

**CITY OF CHICO PLANNING COMMISSION
JANUARY 5, 2006 MINUTES**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Vic Alvistur, Chair
 Mary Brownell, Vice Chair
 Dave Kelley
 Steve O'Bryan
 Irv Schiffman

Commissioners Absent: Jon Luvaas
 Kirk Monfort

Staff Members Present: Teresa Bishow, Principal Planner
 Patrick Murphy, Senior Planner
 Claudia Sigona, Senior Planner
 Bob Summerville, Associate Planner
 Matt Johnson, Senior Development Engineer
 Lori Barker, Assistant City Attorney
 Renee Schreindl, Administrative Secretary

1. ROLL CALL

Chair Alvistur called the meeting to order at 6:30 p.m. Commission members and staff were present as noted.

2. APPROVAL OF MINUTES

Commissioner Brownell moved, seconded by Commissioner Kelley, approval of the minutes of November 3, 2005 and November 17, 2005.

Motion passed 5-0-2. Commissioners Luvaas and Monfort absent.

3. DISCUSSION OF EX PARTE COMMUNICATION

None.

4. PUBLIC HEARING ITEMS

4.1. 1645 Esplanade Tentative Condominium Subdivision Map (S 05-12) (Hart Diversified, LLC)

As recommended by staff, the Commission continued this item to the Planning Commission meeting of February 2, 2006.

4.2. Sierra Gardens Senior Homes Tentative Subdivision Map and Planned Development Permit S/PDP 03-24 (Mogavero Notestine Associates) - A proposal to subdivide a vacant 5.76 acre parcel to create 55 single family residential lots and 36 attached condominium units located in a proposed three-story condominium building. A planned development permit is proposed to authorize modifications to development standards (including reduced lot sizes and building setbacks) and to authorize architectural concepts. The proposal creates a gross density of 14.02 dwelling units per gross acre and is designed exclusively for use by senior citizens. The site is located at the southeast corner of Sierra Sunrise Terrace and Idyllwild Circle and is identified as Assessor's Parcel No. 018-360-002. The site is located on land designated Medium-High Density Residential on the General Plan diagram and in the R3 Medium-High Density Residential zoning district.

Based upon the information within the initial study, the Planning Division is recommending that a mitigated negative declaration be adopted for the project pursuant to the California Environmental Quality Act (CEQA). A mitigated negative declaration is a determination that a project will not have a significant impact on the environment, after the incorporation of specific mitigation measures.

Associate Planner Summerville reminded the Commission that they adopted a motion of intent to approve the project at the December 1, 2005 meeting, contingent upon the recirculation of a revised mitigated negative declaration and initial study and two new conditions. He reviewed the added conditions and made note of the numerous public comments received in opposition of this project. He advised the Chair to re-open the public hearing and accept testimony related only to new information identified in the project's recirculated mitigated negative declaration.

Senior Planner Murphy explained that at the time the original mitigated negative declaration was noticed, the giant garter snake was sighted ten miles away and since then, there have been other sightings by Bruce Road and at the water treatment plant. He said that the giant garter snake will be addressed in future mitigated negative declarations and that none have actually been sighted in the drainage system next to the project, but it is assumed to be potential habitat and that protocol has been adopted for the species.

Mr. Murphy reviewed the comments and concerns received concerning the giant garter snake, in response to a question by the Commission.

Mr. Summerville said that no comments were received from government agencies.

Mr. Murphy reviewed the City's management plan for this section of Dead Horse Slough. He said that the management plan has been revised to address the issue of the giant garter snake and is being reviewed by the Department of Fish and Game and the Army Corp of Engineers, and that he is comfortable that it will not affect the species.

Senior Development Engineer Johnson addressed issues from a letter received from Judy DeMarois concerning the maintenance and storm drainage of Dead Horse Slough.

Chair Alvistur opened the public hearing.

Cherene Sandidge, Project Manager, advised that she was attending the meeting with her development team.

Mary Jensen, neighbor, read a letter from Butte Environmental Council (BEC) dated January 5, 2006, which included recommendations regarding the revised mitigated negative declaration.

Mr. Murphy provided explanations as to the process followed if the giant garter snake is sighted, and the mitigation measures that can be implemented if construction is within 200 feet of their habitat, in response to questions by the Commission.

