CITY OF CLAYTON

AGENDA
PLANNING COMMISSION
Regular Meeting
7:00 P.M. on Tuesday, October 8, 2013

Hoyer Hall, Clayton Community Library, 6125 Clayton Road, Clayton, CA

1. CALL TO ORDER, ROLL CALL, PLEDGE TO THE FLAG

2. ADMINISTRATIVE

2.a. Review of agenda items.
2.b. Declaration of Conflict of Interest.
2.c. Vice Chair Dan Richardson to report at the City Council meeting of October 15, 2013 (alternate Chair Gregg Manning).

3. PUBLIC COMMENT

4. MINUTES

4.a. Approval of the minutes for the September 24, 2013 regular meeting.

5. PUBLIC HEARINGS

None.

6. OLD BUSINESS

None.

7. NEW BUSINESS

7.a. **Silver Oak Estates Planned Development project.** Informational presentation by project applicant Clyde Miles Construction Co. on a proposal to develop the 13.96-acre Hurd Ranch property located between the northerly terminus of Lydia Lane and south of Oakhurst Drive in Clayton. The current development proposal includes seven (7) single-family homes and 52 town homes located on approximately 5.37 acres, a neighborhood swimming pool and cabana on 0.59 acres, roadways and sidewalks on 2.10 acres and open space on 7.84 acres. The primary vehicular access is proposed from Oakhurst Drive at Yolanda Circle (east intersection) and a secondary access proposed from Lydia Lane. The property site is identified as 5701 Clayton Road; APN: 118-020-029; DP-01-10, MAP-01-10 & ENV-02-10.

Please note that no action or decisions will be made on the Silver Oak Estates Planned Development project at this meeting, it is an informational outreach meeting only.

8. COMMUNICATIONS

8.a. Staff.

- **(Continued Discussion) Planning Commission Meeting Procedures and Protocol.** Consideration of Minor amendments; CDD-04-13.

8.b. Commission.

9. ADJOURNMENT

9.a. The next regularly-scheduled meeting of the Planning Commission will be held on **Tuesday, October 22, 2013 at 7:00 p.m.**

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.

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Minutes
Clayton Planning Commission Meeting
Tuesday, September 24, 2013

1. CALL TO ORDER, ROLL CALL, PLEDGE TO THE FLAG

Chair Manning called the meeting to order at 7:00 p.m. at the First Floor Conference Room, City Hall, 6000 Heritage Trail, Clayton.

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

Absent: None.

Staff: Community Development Director Charlie Mullen
Assistant Planner Milan J. Sikela, Jr.

2. ADMINISTRATIVE

2.a. Review of agenda items.
2.b. Declaration of Conflict of Interest.
2.c. Planning Commissioner Keith Haydon to report at the City Council meeting of October 1, 2013 (alternate: Vice Chair Dan Richardson).

3. PUBLIC COMMENT

None.

4. MINUTES

4.a. Approval of the minutes for the September 10, 2013 regular meeting.

Vice Chair Dan Richardson moved and Commissioner Haydon seconded a motion to approve the minutes, as submitted. The motion passed 5-0.

5. PUBLIC HEARINGS

5.a. **SPR-05-13, Site Plan Review Permit, Steve and Sue Brye, 19 Atchinson Stage Road, APN: 120-031-003.** Public Hearing to consider a Site Plan Review Permit request to construct a single-story addition on an existing single-story single-family residence. The addition is proposed to be approximately 515 square feet in area and 16 feet, 6 inches in height.

Assistant Planner Sikela presented the staff report.

Commissioner Haydon asked if the new ridgeline over the garage would protrude higher than the existing ridgeline of the main roof component of the residence. Assistant Planner Sikela responded yes, the new ridgeline would protrude slightly higher than the existing ridgeline over the main roof section.

Commissioner Johnson inquired about the description of Assistant Planner Sikela's architectural analysis of the project. Assistant Planner Sikela responded that the proposed addition incorporates undulation in the façade of the front and left elevations, which provides articulation and visual interest for the project.

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

Vice Chair Richardson moved and Commissioner Johnson seconded a motion to approve Site Plan Review Permit SPR-05-13, with the findings of approval and condition of approval recommended by staff. The motion passed 5-0.

5.b. **SPR-06-13, Site Plan Review Permit, Jason and Stephanie Craig, 369 Mt. Washington Way, APN: 119-221-006.** Public Hearing to consider a Site Plan Review Permit request to construct a second-story addition on an existing two-story single-family residence. The addition is proposed to be approximately 1,027 square feet in area and 23 feet in height.

