

Minutes
Clayton Planning Commission Meeting
Tuesday, September 11, 2012

Call to Order

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

Present: Chair Haydon, Vice Chair Gregg Manning, Commissioner David Bruzzone, Commissioner Sandra Johnson, Commissioner Dan Richardson

Absent: None

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

Commissioner Johnson requested that the Commission observe a moment of silence to honor those that lost their lives eleven years ago on September 11, 2001.

Administrative

1A. Review of agenda items.

1B. Vice Chair Manning to report at the City Council meeting on September 18, 2012.

Public Comment

None.

Approval of Minutes

2. Approval of minutes from the meeting of August 28, 2012.

Vice Chair Manning moved and Commissioner Bruzzone seconded a motion to approve the minutes, as amended. The motion passed 4-1 (Commissioner Richardson abstained since he did not attend the August 28, 2012 Planning Commission meeting).

Public Hearing

3A. UP 01-12, Use Permit, AT&T, 68 Nottingham Circle, APN 120-025-003. A Use Permit to consider amending a previously-approved Use Permit for an existing wireless communications facility, including analysis of an acoustical study conducted for the project. The currently-proposed modifications involve removal of six existing antennas located at the top of an existing 125-foot PG&E lattice tower and replacement of those antennas with six new antennas as well as installation of three new cabinets within the existing ground-level equipment enclosure. The purpose of the alterations are to upgrade the existing site with new technology that will allow for faster wireless data transfers and overall improved wireless service. *Continued from the meeting of July 10, 2012.*

Chair Haydon recused himself from participating in the consideration and action on this agenda item as he is an employee of AT&T. He then left the meeting chambers.

Assistant Planner Sikela presented the staff report.

Vice Chair Manning inquired how do the results of the acoustical study compare with the Clayton General Plan Noise Element Goals, Objectives, and Policies? *Assistant Planner Sikela responded that the acoustical study indicated the noise levels generated from the subject wireless communications enclosure site did not exceed 44 decibels at the property owner's residence and 41 decibels at a concerned neighbor's residence across the street from the enclosure; as a result, the acoustical study concluded that the wireless communications enclosure generated noise levels in compliance with the Clayton General Plan Noise Element Policy 3c which allows a maximum noise level generation of 55 decibels at the property line.*

The continued public hearing was re-opened.

Vice Chair Manning asked Tom Johnson, representative of applicant, AT&T, if he wanted to provide any information in addition to what staff had presented. *Mr. Johnson indicated that he agreed with staff's analysis and recommendation and had nothing further to add.*

Commissioner Johnson inquired whether the property owner and concerned neighbor are satisfied with the results of the acoustical study. *Director Woltering indicated that the property owner and the concerned neighbor across the street were satisfied with the outcome. He added, though, that the property owner indicated after the new cabinets and sound hoods are installed in the equipment enclosure, and if the noise generated, although compliant with City standards, has an impact on the property owner, the property owner will return to the City to discuss with staff the possibility of increasing the fence height in order to further mitigate the noise.*

Commissioner Bruzzone and Commissioner Richardson inquired about the methodology used to conduct the acoustical study. *Director Woltering indicated that, since determining the existing noise conditions was a concern, the acoustical consultant—William Hammet representing Hammet & Edison Inc.—used a noise meter to measure the noise, adjusting the noise meter to varying elevations around the enclosure to capture all possible noise generated from the site. The readings taken by the consultant were done while staff, the property owner, and the concerned neighbor were watching. The resulting noise measurements at all locations requested by the property owner and neighbor were well below the City's maximum thresholds.*

There were no further comments. The continued public hearing was closed.

Commissioner Richardson moved and Commissioner Johnson seconded the motion to approve Use Permit UP 01-12, with the findings and conditions recommended by staff. The motion passed 4-0.

Chair Haydon returned to the meeting chambers.

