

PLANNING COMMISSION AGENDA

Regular Meeting 7:00 P.M. on Tuesday, February 27, 2018

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

- 1. CALL TO ORDER, ROLL CALL, PLEDGE TO THE FLAG
- 2. ADMINISTRATIVE
 - 2.a. Selection of Transportation Partnership and Cooperation (TRANSPAC) representative.
 - 2.b. Review of agenda items.
 - 2.c. Declaration of Conflict of Interest.
 - 2.d. Commissioner Peter Cloven to report at the City Council meeting of March 6, 2018 (alternate Vice Chair Bassam Altwal).
- 3. PUBLIC COMMENT
- 4. MINUTES
 - 4.a. Approval of the minutes for the January 9, 2018 Planning Commission meeting.
- 5. PUBLIC HEARINGS
 - 5.a. SPR-01-18, Site Plan Review Permit, Brennan Rose, 121 Oak Court (APN: 119-361-004). A request for approval of a Site Plan Review Permit to allow the construction of a single-story addition measuring approximately 1,080 square feet in area (approximately 164 interior square feet and approximately 915 square feet unenclosed covered porches and entryway) and increasing the roof height to 21 feet on an existing single-story single-family residence.

Staff Recommendation: Staff recommends the Planning Commission receive and consider the staff report and all information provided and submitted to date, receive and consider all public testimony and, if determined to be appropriate, conditionally approve Site Plan Review SPR-01-18.

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6. OLD BUSINESS

None.

7. NEW BUSINESS

None.

8. COMMUNICATIONS

- 8.a. Staff.
- 8.b. Commission.

9. ADJOURNMENT

9.a. The next regularly-scheduled meeting of the Planning Commission will be held on Tuesday, March 13, 2018.

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 925-673-7300. 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.

Community Development\Planning Commission\Agendas\2018\0227

Minutes

Clayton Planning Commission Meeting Tuesday, January 9, 2018

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

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

Present: Chair Carl Wolfe

Vice Chair Bassam Altwal Commissioner A. J. Chippero Commissioner Peter Cloven Commissioner William Gall

Absent: None

Staff: Community Development Director Mindy Gentry

Assistant Planner Milan Sikela, Jr.

2. ADMINISTRATIVE

2.a. Review of agenda items.

- 2.b. Declaration of Conflict of Interest.
- 2.c. Commissioner A. J. Chippero to report at the City Council meeting of January 16, 2018.

3. PUBLIC COMMENT

Jennifer Butticci, 343 Alexander Place, indicated the following:

- Hopeful that the Clayton Town Center maintains its "Western" appearance.
- We should incorporate economies of scale within the Town Center.
- Concerned over dangerous traffic conditions at the corner of Lydia Lane and Clayton Road where a vehicle knocked over a light pole recently.
- There is a huge tree on the northeast corner of Lydia Lane and Clayton Road that blocks views of the traffic coming westbound on Clayton Road.
- There are two signs in the middle of the sidewalk on Clayton Road that may present a hazard to pedestrians.

4. MINUTES

4.a. Approval of the minutes for the October 24, 2017 Planning Commission meeting.

Commissioner Cloven moved and Commissioner Chippero seconded a motion to approve the minutes, as submitted. The motion passed 4-0-1 (Vice Chair Altwal abstained since he did not attend the October 24, 2017 Planning Commission meeting).

5. PUBLIC HEARINGS

5.a. ENV-01-08, DP-01-08, MAP-02-09, TE-01-18, Development Plan and Vesting Tentative Map Time Extensions, Creekside Terrace Mixed Use Project, City of Clayton, 1005 and 1007 Oak Street, west side of Oak Street between Center Street and High Street (APNs: 119-050-008, 119-050-009, and 119-050-034). Review and consideration of a one-year extension of the Creekside Terrace Development Plan and Vesting Tentative Map from January 6, 2018 to January 9, 2019. This request is in accordance with Sections 17.28.190 (Development Plan) and 16.06.030 (Subdivision Map) of the Clayton Municipal Code.

The staff report was presented by Assistant Planner Sikela.

Vice Chair Altwal had the following questions:

- Have been there any changes in the project scope since the Planning Commission approved the extension for this project last year? Assistant Planner Sikela responded that no changes to the project have occurred.
- What is proposed for the parcel west of Mitchell Creek? Assistant Planner Sikela responded that there are no structures proposed for that parcel but there would be restoration of the riparian corridor and removal of non-native vegetation.

Commissioner Chippero asked if anything beyond restoration of the riparian corridor and removal of non-native vegetation would occur on the parcel west of Mitchell Creek? Director Gentry indicated that the parcel would be more for passive open space/conservation purposes.

