



## AGENDA

### PLANNING COMMISSION REGULAR MEETING VIRTUAL PLANNING COMMISSION REGULAR MEETING

**TUESDAY, January 12, 2021  
7:00 P.M.**

To protect our residents, officials, and staff, and aligned with the Governor's executive order to Shelter-at-Home, this meeting is being conducted utilizing teleconferencing means consistent with State order that that allows the public to address the local legislative body electronically.

#### **Location:**

Instructions for Virtual Planning Commission Regular Meeting

To follow or participate in the meeting:

1. Videoconference:
  - a. Follow the meeting on-line, click here to register:  
[https://us02web.zoom.us/webinar/register/WN\\_2PE\\_rZqdR52dNC5kX7RtNA](https://us02web.zoom.us/webinar/register/WN_2PE_rZqdR52dNC5kX7RtNA)
  - b. After clicking on the URL, please take a few seconds to submit your first name, last name, and e-mail address, then click "Register" which will approve your registration and a new URL to join the meeting will appear.
2. Phone-in:
  - a. Once registered, you will receive an e-mail with instructions to join the meeting telephonically, and then dial 877-853-5257 (Toll Free) using the Webinar ID and Password found in the e-mail.
3. E-mail Public Comments:
  - a. If preferred, please E-mail Public Comments to Community Development Director Matthew Feske at [mfeske@ci.clayton.ca.us](mailto:mfeske@ci.clayton.ca.us) by 5:00 P.M. on the day of the Planning Commission meeting. All E-mailed Public Comments will be forwarded to the entire Planning Commission.

For those who choose to attend the meeting via videoconferencing or telephone shall have three minutes for public comments.

- A complete agenda packet is available for public review on the City's website at [www.ci.clayton.ca.us](http://www.ci.clayton.ca.us)
- Agendas are posted at: 1) City Hall, 6000 Heritage Trail, Clayton; 2) Library, 6125 Clayton Road, Clayton; 3) Ohm's Bulletin Board, 1028 Diablo Street, Clayton; and 4) City Website at [www.ci.clayton.ca.us](http://www.ci.clayton.ca.us)
- If you have special accommodation requirements to participate, please call the Community Development Department office at least 72 hours in advance of the meeting at 925-673-7300.

## CALL TO ORDER

### 1. PLEDGE OF ALLEGIANCE

### 2. ROLL CALL

### 3. PRESENTATION AND ANNOUNCEMENTS:

#### A. PRESENTATIONS:

None.

#### B. ANNOUNCEMENTS:

Planning Commission Vacancy Announcement/Recruitment is in process

### 4. ACCEPTANCE OF THE AGENDA: The Planning Commission will discuss the order of the agenda, may amend the order, add urgency items, note abstentions or "no" votes on Consent Calendar items, and request Consent Calendar items be removed from the Consent Calendar for discussion. The Planning Commission may also remove items from the Consent Calendar prior to that portion of the Agenda.

### 5. PUBLIC COMMENT (Non-Agenda Items): This time has been set aside for members of the public to address the Planning Commission on items of general interest within the subject matter jurisdiction of the City. Although the Planning Commission values your comments, pursuant to the Brown Act, the Planning Commission generally cannot take any action on items not listed on the posted agenda. Three (3) minutes will be assigned to each speaker.

### 6. CONSENT CALENDAR

*The following routine matters may be acted upon by one motion. Individual items may be removed by the Planning Commission for separate discussion at this time or under Acceptance of the Agenda. The ordinance title is deemed to be read in its entirety and further reading waived on any ordinance listed on the Consent Calendar.*

#### A. MINUTES:

##### RECOMMENDATION:

Approve the Planning Commission Minutes of October 27, 2020.

