

Minutes
Clayton Planning Commission Meeting
Tuesday, June 9, 2015

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

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

Present: Vice Chair David Bruzzone
Commissioner Peter Hellmann
Commissioner Sandra Johnson
Commissioner Gregg Manning

Absent: Chair Dan Richardson

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.

Commissioner Hellman declared a conflict of interest on Agenda Item 5.a.

2.c. Commissioner Johnson to report at the City Council meeting of June 16, 2015.

3. PUBLIC COMMENT

None.

4. MINUTES

4.a. Approval of the minutes for the April 14, 2015 regular meeting.

Commissioner Manning moved and Commissioner Hellman seconded a motion to approve the minutes, as amended. The motion passed 4-0.

5. PUBLIC HEARINGS

5.a. **HOP-05-15, Home Occupation Permit, Kim Alison Grant, 105 Joscolo View (APN: 118-392-009).** A request for consideration of a Home Occupation Permit to allow an educational therapy business to operate from a single family residence. Pursuant to California Environmental Quality Act (CEQA) Guideline 15301(n), the project is categorically exempt per CEQA.

Commissioner Hellmann recused himself due to a proximity conflict of interest related to this public hearing item and departed the meeting chambers.

The public hearing was opened.

Assistant Planner Sikela presented the staff report.

Commissioner Manning requested clarification regarding the project description indicating that five off-street parking spaces exist on the subject property, but that the staff report indicated four off-street parking spaces exist on the subject property.

Assistant Planner Sikela responded that there was a typo in the project description and that staff has clarified with the applicant that four off-street parking spaces exist on the subject property—two covered in the garage of the subject residence and two uncovered in the driveway—and that the applicant will encourage clients to park in the uncovered parking spaces in the driveway.

Commissioner Manning indicated that he performed a site inspection and found the neighborhood to be well-suited to accommodate this type of home occupation.

The applicant, Kim Grant, indicated the following:

- Her proposed home occupation will entail providing educational therapy services to children with learning disabilities.
- She will work one-on-one with clients.
- Other than the client, and occasionally the parent of a client, there would rarely be more than one client at the residence at one time.
- The neighbors who provided comments possibly do not have a clear understanding of what educational therapy entails. She thinks their concerns might be based in assuming that her business is a day care or some other type of home-based business that involves working with several clients at once.
- Educational therapy is necessary for those in need of special education.
- Teachers are overworked in crowded classrooms. Educational therapy is a wonderful resource for students to receive specialized, quality educational services.

Vice Chair Bruzzone indicated that educational therapy is a resource that is much-needed in our community.

Commissioner Manning indicated that he does not see a problem with the proposed educational therapy business.

Vice Chair Bruzzone indicated that the intent of the home occupation permit process is to encourage this type of home-based business.

Commissioner Johnson indicated that she agrees with comments made by the other Commissioners and supports approval of the subject home occupation permit.

Director Mullen indicated that the Planning Commission's approval of the subject home occupation permit can be appealed to the City Council within ten days of the Planning Commission's decision.

Commissioner Manning moved and Commissioner Johnson seconded a motion to approve Home Occupation Permit HOP-05-15, with the conditions of approval recommended by staff. The motion passed 3-0.

Commissioner Hellmann returned to the dais.

6. OLD BUSINESS

None.

7. NEW BUSINESS

- 7.a. **GPA-02-15, City of Clayton.** Review of the Fiscal Year 2015-2016 Capital Improvement Program Projects for Conformity with the Clayton General Plan.

Community Development Director Mullen presented the staff report.

Commissioner Manning had the following comment and question:

- A cost of one million dollars per three-hundred feet to underground utilities seems very expensive.
- Are utilities undergrounded for new construction projects? Director Mullen responded “yes.”

Vice Chair Bruzzone inquired about Items 3 and 4. Director Mullen indicated that the goal is to bundle the improvement projects in order to maximize revenues.

By consensus, the Commissioners agreed that the improvement projects are necessary and beneficial.

Commissioner Manning moved and Commissioner Johnson seconded a motion to find the City’s CIP projects for the Fiscal Year 2015-2016 are in conformity with the Clayton General Plan and there is no possibility this finding may have a significant effect on the environment. The motion passed 4-0.

8. COMMUNICATIONS

- 8.a. Staff.

Director Mullen provided updates on the St. John’s Church Site project, Silver Oak Estates subdivision, Oak Creek Canyon subdivision, and Solar Permit Streamlining Act.

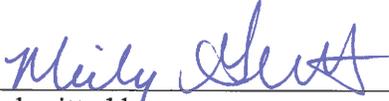
Assistant Planner Sikela provided updates on the T-Mobile Cell Site and Verna Way Parcel Map projects.

- 8.b. Commission.

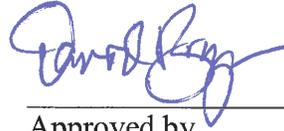
None.

9. **ADJOURNMENT**

9.a. The meeting was adjourned at 7:42 p.m. to the regularly-scheduled meeting of the Planning Commission on June 23, 2015.



Submitted by
Mindy Gentry
Community Development Director



Approved by
David Bruzzone
Vice Chair

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