Commissioner Cloven had the following questions:

- What did the developer interest entail? Director Gentry indicated that the
 developer who had shown interest proposed a three-story structure with
 fourteen living units for the Creekside Terrace project site but they could not
 meet the parking requirements of the Town Center even with the Town Center
 parking waiver applied. As a result, the three-story proposal never evolved past
 the conceptual phase.
- How many bedrooms were approved for the living units on the second floor?
 Assistant Planner Sikela indicated that the living units were approved for one bedroom.

Vice Chair Altwal indicated that he was concerned about being able to fill the commercial spaces on the first floor.

The public hearing was opened.

Bob Staehle, project architect, expressed support for approval of the extension for the project entitlements.

Jennifer Butticci, 343 Alexander Place, indicated that the "Western" design of the project was good in being consistent with the "Western" theme prevalent in the Town Center.

Vice Chair Altwal asked if anyone had given consideration to live/work spaces for the project?

Mr. Staehle indicated that, as the project architect, he struggled with being able to fit the building on such a small site and, during the design phase of the project, considerations were given to different proposals in order to maximize the marketability and land use flexibility. One of the proposals included live/work units. As different design options were explored, consideration was given that ground-level commercial businesses struggle in Clayton since the necessary foot traffic is not present for those types of businesses to thrive.

Commissioner Cloven contemplated what commercial space costs were currently in Clayton.

The public hearing was closed.

Vice Chair Altwal asked a developer he knew about opening a business in Clayton and the developer indicated having a business in Clayton was not financially feasible for him since there is no freeway going through Clayton and there would not be enough patronage.

Chair Wolfe asked that, given the challenges of filling commercial spaces in the Town Center, should the Planning Commission continue to grant extensions year after year.

Director Gentry indicated that the City does not want to lose the entitlements since the market may changes in the future and the City wants to be able to market the project.

Vice Chair Altwal moved and Commissioner Gall seconded a motion to adopt Resolution No. 01-08 to extend for one year the Creekside Terrace Development Plan and Vesting Tentative Map from January 6, 2018 through January 9, 2019. The motion passed 5-0.

6. OLD BUSINESS

None.

7. NEW BUSINESS

None.

8. COMMUNICATIONS

8.a. Staff

Director Gentry provided updates on the St. John's Episcopal Church/Southbrook Drive, Verna Way, Oak Creek Canyon, and Clayton Senior Housing projects as well as another possible senior project that may include memory care as part of on-site services.

8.b.	Commission

None.

9. ADJOURNMENT

9.a. The meeting was adjourned at 7:40 p.m. to the regularly-scheduled meeting of the Planning Commission on January 23, 2018.

Submitted by Mindy Gentry Community Development Director

Approved by Carl Wolfe Chair

Community Development\Planning Commission\Minutes\2018\0109

PLANNING COMMISSION STAFF REPORT

Meeting Date:

February 27, 2018

Item Number:

5.a.

From:

Milan J. Sikela, Jr.

Assistant Planner

Subject:

Public Hearing to consider a Site Plan Review Permit request to construct a single-story addition on an existing single-story

residence (SPR-01-18)

Applicant:

Brennan Rose

REQUEST

Brennan Rose, the applicant, is requesting a public hearing for the consideration of a Site Plan Review Permit to allow the construction of a single-story addition measuring approximately 1,080 square feet in area and increasing the height to 21 feet on an existing single-story single-family residence.

PROJECT INFORMATION

Location:

121 Oak Court

APN: 119-361-004

General Plan Designation:

Rural Estate (0 to 1.0 units per acre).

Zoning:

Planned Development (PD).

Environmental Review:

Pursuant to California Environmental Quality Act (CEQA) Guideline

15303 – New Construction or Conversion of Small Structures, the

project is categorically exempt from CEQA.

Public Notice:

On February 16, 2018, a public hearing notice was posted at the

notice boards and mailed to property owners within 300 feet of

the project site.

Authority:

Section 17.44.020 of the Clayton Municipal Code (CMC) authorizes the Planning Commission to approve a Site Plan Review Permit in accordance with the standards of review in CMC

Section 17.44.040.

DISCUSSION

The applicant is requesting Planning Commission consideration of a Site Plan Review Permit to allow the construction of a single-story addition measuring approximately 1,080 square feet in area (approximately 164 interior square feet and approximately 915 square feet of unenclosed covered porches and entryway) and increasing the height to 21 feet on an existing single-story single-family residence. As part of the project, the entire residence is proposed to have new stucco siding, minor masonry and wood elements, composite shingle roof material, and a 4:12 roof pitch (with a 6:12 roof pitch proposed for the entryway canopy over the driveway). The vicinity map is provided as **Attachment A** and the site plan, roof plan, partition plan, architectural elevations, sections, and perspectives are provided as **Attachment B**.