Assistant Planner Sikela presented the staff report.

Commissioner Haydon indicated that he conducted a site visit to the project site and it appears that existing trees located west of the subject residence provide screening of the project from adjacent properties.

Chair Manning asked if the existing second-story was part of the original design of the subject residence or added on later.

The public hearing was opened.

Gregg Kellenberger, 373 Mt. Washington Way, indicated the following:

- Since the addition is located on the second story, the addition would impact our views to the east as well as access to sunlight.
- Removing the existing ponderosa pines and planting new vegetation would assist in screening the project from off-site locations.
- Existing second story was an addition to the original one-story subject residence.

Mary Holm, 31 Mt. McKinley Court, indicated the following:

- Concerned about the project creating impacts to privacy.
- We want to ensure there are no lighting impacts to off-site areas, especially floodlights or spotlights installed on the second story which could shine onto our property.

The applicant, Jason Craig, indicated that, prior to submitting the application to the City, he checked the Diana Hills Homeowners Association regulations and discussed the proposal with neighboring property owners.

Vice Chair Richardson asked the applicant if lighting was proposed for installation on the second story. The applicant responded that no lighting would be installed on the second story.

Becca Kellenberger, 373 Mt. Washington Way, indicated the following:

- The applicant discussed the project with us before submitted the application to the City, but we thought it was a first floor addition, not a second floor addition.

- Planting trees along the property line would help to mitigate the impacts of the addition.

The public hearing was closed.

Commissioner Bruzzone indicated that it appears that the applicant is trying to work with the neighbors.

Commissioner Haydon indicated that a balance should be achieved between the property owners' right to improve their property with the concerns raised by the neighbors regarding impacts to views, privacy, and sunlight.

Vice Chair Richardson indicated the following:

- In order to address the concerns raised by the neighbors, a condition of approval should be provided that no lightning be installed on the second story.
- If you remove the existing trees in order to replant new trees, impacts to privacy would actually be increased temporarily while the replacement trees grow to maturity.

Chair Manning indicated the following:

- Adding trees could actually create a greater impact to views.
- There are no guaranteed views without establishment of a view protection easement.

Commissioner Johnson agreed that a condition of approval should be provided to address the installation of lighting on the second floor.

The Commission agreed to add a condition of approval to address the installation of lighting on the second floor. Regarding the issues related to landscaping, the Commission felt that the applicant and neighbors should work with each other to address this issue.

Vice Chair Richardson moved and Commissioner Johnson seconded a motion to approve Site Plan Review Permit SPR-06-13, with the findings of approval and condition of approval recommended by staff, and with a condition of approval added by the Planning Commission to restrict the installation of lighting on the second floor. The motion passed 5-0.

6. OLD BUSINESS

None.

7. NEW BUSINESS

7.a. **Skipolini's Pizza Restaurant Remodel/Expansion and Bocce Ball Court Proposal.** Informational presentation by Robert Staehle, VIZ f/x on the Skipolini's Pizza Restaurant Remodel/Expansion and Bocce Ball Court a proposal; 1035 Diablo Street.

Director Mullen introduced Robert Staehle from VIZ f/x, project representative of the conceptual Skipolini's Pizza restaurant remodel/expansion and bocce ball court proposal, and explained that Mr. Staehle would provide the informational presentation.
Mr. Staehle indicated the following:

- Project will include a redesignation of lot lines.
- We are anticipating a maximum of 60 to 80 people on the site during peak hours.

- There will be four distinct components of the project: 1) the bocce ball courts; 2) improvements to the building that Canesa's Deli currently occupies; 3) remodel of Skipolini's Pizza restaurant including an addition at the south end of the building and a new enclosure for a play structure; and 4) relocation of the existing storage container on the parcel located at the northwest corner of Center Street and Diablo Street.
- We hope to begin construction of the project in early 2014.

Commissioner Johnson had the following questions:

- Will the area around the fireplace and the fireplace itself be under a roof? Mr. Staehle responded that no roof is proposed around or on the fireplace.
- How will vandalism be curtailed? Mr. Staehle responded that anti-graffiti measures will be included with the project.