Mr. Murphy addressed the Butte Environmental Council's recommendations. He said that all of the conditions recommended by the BEC could be considered, except the recommendation to avoid construction activities within 200 feet from the banks of giant garter snake aquatic habitat, and that the applicant does need approval from the Department of Fish and Game, in response to questions by the Commission.

Sharon Nichols, neighbor, expressed concerns regarding the mitigation measures for the giant garter snake and said that it is premature to approve a project that may get denied by the governmental agencies.

Chair Alvistur closed the public hearing.

Mr. Murphy explained that on future projects, the City will consult with the Department of Fish and Game at the time the application is submitted and that eventually a city-wide habitat conservation plan will be looked into that would include consulting with biologists and the Department of Fish and Game.

Commissioner Schiffman stated that he is not happy with the overall density of this project, but that it is too late to change it. He said that the developers have put together a good project with what they had to work with in terms of the density, that the drainage plan has been handled in an appropriate manner, and that it is comforting to know that the Department of Fish and Game can make the final decision.

Assistant City Attorney Barker advised that a motion can be made to adopt the resolution in the staff report.

Commissioner Brownell said that she is opposing the project due to the way they achieved the density.

Commissioner Schiffman moved, seconded by Commissioner O'Bryan, that the Planning Commission adopt Resolution No. 05-52 adopting a mitigated negative declaration and approving Sierra Gardens Senior Homes Tentative Subdivision Map and Planned Development Permit S/PDP 03-24 (Mogavero Notestine Associates) and including the recommendations by Butte Environmental Council, with the exception of the recommendation to avoid construction activities within 200 feet from the banks of giant garter snake aquatic habitat.

*Motion passed 4-1-2. Commissioner Brownell opposed.
Commissioners Luvaas and Monfort absent.*

- 4.3. Symm City Subdivision and Planned Development Permit (S/PDP 05-08) (Wildwood Investors, Inc)** - This is a request to subdivide 5 acres (gross) into 28 lots for development with single-family residences and two duplexes (30 units total). Two single-family lots are proposed along Cactus Avenue which are 10,232 square feet and 15,582 square feet in size. The two duplexes are proposed on corner lots on the interior of the subdivision. The proposed overall density is 6 units per acre. As a part of the planned development permit application, the applicant is requesting authorization for reduced lot sizes and reduced lot widths for some lots. The subject site is located on the west side of Cactus Avenue, east of the terminus of Arch Way, identified as Assessor's Parcel Nos. 016-120-016, 017 & 018. The project site is within the area affected by the recently-approved General Plan Amendment/Rezone 04-01 which amended the General Plan land use designation for the area to Low Density Residential (2.01-6 units per acre) and rezoned/prezoned the area to R1 Low Density Residential with a special design consideration overlay (SD-7).

An initial study for environmental review has been prepared for the project. Based upon the information within the initial study, the Planning Division is recommending that a mitigated negative declaration be adopted for the project pursuant to the California Environmental Quality Act (CEQA). A mitigated negative declaration is a determination that a project will not have a significant impact on the environment, after the incorporation of specific mitigation measures.

Chair Alvistur opened the public hearing. Addressing the Commission in the following order were:

Tony Symmes, Applicant, spoke in support
Jerry Olio, neighbor, generally opposed
John Merz, expressed concerns regarding the initial study

There being no other speakers, the public hearing was closed.

Commissioner Brownell explained that she is opposing this project as she believes it is a disservice to the neighbors and will contribute to the neighborhood no longer having a rural feel.

Commissioner Schiffman moved, seconded by Commissioner Kelley, that the Planning Commission adopt Resolution No. 05-55, approving the Symm City Vesting Tentative Subdivision Map and Planned Development Permit (S/PDP 05-08), based on the findings and subject to the conditions of approval therein (Attachment A) with the following changes:

Modification:

- 13. The developer shall install interim public right-of-way improvements along Cactus Avenue from the south edge of the subdivision southerly to East Avenue which shall include a minimum of 32-feet of asphalt paving, asphalt dikes or curbs on both sides, and a single paved 8-foot wide multi-use path, subject to the approval of the Director of Engineering.*

Additions:

- 18. The developer shall remove the traffic circle on the Final Map.*
- 19. The developer shall retain and preserve the existing cactus plant in place, or transplant it into the parkway strip along the frontage of Lot 11 or Lot 12.*
- 20. Homes on Lots 11 and 12 shall be subject to administrative architectural review to insure that the home designs are varied in style and color.*
- 21. Front yard setbacks on Lots 11 and 12 shall be varied.*
- 22. The developer shall install continuous 6-foot tall solid fencing along the entire south perimeter boundary of the project. As appropriate, segments at the termini of Street "A" and Street "B" may be subject to removal in the future if and when the streets are extended to the south.*

Motion passed 4-1-2. Commissioner Brownell opposed. Commissioners Luvaas and Monfort absent.