The majority of the addition entails an alteration of the roofline from the existing height of 14 feet 5 inches to a proposed height of 20 feet 10 inches. The existing low-profile roof design will be replaced by an enhanced, built-up roof design utilizing gable roof ends. This modified roof serves to augment the residence by lending a singular unifying component that brings the entire residence together visually, providing architectural cohesiveness for the project. The applicant has added such embellishments as a covered entryway extending over the driveway, affording a certain sense of human scale while simultaneously adding presence and curb appeal to the project, as well as gable roof ends extending outward above the left (east) and right (west) side elevations, underscoring the proposal with a unique design element. A majority of the project area (915 square feet of the 1,080 square-foot proposal—or approximately 85% of the project's square footage) entails exterior unenclosed covered components. Only 164 square feet of the project—or approximately 15% of the project's square footage—is proposed as actual building footprint enlargement area, which is comprised of a dining room extension on the rear elevation and expansion of the living room toward the left (east) wall of the residence. This interior expansion will include a doorway leading out to a covered patio area proposed for the east side of the structure. Staff also notes that, other than the modified roofline and the covered entryway over the driveway, no other components of the project will be visible from the public right-of-way. The applicant is proposing to maintain the existing single-story design of the residence which will minimize impacts to privacy and the blocking of views. Given the fact that the Clayton Municipal Code allows residences to have a maximum height of 35 feet, the proposed approximate 21-foot height of the structure is far below the 35foot maximum. Also, the subject lot is at the end of the Oak Court cul-de-sac, further screening the project from heavily-traveled public areas.

The applicant has made good use of visual consistency through integration the exterior colors and materials such as the masonry treatments on the rear chimney and columns on the front (north) entryway and driveway overhang, left (east) patio overhang, and rear (south) entryway as well as the masonry wainscot proposed to wrap around from the front elevation to the right and left side elevations. When looking at the structure as a whole, the existing dynamic façade remains in place through various recesses and projections with the visual interest, rhythm, and undulation being further augmented by the unifying roof component and entryway canopies.

Setback Analysis

The subject property is located in the Briarwood Planned Development. The Briarwood Planned Development district is unusual in that no setback standards were established as part of the approval of this district, which occurred almost half a century ago. This district has an irregular development pattern with varying lot sizes, shapes, widths, and frontages. In researching other projects located within the Briarwood Planned Development that were approved by the Planning Commission, only two projects had been approved within the last fifteen years, and each project had a different setback requirement, which was determined using the varying dimensional constraints of each lot. For the two previously-approved projects, development standards found in other residential districts within Clayton that contained lots with comparable dimensions as each of the lots in the Briarwood Planned Development were utilized. These other subdivisions (and the development standards therein) were used by staff as a sort of "measuring stick" with which to analyze the setbacks of each of the two previously-approved projects. In keeping with precedence and due to a lack of setback standards, the Planning Commission has the latitude to determine an appropriate setback standard. Staff is recommending the application of the setback standards that most closely matches the existing lot-specific conditions (lot orientation, lot size, lot shape, lot frontage, etc.). In this instance, given the R-15-like frontage of the subject lot being just over 100 feet in length, and given the wide array of lot frontages found among the nineteen lots within the subdivision (73.95 to 259.30 feet), staff applied the R-15 setback standards during review and analysis of this project, as shown in the table below.

R-15 Setbacks	Existing Setbacks		Proposed Setbacks		Project Compliance
Front Setback 20'	North	35'	North	20'	Yes
Side Setback 10' interior	East West	99' 111.67'	East West	No Change No Change	Yes Yes
25' aggregate	Aggregate	210.67'	Aggregate	No Change	Yes
Rear Setback 15'	South	15.33'	West	No Change	Yes

Residential Floor Area Analysis

Building Footprint

The proposal meets the building footprint requirements as shown below.

Lot Size	Building Footprint Allowed	Existing Building Footprint	Proposed Building Footprint	Project Compliance
64,033 sq ft	16,008 sq ft	7,445 sq ft	7,607 sq ft	Yes

Floor Area

The proposal meets the floor area requirements as shown below.

Lot Area	Floor Area Allowed	Existing Floor Area	Proposed Floor Area	Project Compliance
64,033 sq ft	22,412 sq ft	7,445 sq ft	8,847 sq ft	Yes

CONCLUSION

Staff has reviewed the design aspects of the proposed plans relative to the standards for Site Plan Review Permits and has determined that the project, as conditioned, is in conformance with the Clayton Municipal Code. The proposed findings listed below specifically address the standards of review.

