Minutes
Clayton Planning Commission Meeting
Tuesday, January 28, 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.a.

2.c. Vice Chair Richardson to report at the City Council meeting of February 4, 2014.

3. PUBLIC COMMENT

None.

4. MINUTES

4.a. Approval of the minutes for the January 14, 2014 regular meeting.

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

5. PUBLIC HEARINGS

5.a. **SPR-07-13, UP-01-13, LLA-01-13, VAR-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. *This Public Hearing was continued from the meeting of January 14, 2014.*

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.

The continued Public Hearing was re-opened.

There were no public comments.

The continued Public Hearing was closed.

Vice Chair Richardson indicated the following:

- Regarding the Resolution, please correct several typos pointed out.
- Regarding Condition of Approval 1, we just want to ensure that significant changes in the project are reviewed and approved by the Planning Commission, with the understanding that minor changes in the project would be handled by staff.
- Regarding Condition of Approval 6, the final management oversight and operations plan for the bocce ball court should come back to the Planning Commission for review and approval. Condition 6 shall be re-worded to reflect that.

Commissioner Bruzzone and Commissioner Johnson indicated that they concurred with Vice Chair Richardson's comments.

Commissioner Johnson moved and Commissioner Bruzzone seconded adoption of Resolution No. 01-14, with the findings of approval, conditions of approval, and advisory notes as recommended by staff; and with modifications to the Resolution, Use Permit findings of approval, and conditions of approval as directed by the Planning Commission. The motion passed 3-0.

Chair Manning and Commissioner Haydon returned to the meeting chambers.

5.b. **ZOA-08-13, Municipal Code Amendment, City of Clayton.** Consideration of a City-initiated Ordinance to amend a portion of the Clayton Municipal Code, Title 17, Chapter 17.28 Planned Development (PD) District, to establish the Site Plan Review Permit process to be used for processing of multiple-family development projects located on property designated as Multifamily High Density (MHD) on the General Plan Land Use Map.

Pursuant to the California Environmental Quality Act (CEQA) an Initial Study/Negative Declaration was previously prepared and approved for the Clayton 2009-2014 Housing Element, including its implementation measures; and whereas, pursuant to Section 15061(b)(3) it can be seen with certainty that there is no possibility that the currently proposed amendment to the Clayton Municipal Code/Zoning Ordinance may have a significant effect on the environment, it is therefore not subject to CEQA and no further environmental review is necessary.

Director Mullen presented the staff report.

Commissioner Haydon indicated that it appears this amendment would provide a more streamlined process for future developers of multi-family projects and would allow more direction and structure to be provided to the developers as they move through the development process.

Director Mullen indicated that, although there would still be public involvement through

Director Mullen indicated that, although there would still be public involvement through the Public Hearing process as projects are brought before the Planning Commission, the objective is to make it easier for multi-family high density projects to move forward with assurance on development standards.

The Public Hearing was opened.

There were no public comments.

The Public Hearing was closed.

Commissioner Haydon moved and Commissioner Johnson seconded adoption of Resolution No. 02-14, as recommended by staff. The motion passed 5-0.

6. OLD BUSINESS

None.

7. NEW BUSINESS

None.

8. COMMUNICATIONS

8.a. Staff.

Director Mullen provided the following updates:

- At the Planning Commission meeting of February 11, 2014, a Public Hearing for a Lot Line Adjustment on the Roskelley property will be on the agenda.
- Regarding the Silver Oak Estates project, the applicant submitted additional deposit monies. Staff will be taking the amendment to the CEQA contract to the City Council. Staff anticipates the environmental component of the project to come before the Planning Commission in approximately two to three months.
- The Stanley property on the south side of High Street across the street from the Post Office was purchased in November 2013 by a developer who met with staff regarding a potential project. The applicant informed staff that they anticipate submittal of an application within one month. As part of the project, staff will be working with the City Attorney to research issues related to affordable housing on the project site.

8.b. Commission.

None.

9. ADJOURNMENT

9.a. The meeting was adjourned at 7:43 p.m. to the regularly-scheduled meeting of the Planning Commission on February 11, 2014.

Submitted by
Charlie Mullen
Community Development Director

Approved by
Gregg Manning
Chair

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