

**Minutes**  
**Clayton Planning Commission Meeting**  
**Tuesday, February 27, 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.     Selection of Transportation Partnership and Cooperation (TRANSPAC) representative.

**Vice Chair Altwal moved and Commissioner Chippero seconded a motion to select Commissioner Cloven as the TRANSPAC representative. The motion passed 4-0-1 (abstain – Cloven).**

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.

**3. PUBLIC COMMENT**

Jennifer Gladding-Butticci, 343 Alexander Place, had concerns regarding the City removal of two eucalyptus trees located adjacent to the Cardinet Trail.

Chair Wolfe and Vice Chair Altwal requested clarification of the Tree Removal Permit process.

Director Gentry described the Tree Removal Permit process and indicated that a request to remove a tree would be brought before the Commission if it was a heritage oak or part of a development proposal but that the majority of Tree Removal Permits are administratively approved.

Assistant Planner Sikela recalled the City's Maintenance Department had applied for a Tree Removal Permit but would verify the trees approved for removal were the same eucalyptus trees.

Debra Gonsalves, 215 Roundhill Place, expressed concern regarding a tree leaning on a fence located on Mount Diablo Elementary School's property, adjacent to the City's property, and wanted to bring the tree to the City's attention so that, if the tree collapsed, it would not impact City property.

Director Gentry indicated that she would provide Ms. Gonsalves with her business card and staff could research if the tree was on City property and also indicated that, if the tree is located on Mount Diablo Elementary School property, it would be the School District's responsibility to apply for a Tree Removal Permit with the City.

#### 4. MINUTES

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

**Commissioner Cloven moved and Vice Chair Altwal seconded a motion to approve the minutes, as submitted. The motion passed 5-0.**

#### 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.

The staff report was presented by Assistant Planner Sikela and he concluded by indicating that the project representative, Daniel Torres, would also provide a PowerPoint presentation following the staff presentation.

Vice Chair Altwal had the following questions:

- Why was the game room in the basement not included in the floor area calculation? Assistant Planner Sikela responded that, per Section 17.78.030.D.2 of the Clayton Municipal Code, basements are excluded from floor area calculations where the finished floor level directly above is less than four feet above the finished grade on all sides. Since the floor level above the subject basement is less than four feet above the finished grade on all sides, the subject basement was excluded from the floor area calculation for the project.
- Is the basement existing or proposed? Assistant Planner Sikela responded that his understanding was that the basement is existing and that only the existing staircase leading to the basement would be replaced with a new staircase, but that he would defer that question to the applicant for further clarification.
- What is the maximum single-family residential height allowed in Clayton? Assistant Planner Sikela indicated that Section 17.16.070 of the Clayton Municipal Code allows a maximum single-family residential height at 35 feet. As part of the project, the roof height of the subject single-family residence is proposed to be increased to a maximum of 20 feet 10 inches.

Chair Wolfe asked staff what the requirements were for basements as related to earthquake safety. Assistant Planner Sikela responded that, once the project plans are submitted to the Contra Costa County Conservation and Development Department for building permit issuance, County staff will review the plans for compliance with earthquake safety standards as well as other applicable requirements.

The public hearing was opened.

The project representative, Daniel Torres, provided a PowerPoint presentation and highlighted the following key points related to the project:

- The basement is existing and only the staircase leading to the basement will be replaced.
- The project will have a low impact upon views and privacy since the applicant is proposing to maintain the single-story roof profile and there are no neighboring residences directly east or west of the subject property.
- Given the location of the subject property as it relates to the street, it should be noted that the lot is tucked back into the cul-de-sac, providing further screening from off-site areas, thereby reducing impacts to visibility.
- The modified roof will provide continuity for the project as well as allowing light to reach interior spaces through use of dormers.

Debra Gonsalves, 215 Roundhill Place, express support for the project and indicated that the project would benefit the neighborhood.

Vice Chair Altwal requested that the basement be included on the project plans. Director Gentry and Assistant Planner Sikela both indicated that the basement would be included on the construction plans submitted for building permit issuance.

Matt Gardner, 204 Fleming Drive, indicated he that he lives south (behind the rear property line) of and adjacent to the subject property and asked if the roof of the existing game room would be modified as part of the project.

Project architect, Tim Alatorre, provided the following comments:

- The roof of the game room will not be changed nor will any part of the game room be altered as part of the project.
- A floor plan of the basement as well as the modification of the staircase leading to the basement will be included on the construction plans submitted for building permit issuance.
- In terms of the timeline for construction, we will attempt to complete the project as quickly as possible.

The public hearing was closed.

Commissioner Cloven had the following question and comments:

- Did staff receive any comments regarding the project? Assistant Planner Sikela indicated that two comments were received. One comment was provided to staff in person at City Hall and the interested party has spoken at the meeting tonight. The other comment was provided via a telephone call to Assistant Planner Sikela and involved clarification questions about the project which were addressed during the course of the telephone conversation.

- He conducted a site visit and it appears that, given the location of the property and the single-story design of the residence, there will be very little visual impacts to the neighborhood.

Vice Chair Altwal indicated that, given the absence of complaints regarding the project and the facts that the project complies with applicable requirements, I have no problem conditionally approving the project.

**Vice Chair Altwal moved and Commissioner Chippero seconded a motion to approve Site Plan Review Permit SPR-01-18, with the findings and conditions of approval recommended by staff. The motion passed 5-0.**

**6. OLD BUSINESS**

None.

**7. NEW BUSINESS**

None.

**8. COMMUNICATIONS**

8.a. Staff

None.

8.b. Commission

Chair Wolfe and Commissioner Gall both indicated that they would not be able to attend the March 27, 2018 Planning Commission meeting.

**9. ADJOURNMENT**

9.a. The meeting was adjourned at 7:47 p.m. to the regularly-scheduled meeting of the Planning Commission on March 13, 2018.



Submitted by  
Mindy Gentry  
Community Development Director



Approved by  
Carl Wolfe  
Chair

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