Approve the Planning Commission Minutes of November 2, 2020

Approve the Planning Commission Minutes of November 24, 2020

Approve the Planning Commission Minutes of December 8, 2020

Approve the Planning Commission Minutes of December 22, 2020

### 7. PUBLIC HEARINGS

#### A. NONE

### 8. ACTION ITEMS

#### A. NONE

### 9. PLANNING COMMISSION REQUESTS AND UPCOMING AGENDA DEVELOPMENT

This time is set aside for the Planning Commission to make requests of staff, and/or issues of concern to Planning Commissioners are briefly presented, prioritized, and set for future

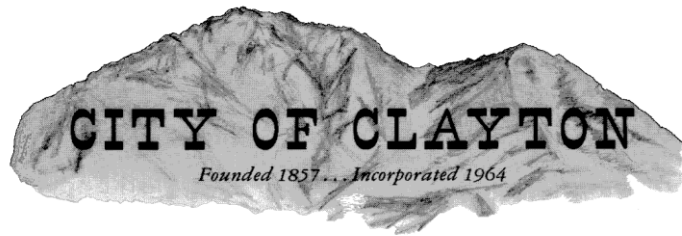
meeting dates.

**A. Planning Commission request to bring the Housing Accountability Act (HAA) for discussion**

Does the Planning Commission want a presentation and report or an open forum discussion?

**10. ADJOURNMENT**

The next Planning Commission Regular Meeting is Tuesday, January 26, 2021.



## MINUTES

### PLANNING COMMISSION REGULAR MEETING VIRTUAL PLANNING COMMISSION REGULAR MEETING

TUESDAY, October 27, 2020  
7:00 P.M.

CALL TO ORDER  
7:20 P.M.

**1. PLEDGE OF ALLEGIANCE**

**2. ROLL CALL**

Chair A.J. Chippero, Vice Chair Terri Denslow, Commissioner Bassam Altwal, Commissioner Peter Cloven, and Commissioner Frank Gavidia.

**3. PRESENTATION AND ANNOUNCEMENTS:**

**A. Presentations:**

None.

**B. Announcements:**

None.

**4. ACCEPTANCE OF THE AGENDA:**

Director Matthew Feske requested that Item 7.A be withdrawn from the agenda and will be tentatively rescheduled for the December 8, 2020 Planning Commission Regular Meeting and notices will be published in the newspaper and mailed out.

Motion and Vote 5-0-0 to accept the agenda with Item 7.A. removed.

**5. PUBLIC COMMENT (Non-Agenda Items):**

Commissioner Altwal – Asked if Planning Commissioners are required by law to have their images appear on the screen.

Director Feske - Not required by law because of technology issues that may arise that may prevent live video or image however it is appropriate that Planning Commissioners have live video or image on the screen when possible.

Commissioner Gavidia – Stated that his technical issues will be resolved by the next meeting.

**6. CONSENT CALENDAR**

Commissioner Altwal made changes to the minutes.

Vice Chair Denslow made changes to the minutes.

Motion and vote 5-0-0 to approve consent calendar with amended minutes

**A. MINUTES:**

Planning Commission Minutes of September 22, 2020.

**7. PUBLIC HEARINGS**

**A. PUBLIC HEARING TO REVIEW AND CONSIDER THE SIX-LOT RESIDENTIAL PLANNED DEVELOPMENT PROJECT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION ENV-02-16; GENERAL PLAN MAP AMENDMENT GPA-02-18; SPECIFIC PLAN MAP AMENDMENT SPA-01-18; ZONING MAP AMENDMENT ZOA-01-18; VESTING TENTATIVE RESIDENTIAL SUBDIVISION MAP MAP-01-16; DEVELOPMENT PLAN PERMIT DP-01-19; AND TREE REMOVAL PERMIT TRP-31-19.**

ITEM WAS REMOVED FROM AGENDA

**8. ACTION ITEMS**

**A. NONE.**

**9. PLANNING COMMISSION REQUESTS AND UPCOMING AGENDA DEVELOPMENT**

Vice Chair Denslow – Asked about two public hearing items on the Advanced Agenda for December 22, 2020.

Director Feske – Stated that the Advanced Agenda is a place holder for items for informational purposes only. If the two items remain on track, staff will work with the applicants on actual schedule.

Director Feske – Announced and invited all to look at the city website, the Community Development page for enhanced communications that include the Advanced Agenda, Planning Commission Weekly Report, Community Development Monthly Newsletter, and Monthly Virtual Coffee with the Community Development Director

Chair Chippero – Requested that, if any of the Planning Commissioners wish to attend the virtual coffee, to please do so as a member of the public and not as a Planning Commissioner.

