

Minutes
Clayton Planning Commission Meeting
Tuesday, March 10, 2015

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

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

Present: Chair Dan Richardson
Vice Chair David Bruzzone
Commissioner Peter Hellmann
Commissioner Gregg Manning

Absent: Commissioner Sandra Johnson

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

2. ADMINISTRATIVE

2.a. Review of agenda items.

2.b. Declaration of Conflict of Interest.

None.

2.c. Chair Richardson to report at the City Council meeting of March 17, 2015.

3. PUBLIC COMMENT

None.

4. MINUTES

4.a. Approval of the minutes for the February 24, 2015 regular meeting.

Commissioner Manning moved and Vice Chair Bruzzone seconded a motion to approve the minutes. The motion passed 4-0.

5. PUBLIC HEARINGS

5.a. **Site Plan Review SPR-01-15, Variance VAR-01-15, James and Patricia Murphy, 6054 Clayton View Lane (APN: 119-021-047).** A request for approval of a Site Plan Review Permit to allow the construction of a single-story addition measuring approximately 444 square feet in area and 15 feet in height on an existing split-level single-family residence; and a Variance to allow the addition to encroach 13 feet into the 40-foot front setback and 14 feet into the 40-foot exterior side setback.

The public hearing was opened.

Assistant Planner Sikela presented the staff report.

Vice Chair Bruzzone had the following comment and question:

- The staff report was well written.
- Is the 25-foot street width for Clayton View Lane a required width for private roads? Director Mullen responded that 25 feet is the minimum width for a private road. Since Clayton View Lane is a private road, it was not designed to meet the street width standards for public roads which are wider due to typically having curb, gutter, and sidewalks.

Commissioner Hellmann had the following questions:

- When would the Planning Commissioners be able to provide design review comments for this project? Assistant Planner Sikela responded that design review comments would be provided by the Commissioners during the public hearing for the project at tonight's meeting.
- It appears that a high percentage of the neighboring lots have residences that need variances; could it be that the City has assigned the wrong zoning classification for this district? And is this a common occurrence with residences in other zoning districts of Clayton? Director Mullen responded that it is not uncommon for some subdivisions in the City to have been established under the Contra Costa County jurisdiction prior to being annexed into the City, thereby creating a situation where, once these areas were annexed into Clayton, the City applied the zoning classification that best fit with the development pattern for the neighborhood. In some cases, the development standards applied to the neighborhood could create minor legal non-conforming situations.
- One of the letters in support of this project mentioned another potential future project in the vicinity; by approving this variance, would the City be setting a precedent for this potential future project or other projects in general? Director Mullen responded that the approval of one variance has no bearing on other variances that are applied for within the City since a variance is reviewed using merits associated with each project individually. In order to approve a variance, findings must be made that relate to that variance only. Prior to the applications being submitted, staff worked with the property owner to identify possible alternative designs that might do away with the need for the variance, but the access and proximity issues for the property owner's elderly father necessitated the currently-proposed design and warranted approval of a variance.
- He agrees with Vice Chair Bruzzone's comment that staff did an excellent job on the staff report, especially on how approval of the variance was justified. Assistant Planner Sikela thanked Commissioner Hellmann and indicated that, as the Director had explained, each variance is considered on a case-by-case basis.

Commissioner Manning indicated that, in the area of Clayton that the subject lot is located in, there are large properties with small residences—if the subject residence were demolished, how large of a residence could be rebuilt? Assistant Planner Sikela indicated that, on Page 2 of the staff report, a residential floor area analysis is provided which shows an allowable building footprint of 8,231 square feet; however, the Commission would have the latitude to moderate the design based on the Standards of Review for site plan review permits which require, in part, that the project be complementary with the adjacent existing structures.

There being no further questions of staff, the public testimony period was opened.

The applicant's designer, Randell Piona, indicated that the proposed design of the residence was based on providing the property owner's father with full access to necessary facilities in close proximity to the other family members in the household.

Commissioner Hellmann indicated the following:

- He appreciated what the applicant is trying to do and thinks it is a good design based on the needs of the family.
- What treatments will be extended around the outside of the northern wall of the bedroom that is located just to the right of the front door? Mr. Piona responded that the horizontal hardiplank siding proposed for the exterior of the residence would be wrapped around the exterior wall located to the right of the front door.
- For massing purposes, the project would appear better proportioned if the 6 x 6 posts supporting the front porch overhang were enlarged.
- The front porch may benefit from an expanded width of five feet to the inside of the post rather than the currently-proposed smaller dimension of five feet to the edge of the porch.

Commissioner Manning indicated that the project was well-designed and he had no comments regarding the posts on the front porch.

Chair Richardson complemented staff on the well-written staff report and indicated the following:

- He agreed that the posts should be enlarged and the front porch widened to provide more appropriate scaling for the project.
- The overall design improvements will benefit the existing residence.
- He also owns a residence on a lot that was established under the Contra Costa County jurisdiction and, in those days, there were cases where no setbacks existed or, if there were setbacks in place, the setbacks were applied from the property line and not from the edge of the access easement line like we do currently in the Clayton. This appears to be the case with the subject residence as it relates to setbacks from the property line and access easement.

The public hearing was closed.

Vice Chair Bruzzone moved and Commissioner Manning seconded a motion to approve Site Plan Review SPR-01-15 to allow the construction of a single-story addition measuring approximately 444 square feet in area and 15 feet in height on an existing split-level single-family residence; and approve Variance VAR-01-15 to allow the addition to encroach 13 feet into the 40-foot front setback and 14 feet into the 40-foot exterior side setback. The motion passed 4-0.

6. **OLD BUSINESS**

None.

7. **NEW BUSINESS**

None.

8. **COMMUNICATIONS**

8.a. Staff.

Director Mullen indicated that the City Council would be reviewing the City of Clayton 2014 Housing Element Annual Progress Report at the March 17, 2015 City Council meeting and provided an update on the Property Assessed Clean Energy (PACE) Program that he would be bringing before the Planning Commission at their meeting on April 14, 2015.

8.b. Commission.

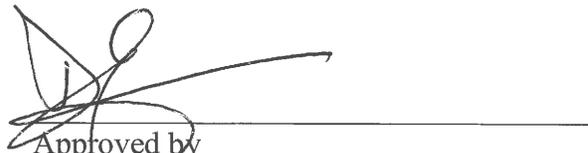
None.

9. **ADJOURNMENT**

9.a. The meeting was adjourned at 7:47 p.m. to the regularly-scheduled meeting of the Planning Commission on March 24, 2015.



Submitted by
Charlie Mullen
Community Development Director



Approved by
Dan Richardson
Chair

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