

Minutes
Clayton Planning Commission Meeting
Tuesday, January 14, 2014

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

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

Chair Manning and Commissioner Haydon declared a conflict of interest on Agenda Item 5.b.

2.c. Commissioner Sandy Johnson to report at the City Council meeting of January 21, 2014.

3. PUBLIC COMMENT

None.

4. MINUTES

4.a. Approval of the minutes for the December 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-08-13, Site Plan Review Permit, John Raycraft**, 50 Mountaire Place (APN: 119-290-020). A request for consideration of Site Plan Review Permit for an 86 square-foot second-story addition and associated exterior improvements to an existing two-story residence. Pursuant to California Environmental Quality Act (CEQA) Guideline 15301, the project is categorically exempt from CEQA.

Assistant Planner Sikela presented the staff report.

The Public Hearing was opened.

Commissioner Haydon asked did staff receive any comments regarding the project? Assistant Planner Sikela responded that staff had been contacted by concerned neighbors but, once the neighbors were informed that the project was going before the Planning Commission, their concerns were addressed.

The Public Hearing was closed.

Commissioner Johnson moved and Commissioner Haydon seconded a motion to approve Site Plan Review Permit SPR-08-13, with the findings of approval and conditions of approval recommended by staff. The motion passed 5-0.

- 5.b. **SPR-07-13, UP-01-13, LLA-01-13, VAR-01-13, LLA-01-13, Kent Ipsen**, 1033-1035 Diablo Street and 6026 Main Street (APNs: 119-013-002, -003, -004, -007, and -008). A request for consideration of a Site Plan Review Permit to remodel the existing Skipolini's Pizza Restaurant and associated exterior improvements, a Use Permit for four (4) bocce ball courts ancillary to the existing restaurant, a Lot Line Adjustment to five (5) existing parcels, and a Variance for the average lot width and lot size of an existing nonconforming lot. Pursuant to California Environmental Quality Act (CEQA) Guidelines Sections 15301 and 15303, the project is categorically exempt from CEQA.

Chair Manning and Commissioner Haydon recused themselves due to conflict of interest issues related to this Item and both left the meeting chambers.

Director Mullen presented the staff report.

Commissioner Bruzzone had the following questions:

- What will happen with the gravel area in the southeast corner of the project at the intersection of Center Street and Diablo Street? Director Mullen indicated that the gravel area will remain untouched.
- Will the area of the proposal that projects into the City's right-of-way on Main Street involve establishment of an easement or approval of an encroachment permit? Director Mullen replied that the area of the proposal that projects into the City's right-of-way would involve of approval of an encroachment permit.

The Public Hearing was opened.

The representative of the applicant, Bob Staehle, indicated the following:

- The encroachment permit we seek to obtain is for the north end of the project site along Main Street.
- The gravel area in the southeast corner of the project at the intersection of Center Street and Diablo Street will remain untouched except for a storage shed we are proposing to locate there.

Commissioner Johnson had the following comment and questions:

- I think the project is beautiful.
- How will maintenance and scheduling for the bocce ball courts be addressed? Mr. Staehle indicated that the Clayton Business and Community Association (CBCA) will oversee maintenance and scheduling.

- Will the site be locked? Mr. Staehle responded that the site will not be locked. There will be a 42-inch perimeter fence that will allow visibility into the site so that law enforcement personnel can monitor any trespassing that may occur on the premises.
- Will the bocce ball court lights be on only during bocce ball games? Mr. Staehle responded that the lights will be turned on by an on-site operator during bocce ball games. The lights will either be shut off by the operator or, if there is no operator available, the lights will be on a timer and will shut off automatically.

Vice Chair Richardson had the following questions:

- Will any of the site improvements impact the existing sidewalk widths adjacent to the project? Mr. Staehle responded that there would be no change in existing sidewalk widths.
- Even with approval of the project-related encroachment permit, there would still be no impact to sidewalks? Mr. Staehle replied that the area of the project needing an encroachment permit will only entail landscaping improvements and will not affect the sidewalk widths. The landscape improvements will replace the gravel that is currently located in the proposed encroachment permit area of the project site.

Ed Hartley, 708 Anizumne Court, representative and member of the CBCA, indicated the following:

- As part of the bocce ball operation, there will be several levels of bocce ball league play.
- Organized bocce ball league play will occur Monday through Thursday nights and possibly on Sunday nights.
- Open public bocce ball play will occur during the daytime.
- On Friday and Saturday nights, the bocce ball courts will be available for rent for private events.
- Regarding security, the gates to the bocce ball courts will be locked and security cameras will be provided on-site.

Vice Chair Richardson had the following questions:

- Will bocce ball play coincide with Skipolini's Pizza Restaurant operating hours? Mr. Hartley indicated that Skipolini's Pizza Restaurant does not open until 4:00 p.m. so nighttime bocce ball play will coincide with Skipolini's Pizza Restaurant operating hours.
- Will the bocce ball courts be self-policed or will there be security personnel on-site? Mr. Hartley responded that it is the CBCA's intent to have a service person that is available to assist with issues as they arise, but it will be self-policing for the most part. There will also be a call list on-site with contact numbers included.