5. BUSINESS FROM THE FLOOR

None.

6. PLANNING UPDATE

Principal Planner Bishow distributed an updated Planning Commission schedule and informed the Commission that there are 4 Planning Commission meetings tentatively scheduled for February which include 2 meetings on February 6 and 8, 2006, for the Enloe Medical Center Master Plan. She updated the Commission on the action by the

City Council concerning Shastan at Glenwood (S 04-21). She advised that appeals have been filed for Parkwood Estates (PDP 05-03, SDU 05-01 & SDU 05-11) and Hawes (PM 05-11), and that staff will discuss with the City Council scheduling a workshop concerning infill and flag lot development.

7. **ADJOURNMENT** - There being no further business from the Commission, the meeting adjourned at 8:15 p.m. to the Adjourned Regular Meeting of January 19, 2006.

April 6, 2006
Date Approved

/s/
Kim Seidler
Planning Director

**CITY OF CHICO PLANNING COMMISSION
JANUARY 19, 2006 MINUTES**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Vic Alvistur, Chair
 Mary Brownell, Vice Chair
 Dave Kelley
 Jon Luvaas
 Kirk Monfort
 Steve O'Bryan
 Irv Schiffman

Staff Members Present: Kim Seidler, Planning Director
 Teresa Bishow, Principal Planner
 Claudia Stuart, Senior Planner
 Mike Sawley, Associate Planner
 Matt Johnson, Senior Development Engineer
 Lori Barker, Assistant City Attorney
 Renee Schreindl, Administrative Secretary

1. ROLL CALL

Chair Alvistur called the meeting to order at 6:30 p.m. Commission members and staff were present as noted.

2. ELECTION OF OFFICERS

Commissioner Monfort nominated Commissioner Schiffman for Chair, seconded by Commissioner Brownell. The Commission voted 7-0 to elect Commissioner Schiffman for Chair.

Commissioner Monfort nominated Commissioner Alvistur for Vice Chair, seconded by Commissioner Brownell. The Commission voted 7-0 to elect Commissioner Alvistur for Vice Chair.

3. DISCUSSION OF EX PARTE COMMUNICATION

None.

4. PUBLIC HEARING ITEMS

4.1. Chico Courtyards Use Permit 05-34 and Planned Development Permit 05-05 (Chico Pacific Associates), Southwest side of Pillsbury Road and adjacent to east side of State Highway Route (SHR) 99, approximately 850 feet south of East Avenue, APN 007-280-024

As recommended by staff, the Planning Commission continued this item to the Planning Commission meeting of February 16, 2006.

4.2. Lassen Glen Vesting Tentative Subdivision Map (S 05-01) (Webb)

As recommended by staff, the Planning Commission continued this item to a future Planning Commission meeting.

4.3. Review of Impact Report Prepared for Closure of Catalpa Tree Trailer Park

The Planning Commission continued this item to the Planning Commission meeting of February 16, 2006, as requested by Mr. Ostrander.

5. WORK SESSION ITEM

5.1. Meriam Park - Traditional Neighborhood Development Zone (CA 05-1)

This work session is designed to allow the Planning Commission an opportunity to introduce the draft Traditional Neighborhood Development (TND) zone submitted by New Urban Builders. Although the Planning Commission will not conduct a public hearing on the draft TND zone at its January 19, 2006 meeting, members of the public will be provided an opportunity to participate in the work session. The Planning Commission is not scheduled to take action on this item.

Principal Planner Bishow presented an overview of the staff report. She noted that the purpose of the work session is to introduce and discuss the TND zone itself, rather than the current development application associated with Meriam Park and that the Commission is not requested to take any action on the item. She explained that the TND zone emphasizes walk-ability and diversity and would generally be consistent with several General Plan themes, such as promoting sustainable development, protection of natural resources, urban growth limits, defining community character and identity, neighborhood oriented development, economic development, and development patterns that offer alternatives to the automobile. She noted that the existing zoning code either doesn't allow for mixed uses or places barriers to mixed use development, as with the Planned Mixed Use zone, and that the TND zone would remove many of those barriers.

