

Minutes
Clayton Planning Commission Meeting
Tuesday, January 24, 2012

Call to Order

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

Present: Chair Dan Richardson, Vice Chair Keith Haydon, Commissioner Bob Armstrong, and Commissioner Sandra Johnson
Absent: Commissioner Gregg Manning
Staff: Community Development Director David Woltering
Assistant Planner Milan Sikela, Jr.

Administrative

- 1A. Review of agenda items.
- 1B. Chair Richardson to report at the City Council meeting on February 7, 2012.

Public Comment

Bob Armstrong, 5818 Mitchell Canyon Court, indicated the following:

- I am Bob Armstrong. I live on Mitchell Canyon Court in Clayton. I am a Planning Commissioner for the City of Clayton.
- I want to comment on the recent City Council meeting in which the cost of the change order request of LSA, the environmental consultant for the Clayton Community Church Environmental Impact Report (CCC EIR), was discussed and decided on.
- In the course of public comment, it was disclosed that CCC accused the Planning Commission of bias and making negative remarks regarding the merits of their project at one of its meetings when the Planning Commission received a presentation on the Fiscal/Economic Analysis for the proposed project.
- During the public comment period at the City Council meeting, the Attorney for the CCC took blame for those and other misleading remarks made in his letter to the City, and apologized for those imprudent statements. I am now on the record in declaring that his apology is insufficient in that it was not directed to the Planning Commission. He should apologize directly to the Planning Commission.

Approval of Minutes

- 2. Approval of minutes from the meeting of December 13, 2011.

Commissioner Haydon moved and Commissioner Armstrong seconded a motion to approve the minutes, as amended. The motion passed 4-0.

Public Hearing

- 3. **SPR 01-12, Site Plan Review Permit, Clayton Station, 5441 – 5443 Clayton Road, APN 119-031-051.** A request for a Site Plan Review Permit to consider allowing various minor exterior modifications and improvements to the existing building and associated adjacent exterior areas.

Vice Chair Haydon recused himself as he is the President of the Westwood Homeowners Association, with property that adjoins the site of the public hearing application. He left the room.

Assistant Planner Sikela presented the staff report and distributed copies of a revised elevation provided by the applicant for the subject building. Mr. Sikela indicated that the plans initially submitted by the applicant depicted two different thematic designs for the front and rear corner elevations of the subject building. A triangular cutout design theme was proposed for the front elevation while a different square cutout design theme was proposed for the rear corner elevation. Mr. Sikela stated that the square cutouts had previously been approved by the Planning Commission in January 2009 as part of a prior more comprehensive remodel for the Clayton Station shopping center. Staff supported that design concept at that time and, moreover, believed that a consistent exterior design treatment was preferable. Therefore, staff had recommended in the current staff report that the square cutout design theme be used on both the front and rear corner elevations.

Mr. Sikela indicated that, since the time the staff report was distributed, the applicant had submitted a newer, revised alternative triangular design theme for the rear corner façade that would be more visually integrated with the triangular design theme on the front elevation. Mr. Sikela added that the applicant supports the initially-submitted design theme utilizing both the triangular and square cutouts; however, if the Planning Commission prefers that consistent design themes be used, then the applicant would hope to have the submitted design alternative approved, as both elevations would utilize consistent triangular cutouts which would be within the client's budget. Mr. Sikela indicated that staff prefers a consistent design theme be used for both elevations.

The public hearing was opened.

David Banducci, representative of the applicant, indicated that, in 2009, the intent of the property owners was to implement a more comprehensive remodel to the shopping center buildings. The poor economy over the past three years has made the previously-approved plan infeasible. Regarding the current proposal before the Planning Commission, Mr. Banducci indicated that the property owners are not in a position to complete the square cutout design theme on both elevations; however, the revised alternative is being offered in order to achieve the architectural consistency staff has discussed. Mr. Banducci concluded that, at this time, he is unable to predict if or when the owners would be able to move forward with the more comprehensive remodel approved in 2009.

The public hearing was closed.

Commissioner Armstrong indicated that he supports the applicant's submitted alternative, given that the subject exterior elevations would be treated similarly.

Commissioner Johnson indicated that she supports the applicant's submitted alternative, given that the subject exterior elevations would be treated similarly, and this design is consistent with the existing exterior treatments in the shopping center.

Chair Richardson indicated and asked the following:

- He supports the triangular cutout alternative submitted by the applicant.
- Are the proposed door locations and exterior hardscape/parking area modifications in compliance with applicable requirements? *Assistant Planner Sikela indicated that the plans had been reviewed by the City Engineer and were found to be acceptable; moreover, the plans will go through a formal review by the County Building Department in accordance with Uniform Building Code regulations.*
- From a design standpoint, he prefers the square cutout design theme; however, he understands that it would be better to maintain the current triangular cutout design for consistency purposes.
- He thanked the applicant for efforts made since 2009 to better maintain the Mount Diablo Creek corridor which is adjacent to the Clayton Station shopping center.

Mr. Banducci asked for clarification regarding certain advisory notes suggested in the recommended approval by staff. He wanted to make sure that approval of the Stormwater Control Plan and Construction and Demolition Recycling Plan would only apply to the particular project being considered. *Assistant Planner Sikela confirmed that the advisory notes only apply to the particular project and immediate project area being considered.*

Commissioner Johnson moved and Commissioner Armstrong seconded a motion to approve the submitted alternative with triangular cutouts, with changes being made by staff to the conditions of approval and advisory notes, as necessary. The motion passed 3-0.

Vice Chair Haydon returned to the meeting.

Old Business

4. None.

New Business

5. None.

Communications

- 6A. Staff.

Director Woltering indicated the following:

- Staff had provided to the Commissioners with an article from the Concord Transcript regarding the Planning Commission's action for "reasonable accommodation" by Mr. and Mrs. Casagrande for their son.
- The City Council, at its meeting of January 17, 2012, approved by a split vote the requested contract modification by LSA Associates to prepare the Responses to Comments document associated with the Clayton Community Church Environmental Impact Report. However, the City Council indicated that work should not proceed on that aspect until the required funds and authorization to proceed are received from the applicant. LSA Associates indicated that the comments they received for the Clayton Community Church Draft Environmental Impact Report were among the top five most heavily commented upon project that they have ever worked on.

- At this time, it appears that the February 14, 2012 Planning Commission meeting will be cancelled; however, staff anticipated bringing the Housing Element implementation forward to the Planning Commission at its meeting of February 28, 2012.

Citizen Pete Laurence spoke to the Planning Commission, indicating that he appreciated the Commission allowing the accommodation of chickens for Mr. and Mrs. Casagrande's son. He reminded the Commission about the Clayton's agricultural heritage and encouraged the Commissioners to allow agricultural activities for 4-H groups and others who pursue animal husbandry activities within the City. *Director Woltering pointed out that the Municipal Code currently allows for 4-H activities with a Use Permit.*

6B. Commission.

None.

Adjournment

7. The meeting was adjourned at 7:46 p.m. to the following regularly-scheduled meeting of February 14, 2012.



Submitted by
David Woltering, AICP
Community Development Director



Approved by
Dan Richardson
Chair

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