toll Brothers**, northeast corner of Regency Drive and Rialto Drive, APN 119-640-007. A request for approval of one free-standing temporary ground sign for the Diablo Estates at Clayton subdivision marketing sign program.

Assistant Planner Sikela presented the staff report and noted that, based on comments received at the Community Development Department, staff was recommending adding a condition of approval requiring the sign to be located outside the line-of-sight triangle at the northeast corner of Regency Drive and Rialto Drive.

Commission questions included:

- Have any of the lots in the subdivision been sold? Director Woltering indicated that no lots would be sold until after the applicants have received City approval of project-related entitlement requests.
- Will a phone number be listed on the sign for prospective homebuyers to call? Andrew Warner, representative of the applicant, Toll Brothers, indicated that the phone number would be located next to the e-mail address near the bottom of the sign.

The public hearing was opened.

Sue Grimmond, 79 Regency Drive, distributed a letter from Teena Hahn, 91 Regency Drive, and indicated that both she and Ms. Hahn had concerns with the sign being located too close to the corner at the intersection of Regency Drive and Rialto Drive and that the proposed sign location would obstruct visibility for vehicles, bicyclists, and pedestrians.

Mr. Warner, indicated that he was supportive of the “line-of-sight” condition of approval and would be available to work with staff to finalize the location for the sign.

Assistant Planner Sikela indicated that, in response to these concerns, staff had proposed a condition of approval requiring the sign be located outside the line-of-sight triangle, in accordance with Clayton Municipal Code regulations.

The public hearing was closed. Commission comments included:

- Visibility is often limited at intersections. Vehicular speed control is the real issue that needs to be addressed rather than improving sight visibility by adjusting the location of the sign.
- The applicant and staff can work on the specific location of the sign to satisfy the proposed condition of approval regarding locating the sign outside of the line-of-sight triangle.

Commissioner Armstrong moved and Vice Chair Richardson seconded a motion to approve Sign Permit SP 01-11, with the Conditions of Approval as recommended by staff and with the following Condition of Approval added:

“In accordance with the sight obstruction at intersection regulations of Chapter 12.08 of the Clayton Municipal Code, the sign shall be located outside of the line-of-sight triangle at the corner of Regency Drive and Rialto Drive, to the satisfaction of the City.”

The motion passed 4-0.

Old Business

4. None.

New Business

5. None.

Communications

6A. Staff.

Director Woltering provided an update for the Clayton Community Church Draft Environmental Impact Report, the Diablo Estates at Clayton subdivision, and the Raney Planning and Management work on the upcoming 2009-2014 Housing Element implementation.

6B. Commission.

Commissioner Armstrong indicated that the TRANSPAC meeting would be held on Thursday, May 12, 2011.

Adjournment

7. The meeting was adjourned at 7:47 p.m. to the following regularly-scheduled meeting of **May 24, 2011.**

Submitted by
David Woltering, AICP
Community Development Director

Approved by
Sandra Johnson
Chair

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PLANNING COMMISSION STAFF REPORT

Meeting Date: May 24, 2011

From: David Woltering, AICP
Community Development Director 

Subject: Public Review of the Clayton Community Church Project
Draft Environmental Impact Report (ENV 02-09)

REQUEST

Provide comments on the legal adequacy of the Draft Environmental Impact Report (Draft EIR) prepared for the Clayton Community Church project. Comments should be focused on the completeness, accuracy, and clarity of the information provided in the Draft EIR. No other action is to be taken on this project at this time.

A presentation will be provided at this Planning Commission meeting by the preparers of the Draft EIR for the purpose of summarizing key aspects of the analysis and findings in this document. Copies of the Draft EIR are available for review Monday through Friday, between the hours of 9:00 a.m. and 5:00 p.m., at the City of Clayton City Hall, Community Development Department, 3rd floor, 6000 Heritage Trail, Clayton, California 94517-1250, except on specified holidays. The Draft EIR is also available at the City of Clayton Library, 6125 Clayton Road, in Clayton, and on the City of Clayton Website at www.ci.clayton.ca.us. Additionally, CDs of this document may be purchased at the Clayton Community Development Department.

PROJECT INFORMATION

Applicant / Location: Clayton Community Church
6055 Main Street, Clayton, California
APNs 118-560-010 and 119-011-003

General Plan Designation: Town Center (TC)

Zoning: Planned Development (PD) and Limited Commercial (L-C)

Environmental Review: An Environmental Impact Report (EIR) is being prepared and processed for this proposed project in accordance with provisions of Section 15081 et seq. of the California Environmental Quality Act (CEQA) Guidelines.

Public Notice: On May 11, 2011, a public hearing notice was posted on City of Clayton notice boards and notices sent to interested citizens and applicable agency representatives about the availability of the Draft EIR prepared for the Clayton Community Church project and this public hearing scheduled for May 24, 2011 to present this Draft EIR and to receive comments on the document. The comment period on this Draft EIR extends from May 11, 2011 to June 25, 2011.

