

Minutes
City of Clayton Planning Commission
Special Meeting
Wednesday, November 1, 2023

1. CALL TO ORDER

Chair Richard Enea called the meeting to order at 7:00 p.m.

2. PLEDGE OF ALLEGIANCE

Chair Enea led the Pledge of Allegiance.

3. ROLL CALL

Present: Chair Richard Enea
 Vice Chair Maria Shulman
 Commissioner Joseph Banchemo
 Commissioner Daniel Richardson

Absent: Commissioner Bretten Casagrande

Planning Commission Secretary/Community Development Director Dana Ayers and Assistant Planner Milan Sikela were present from City staff.

4. ACCEPTANCE OF THE AGENDA

There were no changes to the agenda as submitted.

5. PUBLIC COMMENT

There were no public comments on any item not on the agenda.

6. CONSENT CALENDAR

A. Minutes of Planning Commission Meeting of September 26, 2023.

There being no member of the public attending in person or virtually who requested to comment on the Consent Calendar, Chair Enea invited a motion. Vice Chair Shulman moved to adopt the Consent Calendar with Meeting Minutes of the September 26, 2023, meeting, as submitted. Commissioner Banchemo seconded the motion. The motion passed by vote of 4 to 0.

7. ACTION ITEMS

A. Rhine House, Minor Modification to Approved Site Plan Review Permit SPR 1-06.

This is request for the Planning Commission to approve minor modifications to approved Site Plan Review Permit 01-06, for an existing building commonly known as “Flora Square.” The proposed minor modifications include a change in paint color and addition of window awnings, operable windows and decorative railings to the exterior of the existing building. Other changes associated with the proposal include conversion of the second-floor office space to six apartment residences, and construction of a parking lot and trash enclosure on adjacent parcels to serve the remodeled building. The existing two-story commercial building is located in the Town Center at 1026 Oak Street, Assessor’s Parcel Number (APN) 119-013-009.

Community Development Director Dana Ayers introduced the item, explaining that Clayton Municipal Code gave staff authority to approve minor modifications to previously-approved Site Plan Review Permits, but that given the prominence of this building in the Town Center, staff opted to elevate the review to the Planning Commission to be considered at a public meeting.

Assistant Planner Milan Sikela presented the item and shared a slide deck comprised of the graphics attached to the staff report. He stated that staff recommended approval of the requested minor modifications to the building.

Chair Enea invited questions from Commissioners.

Commissioner Richardson asked if there were multiple owners of the subject parcels. Assistant Planner Sikela said he understood that the applicant was in the process of purchasing the property on which the existing two-story building sat, but that all of the other parcels on the block were already under the applicant’s ownership.

Chair Enea asked if an elevator was required for a two-story building, to which Assistant Planner Sikela advised that an elevator was required, and there was one already in the building.

There being no other questions from Commissioners, Chair Enea invited the applicant to speak.

Applicant Kent Ipsen introduced himself to the Commission. He confirmed that he intended to purchase the building and to operate a new restaurant on the ground floor. He said that it had been his family’s intent to purchase the property in the past, but that they had missed that opportunity initially. The property had since been developed by another property owner but experienced frequent ownership changes, deferred maintenance needs

and tenant space vacancies. When the opportunity arose to purchase and improve the property, Mr. Ipsen said he took it. He said he spoke with other restaurant operators in the Town Center and believed his concept for the planned restaurant in the building would not be in direct competition with other eating establishments nearby. He also intended to keep the current art gallery tenant on the ground floor of the building. Speaking to the upstairs tenant spaces, he said he had observed frequent turnover in office tenancies, and since the start of the COVID-19 pandemic especially, he did not believe small office spaces to be viable uses since most small business owners needing office space could work from home and save rent costs. He believed that residential uses upstairs made more sense. On the outside of the building, he wanted to add balconies and operable windows on the north side of the building to take advantage of views, and to add more ornamentation similar to a building he had seen on a recent trip to Charleston, South Carolina. He was excited to start this project and to energize the property with new features and outdoor dining spaces.

Vice Chair Shulman asked if the residential units upstairs would be high-end rental or lower to medium scale rentals. Mr. Ipsen said that it was his intent to make the units very nice with sophisticated finishes, and that the Clayton market would dictate what the rents would be. Vice Chair Shulman then asked if the Subway restaurant on the ground floor would be shutting down. Mr. Ipsen said he was not sure, though he was aware of recent litigation that would require that location and some other locations to cease operations by November 27. His intent was to incorporate that tenant space into his new larger restaurant on the ground floor. Vice Chair Shulman added that she was happy to see something being done with the building. Mr. Ipsen acknowledged the past difficulties in the economics of the property. Mr. Ipsen also introduced the architect for the project, who he noted was involved in the original design of the building.

Director Ayers noted that staff had received a written comment supporting the project, and that copies had been provided to Commissioners and posted to the agenda website.

There being no one attending the meeting in person or online who requested to speak on this item, Chair Enea invited discussion from Commissioners.

Chair Richardson said he had observed the building over many years, seen many tenants come and go, and felt it had been underutilized. He had also observed many different developments with mixed residential and nonresidential uses in other cities where he had worked, and he had as a Clayton Planning Commissioner seen different proposals for similar types of projects in the Town Center. He said it was pleasant to see a live-work proposal come to fruition in Clayton and help to facilitate the vision for a vibrant downtown. He was glad to know that Mr. Ipsen's planned restaurant

was considered a complement to other existing restaurants nearby, and he hoped this would be a seed project that would spur other, similar developments in Town Center.

Vice Chair Shulman moved to adopt proposed Resolution No. 06-2023 attached to the staff report, approving Minor Modification to Approved Site Plan Review Permit SPR 1-06. Commissioner Richardson seconded the motion. The motion passed by vote of 4 to 0.

8. COMMUNICATIONS

Director Ayers said staff anticipated that there would be a Planning Commission meeting on November 14.

9. ADJOURNMENT

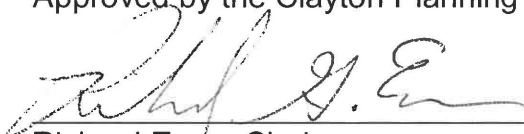
The meeting was adjourned at 7:44 p.m. to the next regular meeting of the Planning Commission on November 14, 2023.

Respectfully submitted:



Dana Ayers, AICP, Secretary

Approved by the Clayton Planning Commission:



Richard Enea, Chair