- 3B. DP 01-05, Development Plan Amendment, Mitchell Creek Place Homeowners Association,** Mitchell Creek Place residential subdivision located at the southeast corner of High Street and Oak Street in Clayton's Town Center. An amendment to the Mitchell Creek Place Development Plan Permit landscaping and irrigation conditions of approval (Conditions of Approval 23 – 29) in City Council Resolution No. 48-2006 to allow for on-site replacement trees to be a minimum of 15-gallons instead of 24-inch box in size.

Director Woltering presented the staff report.

Commissioner Richardson suggested that the Planning Commission also review the type of replacement trees to be planted in addition to the size of the replacement trees.

Vice Chair Manning indicated that the replacement trees should not be of a blight-inducing type such as the ornamental pear trees were.

Commissioner Bruzzone indicated that it may be good to use the same type of tree, whichever type is decided upon, for all the replacement trees.

The public hearing was opened.

Karen Haas, representative of the applicant, the Mitchell Creek Homeowners Association (HOA), indicated that the HOA does not want to have to come back before the Planning Commission to decide what types of replacement trees should be used. The HOA can work with staff directly on this issue.

Director Woltering indicated that the original approval included a landscape plan which specified the tree types.

Chair Haydon asked the applicant would the HOA be agreeable to working with staff? *Ms. Haas responded "Yes."*

Commissioner Richardson indicated the following:

- I agree with the need to remove the ornamental pear trees.
- Given the type and size of the ornamental pears, fire blight and size issues were inevitable.
- As we review the replacement trees, this is an opportunity for the Planning Commission to become more versed in trees.

Commissioner Johnson and Chair Haydon supported bringing the item back before the Planning Commission for further review.

By consensus, the Planning Commission indicated that the public hearing should be continued to a date certain for further review.

There were no further comments. The public hearing was closed.

Commissioner Richardson moved and Vice Chair Manning seconded a motion to continue Development Plan Amendment DP 01-05 to the Planning Commission meeting of September 25, 2011. The motion passed 5-0.

- 3C. **SP 02-12, Sign Permit, West Coast Sign and Install, 5441 – 5443 Clayton Road, APN 119-031-051.** A sign permit to consider proposed installations of two "Sherwin Williams" building signs (one 17 square-foot sign on the north elevation and one 24 square-foot sign on the west elevation) on the existing building at 5441 – 5443 Clayton Road in the Clayton Station shopping center.

Assistant Planner Sikela presented the staff report.

The public hearing was opened.

Ken Carter, representative of the applicant, West Coast Sign and Install, indicated he agreed with staff's analysis and interpretation.

Chair Haydon indicated he supported approving the project.

Commissioner Johnson moved and Vice Chair Manning seconded the motion to approve Use Permit UP 01-12, with the findings on conditions recommended by staff. The motion passed 5-0.

Old Business

4. None.

New Business

5. None.

Communications

6A. Staff.

Director Woltering provided a power point presentation reviewing the geomorphology of cities he and his wife visited on their July 2012 trip to Germany and Denmark, including an analysis of the incentives in these cities for solar panels and wind turbines, maintaining traditional architectural styles, and permeability related to drainage and water runoff. Director Woltering indicated that he was an exchange student in 1975 and 1976, and, during portions of those years abroad, lived in Ebern, Germany, a town founded in the year 1232. He mentioned that he and his wife observed large fields of solar collectors interspersed among the wheat farms that are common in the German countryside they visited. While in Ebern in July 2012, he and his wife attended a City Council meeting where, among the various issues discussed, a proposed plan for LED lighting was reviewed as an alternative to traditional street lighting as a long-term cost-saving measure.

6B. Commission

Commission Richardson indicated the following:

- The 50th anniversary celebration for the Benicia Bridge will be taking place soon.
- At the September 13, 2012 TRANSPAC meeting, the first thing on the agenda is a recognition in honor of former Planning Commissioner Bob Armstrong.

Adjournment

7. The meeting was adjourned at 8:56 p.m. to the regularly-scheduled meeting of September 25, 2012.



Submitted by
David Woltering, AICP
Community Development Director



Approved by
Keith Haydon
Chair

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