RECOMMENDATION

Staff recommends that the Planning Commission receive and consider the staff report and all information provided and submitted to date, receive and consider any public testimony and, if determined to be appropriate, conditionally approve Site Plan Review Permit SPR-01-18 to allow the construction of a single-story addition measuring approximately 1,080 square feet in area (approximately 164 square feet interior and approximately 915 square feet exterior) and 21 feet in height on an existing single-story single-family residence at 121 Oak Court (APN: 119-361-004).

PROPOSED FINDINGS OF APPROVAL

Based upon the evidence set forth in the staff report, which includes relevant information from the project application, as well as testimony at the public hearing, the Planning Commission makes the following findings that Site Plan Review Permit SPR-01-18, as conditioned:

1. Is consistent with the General Plan designation and policies.

The project is consistent with the General Plan designation and policies since the project consists of an enlargement of a single family home, an allowed use, within the Rural Estate land use designation.

2. Meets the standards and requirements of the Zoning Ordinance.

The project meets the standards and requirements of the Zoning Ordinance and will be constructed in compliance with Site Plan Review Permit requirements, findings, and conditions of approval.

3. Preserves the general safety of the community regarding seismic, landslide, flooding, fire, and traffic hazards.

The project preserves the general safety of the community regarding seismic, landslide, flooding, fire, and traffic hazards since the project will be constructed in compliance with the Clayton Municipal Code, California Building Standards Code, and other agency regulations where applicable.

4. Maintains solar rights of adjacent properties.

The project will not block adjacent properties from direct sunlight from any angle of the ecliptic.

5. Reasonably maintains the privacy of adjacent property owners and/or occupants.

The project reasonably maintains the privacy of adjacent property owners and/or occupants since the project complies with the setback requirements of the Clayton Municipal Code and maintains a single-story design.

6. Reasonably maintains the existing views of adjacent property owners and/or occupants.

The project reasonably maintains the existing views of adjacent property owners and/or occupants since the project complies with the setback requirements of the Clayton Municipal Code and maintains a single-story design that will not block views from adjacent properties.

7. Is complementary, although not identical, with adjacent existing structures in terms of materials, colors, size, and bulk.

The project is complementary, although not identical, with adjacent existing structures in terms of materials, colors, size, and bulk since the addition has been designed with exterior colors and materials that architecturally complement the surrounding residences and the massing of the project complies with all applicable zoning regulations and development standards for setback, building footprint, and residential floor area requirements.

8. Is in accordance with the design standards for manufactured homes per Section 17.36.078.

The project consists of the expansion of an existing single family home and is not considered a manufactured home; therefore, this finding is not applicable.

The above-stated findings assume acceptance and approval of the proposed conditions of approval listed below.

PROPOSED CONDITIONS OF APPROVAL

These conditions of approval apply to the "Rose Home Remodel" Site Plan, Roof Plan, Partition Plan, Architectural Elevations, Sections, and Perspectives, prepared by Domum, date stamped February 21, 2018.

- 1. The applicant shall indemnify, protect, defend, and hold harmless the City and its elected and appointed officials, officers, employees, and agents from and against any and all liabilities, claims, actions, causes, proceedings, suits, damages, judgments, liens, levies, costs, and expenses of whatever nature, including, but not limited to, attorney's fees, costs, and disbursements arising out of or in any way relating to the issuance of this entitlement, any actions taken by the City relating to this entitlement, and any environmental review conducted under the California Environmental Quality Act for this entitlement and related actions.
- 2. The project shall be constructed in accordance with the approved plans, prepared by Domum, date stamped February 21, 2018, and as conditionally approved by the Clayton Planning Commission on February 27, 2018.
- 3. Any major changes to the project shall require Planning Commission review and approval. Any minor changes to the project shall be subject to City staff review and approval.
- 4. No permits or approvals, whether discretionary or mandatory, shall be considered if the applicant is not current on fees, reimbursement payments, and any other payments that are due.
- 5. An encroachment permit shall be required for all work in the public right-of-way.

ADVISORY NOTES

Advisory notes are provided to inform the applicant of: (a) Clayton Municipal Code requirements; and (b) requirements imposed by other agencies. The advisory notes state requirements that may be in addition to the conditions of approval.