Director Mullen asked will the call list be posted on-site? Mr. Hartley responded, yes, the call list will be posted on-site next to the bocce ball schedule and league standings.

Commissioner Bruzzone asked if Skipolini's Pizza Restaurant employees would assist in the operation of the bocce ball courts? Mr. Hartley explained that Skipolini's Pizza Restaurant employees would not be involved in the operation of the bocce ball courts. They may participate in serving food or beverages for events at the bocce ball courts that include ordering items from Skipolini's Pizza Restaurant menu.

Vice Chair Richardson asked will Skipolini's Pizza Restaurant hours of operation be changed as a result of the bocce ball courts hours?

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

- Skipolini's Pizza Restaurant hours of operation will not be changed to match bocce ball court hours.
- The owners of Skipolini's Pizza Restaurant will not be involved in rental or maintenance of the bocce ball courts; that will be assigned to the CBCA. However, even though the bocce ball courts will be opened by a maintenance person assigned by the CBCA, Skipolini's employees may assist in locking up the bocce ball courts at night.
- Skipolini's employees will bring food and drinks to people at the bocce ball courts who order pizza and other items from Skipolini's Pizza Restaurant.

Commissioner Johnson asked how will clean-up of the bocce ball courts be addressed? Mr. Ipsen indicated that there will be signs posted at the bocce ball courts that remind people to discard their trash in an appropriate manner. Skipolini's nighttime employees may also be involved in some clean-up of the bocce ball courts, as needed.

Mr. Ipsen indicated the following:

- The owners of Skipolini's Pizza Restaurant have opened expansion stores in other communities and we have seen what works and what does not work. We want to bring the best examples of all of our other restaurants to our Clayton restaurant, which is the original Skipolini's Pizza Restaurant, as well as to the bocce ball court area of the project.
- The bocce ball courts have been a longtime dream of the Clayton community.
- Even though the bocce ball courts are in a downtown setting such as the Town Center, we want to provide an intimate backyard feel to the project site.

Commission Johnson reiterated her earlier comment that this is a beautiful project.

Vice Chair Richardson indicated the following:

- Would like to commend the sponsors of this project for their hard work. Your passion for this proposal is evident.
- I have heard from members of the community that the existing gravel area that the bocce ball courts are proposed to be located at is an underutilized space.
- This project will be a visual anchor as you drive into the Town Center at the intersection of Main Street and Oak Street.
- The project definitely has a backyard ambiance.
- I look forward to helping facilitate your vision.
- I am pleased to see that a photometric study was conducted for lighting that is being proposed for the project.
- Although I would like to see some of the details worked out prior to City approval of the project, the reality is that these details will be worked out in the future as the bocce ball courts become operational.
- Noise is not an issue as bocce ball is a very quiet sport.
- As indicated in the staff report, the technical issues are being addressed.

Tamara Steiner, from the Clayton Pioneer newspaper, indicated that, even though the project has been noticed, there appears to be no objections.

Director Mullen indicated that all comments received up to this point have been positive.

As recommended in the staff report, the Planning Commission by consensus continued the Public Hearing to the regularly-scheduled Planning Commission meeting on January 28, 2014.

Chair Manning and Commissioner Haydon returned to the meeting chambers.

6. OLD BUSINESS

None.

7. NEW BUSINESS

None.

8. COMMUNICATIONS

8.a. Staff.

Director Mullen provided the following updates:

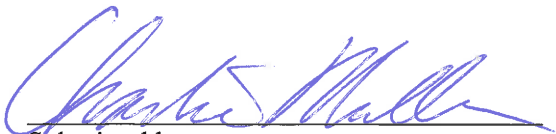
- Regarding the Silver Oak Estates project, staff anticipates that the environmental component of the project will come before the Planning Commission in April or May of 2014. The affordable housing units that the developer is required to provide may be located on-site rather than off-site.
- Staff is working on the 2013 Fire Code and 2013 Building Code updates.
- Staff is working on one remaining Housing Element Implementation that requires a Zoning Code text amendment to the Planned Development (PD) District.

8.b. Commission.

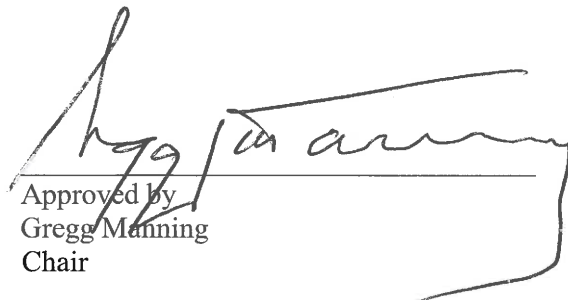
None.

9. ADJOURNMENT

9.a. The meeting was adjourned at 8:11 p.m. to the regularly-scheduled meeting of the Planning Commission on January 28, 2014.



Submitted by
Charlie Mullen
Community Development Director



Approved by
Gregg Manning
Chair

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