Commissioner Cloven – Expressed appreciation for staff’s informational updates.

Director Feske – Thanked the Community for the inspiration to provide the enhanced communications and the Interim City Manager Fran Robustelli for the encouragement.

**10. ADJOURNMENT**

Meeting adjourned at 7:28 p.m.



## MINUTES

### PLANNING COMMISSION REGULAR MEETING VIRTUAL PLANNING COMMISSION REGULAR MEETING

Tuesday, November 10, 2020  
7:00 P.M.

CALL TO ORDER  
7:32P.M.

**1. PLEDGE OF ALLEGIANCE**

**2. ROLL CALL**

Chair A.J. Chippero, Vice Chair Terri Denslow, Commissioner Bassam Altwal, Commissioner Peter Cloven, and Commissioner Frank Gavidia.

**3. PRESENTATION AND ANNOUNCEMENTS:**

**A. PRESENTATIONS:**

None

**B. ANNOUNCEMENTS:**

Director Feske - The November 24, 2020 Planning Commission Regular Meeting is cancelled

**C. COMMUNITY DEVELOPMENT DIRECTOR REPORT TO PLANNING COMMISSION:**

Director Feske - reported the Virtual Coffee with the Community Development Director on October 30, 2020 was held

Director Feske – Reported that the RFP for the Downtown Property Community Engagement has been prepared and sent out to consulting firms.

**4. ACCEPTANCE OF THE AGENDA:** The Planning Commission will discuss the order of the agenda, may amend the order, add urgency items, note abstentions or "no" votes on Consent Calendar items, and request Consent Calendar items be removed from the Consent Calendar for discussion. The Planning Commission may also remove items from the Consent Calendar prior to that portion of the Agenda.

Motion and Vote 5-0-0 to accept the agenda

- 5. PUBLIC COMMENT (Non-Agenda Items):** This time has been set aside for members of the public to address the Planning Commission on items of general interest within the subject matter jurisdiction of the City. Although the Planning Commission values your comments, pursuant to the Brown Act, the Planning Commission generally cannot take any action on items not listed on the posted agenda. Three (3) minutes will be assigned to each speaker.

No Public Comments

**6. CONSENT CALENDAR**

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Motion and vote 5-0-0 to approve consent calendar

**A. MINUTES: Planning Commission Minutes of October 27, 2020**

**7. PUBLIC HEARINGS**

- A. CONTINUED PUBLIC HEARING TO REVIEW AND CONSIDER THE SIX-LOT RESIDENTIAL PLANNED DEVELOPMENT PROJECT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION ENV-02-16; GENERAL PLAN MAP AMENDMENT GPA-02-18; SPECIFIC PLAN MAP AMENDMENT SPA-01-18; ZONING MAP AMENDMENT ZOA-01-18; VESTING TENTATIVE RESIDENTIAL SUBDIVISION MAP MAP-01-16; DEVELOPMENT PLAN PERMIT DP-01-19; AND TREE REMOVAL PERMIT TRP-31-19.**

No public comments

Motion and vote 5-0-0 to continued to December 22, 2020 Planning Commission Regular Meeting

**8. ACTION ITEMS**

**9. PLANNING COMMISSION REQUESTS AND UPCOMING AGENDA DEVELOPMENT**

This time is set aside for the Planning Commission to make requests of staff, and/or issues of concern to Planning Commissioners are briefly presented, prioritized, and set for future meeting dates.

Commissioner Altwal – Parking at Stranahan like Regency have Planning Commission Study and move forward to City Council.

**10. ADJOURNMENT**

Meeting adjourned at 7:12 p.m.



6000 Heritage Trail • Clayton, California 94517  
Telephone 925-673-7300 • Fax 925-672-4917

## **MINUTES**

### **PLANNING COMMISSION REGULAR MEETING VIRTUAL PLANNING COMMISSION REGULAR MEETING**

**TUESDAY, November 24, 2020  
7:00 P.M.**

**CANCELLED**





## MINUTES

### PLANNING COMMISSION REGULAR MEETING VIRTUAL PLANNING COMMISSION REGULAR MEETING

TUESDAY, DECEMBER 8, 2020  
7:00 P.M.