Vice Chair Richardson had the following comments and questions:

- It would be helpful to have a photosimulation looking southeastward down the offramp from Clayton Road into the Town Center. Since this is a person's first visual impression of the Town Center as they enter from the west, a photosimulation from this angle would give the Commission a better idea of how the project would be integrated into the existing surroundings. Mr. Staehle indicated that he would provide the requested photosimulation. Mr. Staehle added that the vertical elements incorporated in the trellises around the bocce ball courts would provide some visual interest and presence for that perspective into the Town Center.
- How will parking be addressed? Mr. Staehle responded that, since the four lots located within the project boundaries are under 10,000 square feet in area, they would qualify for the Town Center parking waiver.
- Would there be any improvements to the lot directly south of Skipolini's Pizza that is used for parking? Mr. Staehle indicated that the existing trash container would be relocated while the existing storage container would be removed. We will be working with Allied Waste on access issues related to the trash container.
- How will after hours security be addressed? Mr. Staehle said that the project has been proposed with a low open perimeter fence that will allow unobstructed views into the site. Also, video surveillance will be provided by an on-site camera.
- What will happen with the north wall of the Flora Square building that is located directly south of the bocce ball court area of the project? Mr. Staehle we might propose a trellis on the Flora Square building or some other feature that would soften the two-story façade. We will be working with a landscape architect and the property owners of the Flora Square building to propose such a feature.

Chair Manning had the following questions:

- Where would bocce ball equipment be stored? There is an area on the back patio of Canesa's Deli that would be used for storage.
- Is any landscaping proposed? Mr. Staehle indicated that a tree would be planted along with low ground cover in the area of the perimeter fence on Oak Street. We wanted to avoid using such landscaping amenities as six-foot hedgerow which would provide a monolithic visual barrier and detract from the aesthetics of the project.

Commissioner Bruzzone asked how will drainage be addressed. Mr. Staehle responded that the site will be raised to allow for drainage to flow into an existing storm drain on the southeast corner of Main Street and Oak Street.

Ed Hartley, 708 Anizumne Court, and member of the Clayton Business and Community Association (CBCA):

- The project was overwhelmingly approved by the CBCA.
- The CBCA is proposing to operate the bocce ball courts Monday through Thursday and possible Sunday as well if the demand in there.
- There would be both organized team play and public play.
- The purpose of the Town Center Specific Plan is to foster economic development in the Town Center; the bocce ball courts would be a benefit to the economy of the Town Center.

Vice Chair Richardson asked how will lighting and noise be addressed? Mr. Hartley responded that the Flora Square building to the south will provide a sufficient buffer for on-site lighting and noise while areas to the east are already commercial properties and areas north and west of the project site are vacant or open space lots.

Commissioner Johnson asked will there be a committee? Mr. Hartley answered "yes."

Commissioner Bruzzone had the following questions:

- What if incoming revenues are insufficient for operating costs? Mr. Hartley indicated that it would be unlikely since bocce ball is so popular.
- Will private maintenance be used? Mr. Hartley answered "yes."

Chair Manning had the following questions:

- Is this an independent league? Mr. Hartley responded "yes."
- What are the proposed hours of operation? Mr. Hartley responded that the hours of operation would be 6:30 p.m. to 9:30 p.m.
- How will control of alcoholic beverages be provided, specifically addressing people walking off the premises with alcohol? There will be rules that prohibit walking off the premises with alcohol but it will be somewhat self-policing.

Kent Ipsen, 6061 Clayton View Lane, and property owner of the project site, indicated the following:

- Regarding the north wall of the adjacent Flora Square building, we could paint a mural on the wall or provide latticework from the Benicia foundry.
- Personnel at Skipolini's Pizza will be available to provide security or to address problems while the bocce ball courts are open.
- We will work with the Clayton Police Department to address any concerns.

6. COMMUNICATIONS

8.a. Staff.

- Director Mullen explained that an entryway monument wall is proposed by the Dana Hills Homeowners Association at the entrance of the subdivision on Mountaire Circle. Because of the high visibility of the wall, staff wanted to inform the Commission of the wall proposal.
- Director Mullen indicated that joint City Council/Planning Commission Housing Element Update workshop is proposed on Tuesday, November 5, 2013 at 5:30 p.m.
- Director Mullen received general comments from the Commission regarding the update to the Planning Commission Meeting Procedures and Protocol document and asked the Commission to be prepared to offer specific changes to the document at the next meeting.

8.b. Commission.

None.

9. ADJOURNMENT

9.a. The meeting was adjourned at 8:55 p.m. to the next regularly-scheduled meeting of the Planning Commission on Tuesday, October 8, 2013 at 7:00 p.m.

Submitted by Charlie Mullen Community Development Director	Approved by Gregg Manning Chair

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