- 1. The applicant shall comply with all applicable State, County, and City codes, regulations and adopted standards as well as pay all associated fees and charges.
- 2. This Site Plan Review Permit shall be used, exercised, or established within twelve months after the granting of the Permit, or a time extension must be obtained from the Planning Commission, otherwise the Permit shall be null and void (Clayton Municipal Code Sections 17.64.010-17.64.030).
- 3. All construction and other work shall occur only between 7:00 a.m. and 5:00 p.m. Monday through Friday. Any such work beyond these hours and days is strictly prohibited unless specifically authorized in writing by the Clayton City Engineer (Clayton Municipal Code Section 15.01.101).

- 4. The applicant shall obtain the necessary building permits from the Contra Costa County Building Inspection Department. All construction shall conform to the California Building Code.
- 5. Additional requirements may be imposed by the Contra Costa County Fire Protection District. Before proceeding with the project, it is advisable to check with the Contra Costa Fire Protection District located at 4005 Port Chicago Highway, Suite 250, Concord, 925-941-3300.
- 6. If the project site is located within an area subject to covenants, conditions, and restrictions (CC&Rs) administered by a homeowners' association (HOA), additional requirements and/or approvals may be required by the HOA. Before proceeding with the project, it is advisable to check with the HOA to ensure any applicable requirements are met.

ATTACHMENTS

- A. Vicinity Map
- B. "Rose Home Remodel" Site Plan, Roof Plan, Partition Plan, Architectural Elevations, Sections, and Perspectives, prepared by Domum, date stamped February 21, 2018