CALL TO ORDER  
7:01 P.M.

**1. PLEDGE OF ALLEGIANCE**

**2. ROLL CALL**

Chair A.J. Chippero, Vice Chair Terri Denslow, Commissioner Bassam Altwal, Commissioner Frank Gavidia, and VACANT

**3. PRESENTATION AND ANNOUNCEMENTS:**

NONE

- 4. ACCEPTANCE OF THE AGENDA:** The Planning Commission will discuss the order of the agenda, may amend the order, add urgency items, note abstentions or "no" votes on Consent Calendar items, and request Consent Calendar items be removed from the Consent Calendar for discussion. The Planning Commission may also remove items from the Consent Calendar prior to that portion of the Agenda.

Motion and Vote 4-0-0-1 (vacant) to accept the agenda

- 5. PUBLIC COMMENT (Non-Agenda Items):** This time has been set aside for members of the public to address the Planning Commission on items of general interest within the subject matter jurisdiction of the City. Although the Planning Commission values your comments, pursuant to the Brown Act, the Planning Commission generally cannot take any action on items not listed on the posted agenda. Three (3) minutes will be assigned to each speaker.

No Public Comment

**6. CONSENT CALENDAR**

*The following routine matters may be acted upon by one motion. Individual items may be removed by the Planning Commission for separate discussion at this time or under Acceptance of the Agenda. The ordinance title is deemed to be read in its entirety and further reading waived on any ordinance listed on the Consent Calendar.*

NONE

**7. PUBLIC HEARINGS**

**A. PUBLIC HEARING TO REVIEW AND CONSIDER THE EIGHTEEN RESIDENTIAL-LOT PLANNED DEVELOPMENT PROJECT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION ENV-01-2020; ZONING MAP AMENDMENT ZOA-02-2020; VESTING TENTATIVE RESIDENTIAL SUBDIVISION MAP MAP-01-2020; DEVELOPMENT PLAN PERMIT DP-01-2020; AND TREE REMOVAL PERMIT TRP-09-2020.**

**RECOMMENDATION:**

Staff – Presented PowerPoint

Applicant – Presentation PowerPoint

Commissioner Altwal –

Comment on how different the package was for this meeting compared to the October 27<sup>th</sup> meeting. The differences were difficult to review because there was no comparison provided by staff.

Comment on the difference in the number of pages, specifically the increase in number of pages.

Comment on not having enough time to review, specifically that the packet was only available on Monday.

Comment on the zoning, if the project is not built, then the zoning should go back to the original zone and not stay.

Comment on how staff different answer to the question of if the property goes back to the original zone.

Comment on conditions, specifically did not feel comfortable with staff reviewing and approving and that is Planning Commissions job. Specifics included sound wall and other conditions that would allow staff, specifically the Community Development Director, to have final review and approval.

Comment on indemnification condition and wanted a clear indemnification condition as reviewed by City Attorney.

Complimented the applicant for a good project and for working with the neighbors.

Comment on he had no issue with the project and that it is a good project

and that the issues are other issues.

Director Feske –

Reminded Planning Commission that this item had been removed from the October 27<sup>th</sup> agenda and that the packet for this meeting is the information that should be reviewed and not the October 27<sup>th</sup> packet.

Reminded Planning Commission that the agenda packet for this meeting was posted on November 25<sup>th</sup> and has been available electronically. Due to COVID-19 restrictions, City Hall building has been closed and that staff did enter City Hall building to print out a copy of the agenda packet as requested.

Vice Chair Denslow –

Comment and question on how this project does or does not comply with the Housing Accountability Act.

Comment on conditions and clarity of conditions.

Comment on the 2-story element and what homes that would be available for. Specifically, did the applicant work with neighboring properties on which lots would have this option.

Comment asking applicant to provide a clear indicator on the plans as to which lots had the 2-story option.

Comment on access to the retention ponds and maintenance of the retention ponds.

Comment on the sensitive land and the density. The density calculated is on the whole project site and density moved with the project site to the buildable area.

Comment on the project exceeding the floor-area-ratio on some of the proposed homes. This is allowed the homes to remain 1-story or 1 ½ story in height.

Complemented the applicant for working with the neighboring properties and outreach.