PROJECT SUMMARY

The primary objective of the proposed project is to develop a new church and associated facilities on a 2.3-acre (gross) site located at 6055 Main Street to serve the Clayton Community Church congregation. The project would result in the demolition of the former Pioneer Inn building on the property and the redevelopment of the site with four buildings, including a 500-seat sanctuary, retail and office space, and associated facilities. The proposed buildings would comprise approximately 42,000 square feet of interior space. The church would be a venue for regular weekday and weekend activities, in addition to Sunday morning services, and special events.

Approximately 54 parking spaces would be provided on the project site, mainly in an on-site parking lot. Based on the City's Schedule 17.37.030.D in the Clayton Municipal Code, on-site parking reductions, the on-site parking requirement for the project as proposed would be approximately 201 spaces. Because the proposal for on-site parking falls short of City code requirements, the project applicant proposes to utilize existing off-site parking (via shared use agreements to use parking on other properties and existing on-street parking) to make up for the shortfall of on-site spaces.

The project would require several entitlements from the City of Clayton, including a General Plan Amendment (to allow assembly uses); Specific Plan Amendment (to allow assembly uses and establish lower on-site parking requirements); Zoning Amendments (to allow assembly uses; establish a consistent zoning designation for the site; and establish lower on-site parking requirements); Use Permit Approval; Development Plan Approval; and Tentative Parcel Map Approval (to divide the site into four parcels).

Summary of Impacts Identified in the Draft EIR

The analysis in the Draft EIR determined that there would be significant adverse impacts in the environmental topic areas listed below as a result of the proposed Clayton Community Church project. However, the analysis does describe possible mitigation measures to reduce the identified adverse impacts to a less-than-significant level if the mitigation measures suggested are accepted and implemented. The environmental topic areas identified in the Draft EIR are the following:

- Land Use and Planning Policy
- Transportation, Circulation, and Parking
- Air Quality
- Noise
- Cultural Resources
- Visual Resources
- Hydrology and Water Quality

Project Alternatives Identified in the Draft EIR

CEQA requires that an EIR evaluate a range of reasonable alternatives to the proposed project that would reduce or avoid the project's significant impacts. The following alternatives to the proposed Clayton Community Church project are considered in the EIR:

- The **No Project alternative**, under which the project site would not be redeveloped in the short-term, and would remain generally in its existing condition.
- The **Policy Consistency alternative**, which assumes that the site would be redeveloped with a mix of uses (retail, office, and residential uses) consistent with the Town Center Specific Plan, General Plan, Zoning Ordinance, and Parking Code (and development would not exceed the maximum building envelope permitted in the General Plan). This alternative would entail the development of 40,000 square feet of ground-floor retail uses, 20,000 square feet of second-floor office uses, and 20 second-floor multi-family residential units.
- The **Mixed Use/Church alternative**, which assumes that development of the site would occur in general accordance with the development guidelines of the Specific Plan, General Plan, and Zoning Ordinance, but the Town Center Specific Plan would be amended to allow Religious Assembly uses in areas designated Town Center Commercial (with a Use Permit). Under this alternative, a new sanctuary would be developed on the project site, but it would be smaller than the one currently proposed (the sanctuary itself would be 12,000 square feet and would contain 250 fixed seats). Other uses that would be developed as part of this alternative include 4,000 square feet of church/accessory space, 15,000 square feet of ground-floor retail space, and 11 second-floor multi-family residential units.
- The **Off-Site alternative**, which assumes that the project would be developed on an approximately 5.2-acre site outside the Town Center. The off-site location, which is located just east of the intersection of Marsh Creek Road and Pine Lane in unincorporated Contra Costa County, is informally known as the Sorensen Property.

CEQA requires that an EIR identify an "environmentally superior alternative." The No Project alternative is identified as the environmentally superior alternative. The Policy Consistency alternative is the secondary environmentally superior alternative. The Mixed Use/Church alternative is the third environmentally superior alternative.

NEXT STEPS

Those comments presented at the May 24, 2011 Planning Commission meeting pertaining to the legal adequacy of the Draft EIR will be recorded and responded to in writing as will those additional comments pertaining to the legal adequacy of the Draft EIR received through the end of the 45-day comment period (June 25, 2011). It is anticipated, depending on the volume and complexity of the comments received, that a Responses to Comments document will be prepared within approximately 60 days from the end of the comment period. Thereafter, public hearings on the Final EIR (Draft EIR and Responses to Comments) and the project approvals (entitlements) are anticipated to be scheduled before the Planning Commission and the City Council in the Fall of 2011. Staff expects two or more public hearings before each body. The Planning Commission will make a recommendation on the Final EIR and related approvals (entitlements) to the City Council and the City Council will take the final action on the matter.

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