ATTACHMENT A

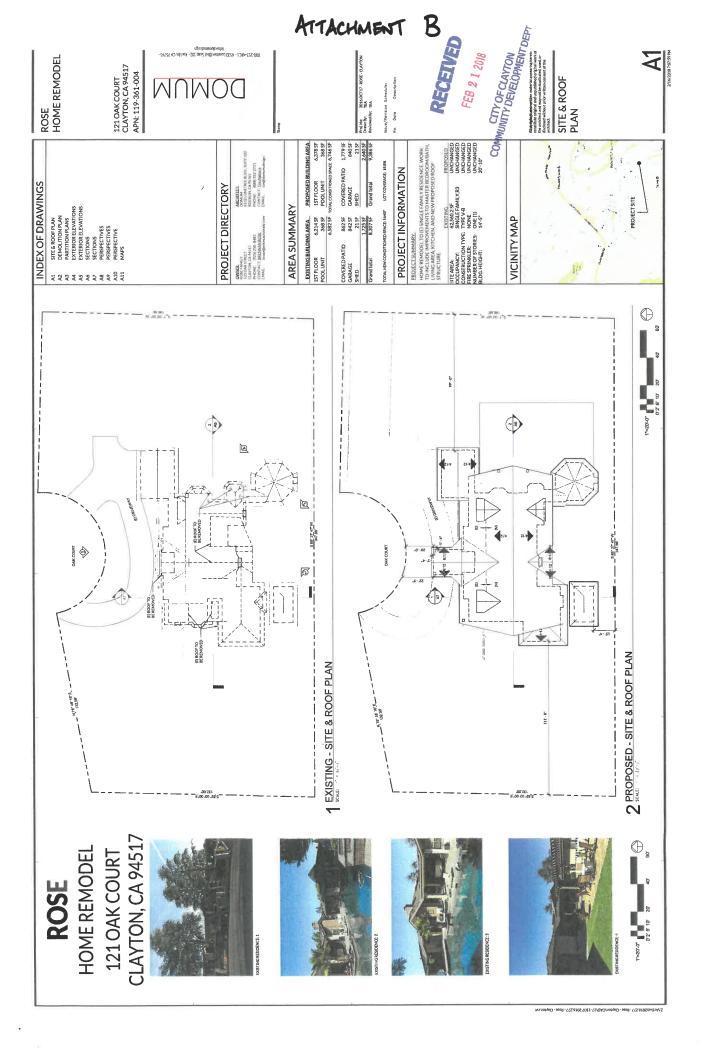


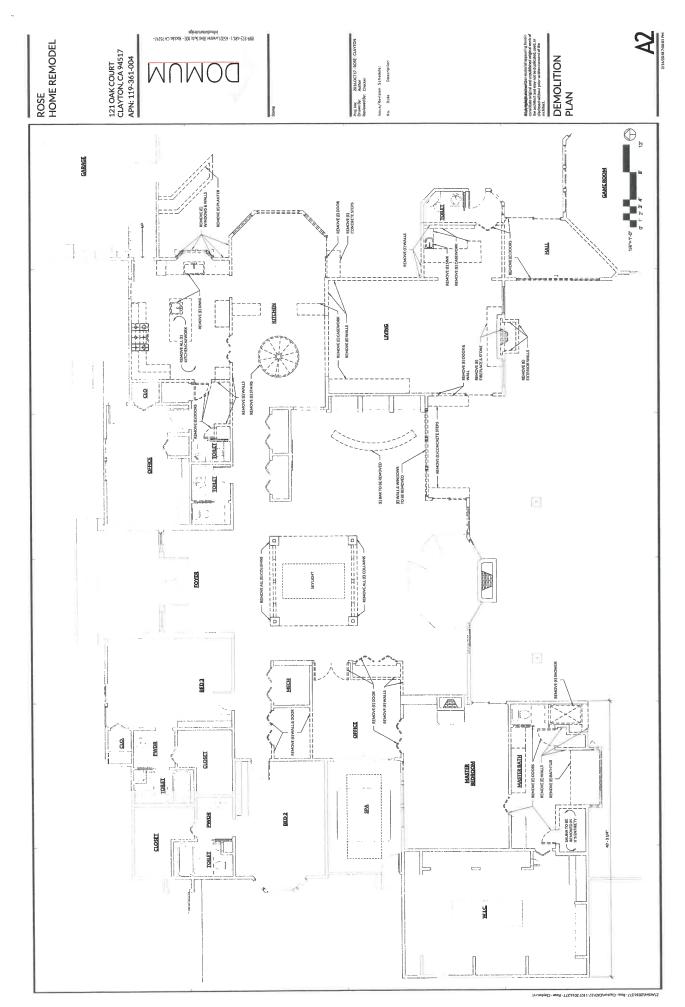
VICINITY MAP

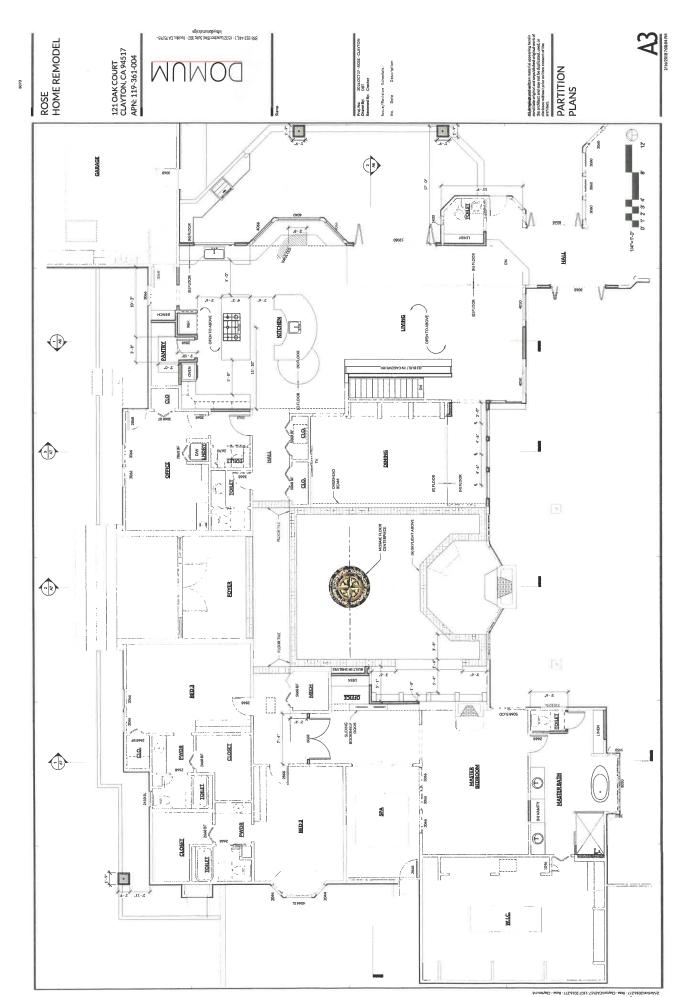