Commissioner Gavidia –

Comment that it seemed like some of the Commissioners were uncomfortable and suggested continuing so that staff could bring back a polished resolution

Chair Chippero –

Comment on the number of trees being removed and moved and asked for a revised plan/report be included in the packet for City Council that makes it clear.

Applicant and staff answered the Planning Commissions questions and concerns.

Mr. John Stice comment – Developer did meet with them and they worked out the concerns. Only concern was the retention basin and maintenance of it.

Motion and vote 4-0-0-1 (vacant) to recommend approval with the edits to the resolutions and conditions.

**8. ACTION ITEMS**

NONE

**9. PLANNING COMMISSION REQUESTS AND UPCOMING AGENDA DEVELOPMENT**

This time is set aside for the Planning Commission to make requests of staff, and/or issues of concern to Planning Commissioners are briefly presented, prioritized, and set for future meeting dates.

Planning Commissioners discussed who was going to report to the City Council:

Commissioner Altwal –

Whoever reports needs to report the unspoken issues here

Wanted to be sure that the unspoken issues were told to the City Council

Volunteered to report to City Council.

**10. ADJOURNMENT**

Meeting adjourned at 10:52 p.m



## MINUTES

### PLANNING COMMISSION REGULAR MEETING VIRTUAL PLANNING COMMISSION REGULAR MEETING

TUESDAY, DECEMBER 22, 2020  
7:00 P.M.

CALL TO ORDER  
7:00 P.M.

**1. PLEDGE OF ALLEGIANCE**

**2. ROLL CALL**

Chair A.J. Chippero, Vice Chair Terri Denslow, Commissioner Bassam Altwal, Commissioner Frank Gavidia, and VACANT

**3. PRESENTATION AND ANNOUNCEMENTS:**

NONE.

**4. ACCEPTANCE OF THE AGENDA:** The Planning Commission will discuss the order of the agenda, may amend the order, add urgency items, note abstentions or "no" votes on Consent Calendar items, and request Consent Calendar items be removed from the Consent Calendar for discussion. The Planning Commission may also remove items from the Consent Calendar prior to that portion of the Agenda.

Consent Approval

**5. PUBLIC COMMENT (Non-Agenda Items):** This time has been set aside for members of the public to address the Planning Commission on items of general interest within the subject matter jurisdiction of the City. Although the Planning Commission values your comments, pursuant to the Brown Act, the Planning Commission generally cannot take any action on items not listed on the posted agenda. Three (3) minutes will be assigned to each speaker.

No Public Comment

**6. CONSENT CALENDAR**

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NONE

## **7. PUBLIC HEARINGS**

### **A. CONTINUED - PUBLIC HEARING TO REVIEW AND CONSIDER THE SIX-LOT RESIDENTIAL PLANNED DEVELOPMENT PROJECT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION ENV-02-16; GENERAL PLAN MAP AMENDMENT GPA-02-18; SPECIFIC PLAN MAP AMENDMENT SPA-01-18; ZONING MAP AMENDMENT ZOA-01-18; VESTING TENTATIVE RESIDENTIAL SUBDIVISION MAP MAP-01-16; DEVELOPMENT PLAN PERMIT DP-01-19; AND TREE REMOVAL PERMIT TRP-31-19. RECOMMENDATION:**

Call for conflict

Commissioner Altwal - Lives within 500' of project site and declared no conflict  
Commissioner Gavidia - Declared conflict and recused

Staff – Request for continuation to a date uncertain and a notice will be sent out with the Planning Commission meeting date.

Motion and vote 3-0-1-1 (Gavidia, vacant) to continue to a date uncertain with a notice to be sent out.

## **8. ACTION ITEMS**

NONE

## **9. PLANNING COMMISSION REQUESTS AND UPCOMING AGENDA DEVELOPMENT**

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Vice Chair Denslow

Videos and minutes posting

Discussion of Housing Accountability Act (HAA)

Chair Chippero

Request that any Commissioner that has an issue with another Commissioner to address that with the City Council.

Post the agenda on the City Facebook and Nextdoor

Commissioner report to the City Council on a rotation

## **10. ADJOURNMENT**

Meeting adjourned at 7:36 p.m