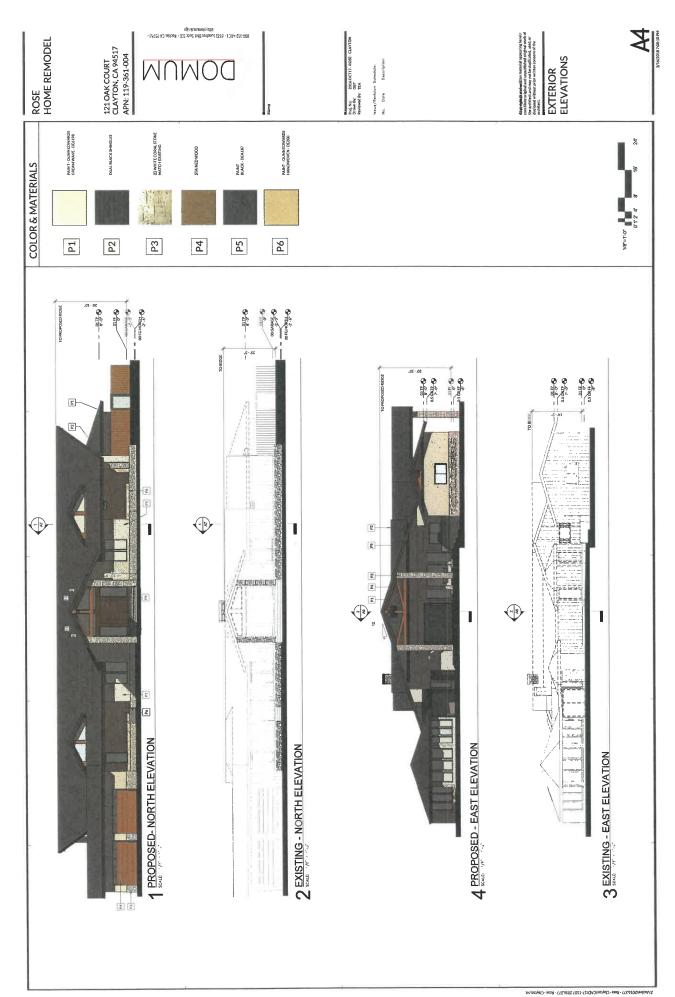
Rose Residence
Site Plan Review Permit SPR-01-18
121 Oak Court
APN: 119-361-004

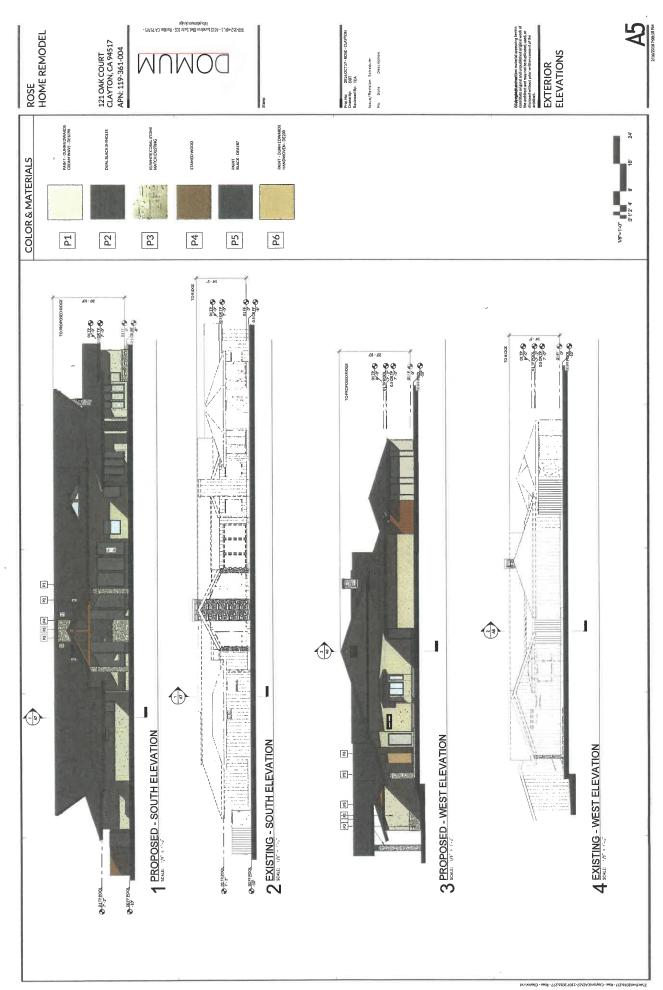


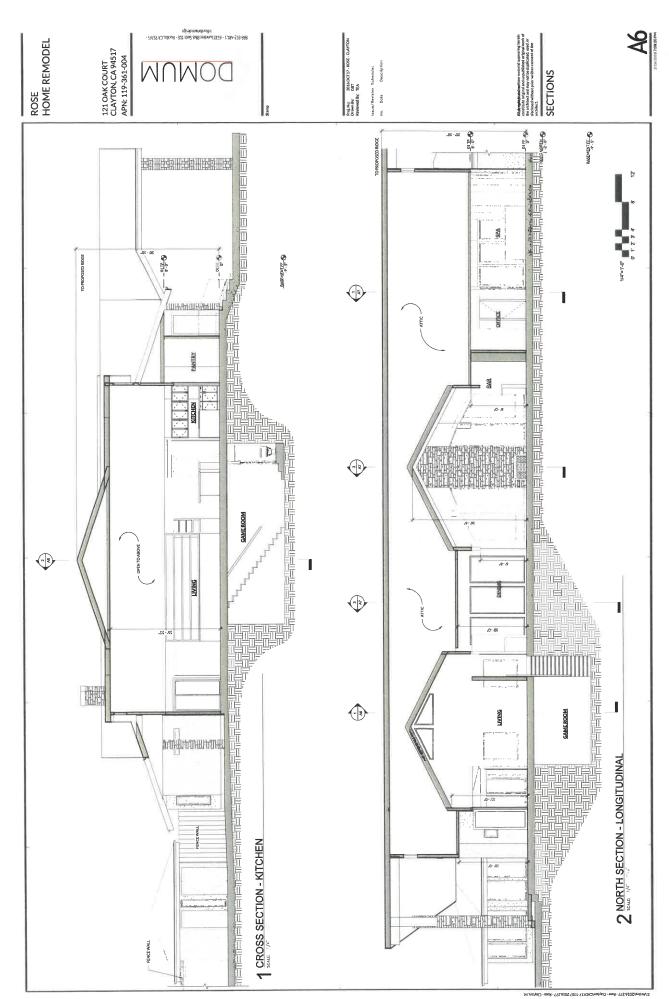


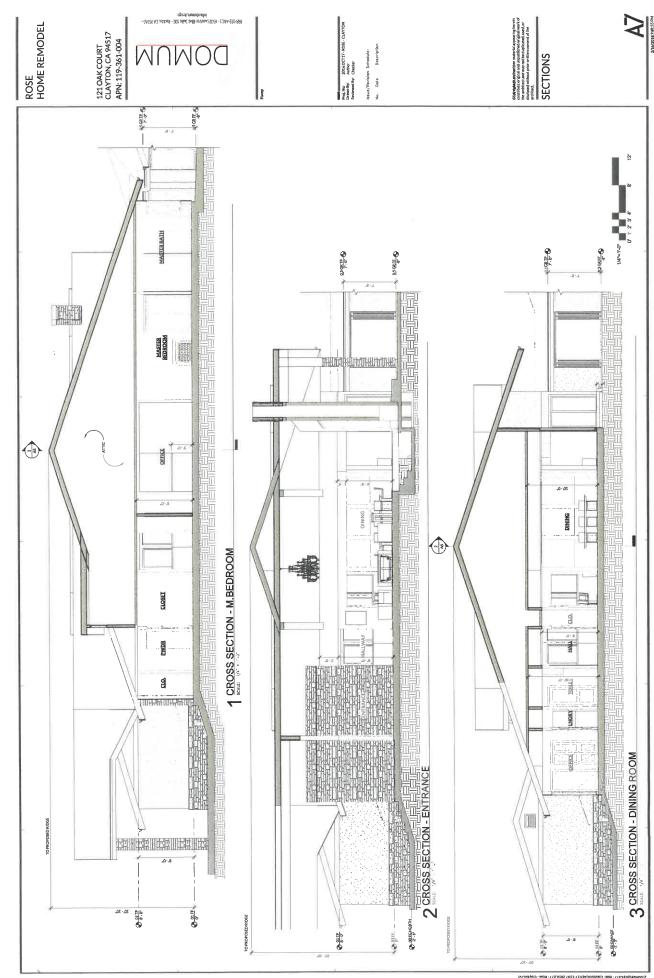












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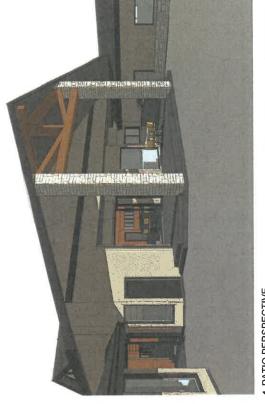
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PERSPECTIVES

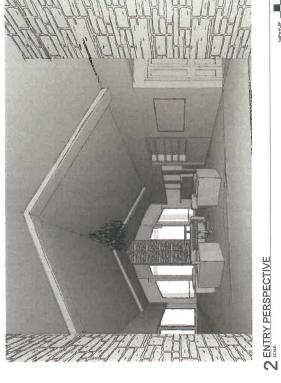
ROSE HOME REMODEL

121 OAK COURT CLAYTON, CA 94517 APN: 119-361-004



3 KITCHEN INTERIOR PERSPECTIVE

PATIO PERSPECTIVE





4 LIVING PERSPECTIVE

S KITCHEN INTERIOR PERSPECTIVE 2

ROSE HOME REMODEL

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PERSPECTIVES

1 EXISTING - SOUTHEAST PERSPECTIVE



SEXISTING - FRONT PERSPECTIVE



4 PROPOSED - FRONT PERSPECTIVE

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