Ms. Bishow explained that the TND zone is currently proposed as an additional zone and would not replace the existing Planned Mixed Use zone, and would require that a General Plan Designation be added to provide the policy framework for implementing the new zone, in response to a question by Commissioner Brownell.

Commissioner Monfort asked if approval of the new TND zone would require additional zoning changes around the city or if the city would just wait for requests to rezone land to the TND zone. Principal Planner Bishow answered that the next comprehensive General Plan update would provide an opportunity for the city to consider additional areas suitable for the TND zone. Until then, staff expect individual property owners to request

rezoning. In response to Commissioner Monfort, Principal Planner Bishow responded that the TND zone could be applied to a new growth area.

John Anderson, New Urban Builders, presented a broad overview of the TND zone. The TND zone would be a parallel code to the existing development code. The zone is arranged around a transect, where one moves from rural at the edge to urban at the center, increasing in density and intensity.

Mr. Anderson stated when you request to rezone to TND, along with the tentative subdivision map, you need to propose a Regulating Plan, which assigns subzones within the property. He also described the process of creating the Regulating Plan, including 1) laying out the blocks and public spaces, 2) creating the circulation plan with the streets, 3) assigning street sections to each of the streets, 4) designating within each block the neighborhood edge, general, center, and core (again, progressing from rural to urban). The proposed minimum area for rezoning into TND is 20-acres, but it's also proposed that smaller projects could be rezoned TND at the discretion of the Planning Director. In theory, Mr. Anderson said the TND zone could be applied to half a block or a quarter of a block in an existing urban neighborhood.

In response to Commissioner Alvistur, Mr. Anderson said public spaces are planned concurrently with the Regulating Plan. Commissioner Kelley asked if there was a certain percentage or acreage that would be required for park space. Mr. Anderson replied that it's up to the applicant to propose, and that it is their experience that more, smaller parks are preferable in the TND. The proposed zone doesn't include a required amount of park land, but that provision could certainly be added. However, consideration should be given to the fact that a TND zone could be proposed adjacent to existing uses that provide necessary neighborhood elements, such as park land, and recognizing that the proposed TND area doesn't have to be fully-contained could also be an important provision.

Commissioner Brownell asked if an applicant needed to look outside the boundary of their proposal, especially when the subject area is small. Mr. Anderson replied yes, the larger context should be considered with applications to rezone into the TND zone, and suggested at least three or four blocks.

Commissioner Monfort pointed out that the park area on the example slide exceeds city requirements, and asked if the city should expect a request for a waiver of park fees or even a reimbursement for applicants creating public park space. Mr. Anderson said that they advocate a larger number of smaller parks, which may result in more park space than required under the current park arrangement. Commissioner Monfort said that the project would then need a homeowners association to manage park maintenance because the City Parks Department can't afford to maintain parks below a certain size. Commissioner Alvistur concurred, but recognized that Doe Mill was successful in creating mini-parks.

Tom DiGiovanni, New Urban Builders, said that it isn't known how this issue would play out with the TND zone across the City, but that, like Doe Mill, maintenance of small greens could be funded by a maintenance district instead of a homeowners association. Mr. DiGiovanni added that smaller parks, within "shouting distance," and with homes oriented toward the park are better because it results in an informal stewardship where residents look after the park. He added that, in many cases, park design has suffered from the primary consideration of their siting and size being given to the ease of maintenance. Mr. DiGiovanni suggested that it may be worthwhile to offer some type of credit if this is the type of neighborhood planning that the city wishes to encourage.

Planning Director Seidler reminded everyone of the workshop format and invited anyone to ask questions of the presenters.

Commissioner Alvistur stated that parks are so important in Chico, applicants should apply for park credits. Commissioner Brownell said that there may not be agreement on that approach. Chair Schiffman asked if it was a tradeoff with new urbanism to have smaller lots with more public open space. Mr. Anderson replied yes.

Mr. Anderson presented the sub-zones within the TND zone and gave examples of building types that would be allowed in those zones.

Commissioner Kelley asked Mr. Anderson whether the TND zone would include industrial zones so that it could be applied anywhere. Mr. Anderson replied that industrial uses are listed in the Special District zone and that there are examples of building types for industrial uses.

Chair Schiffman asked how does the Edgeyard House differ from the zero lot line. Mr. Anderson replied that the Edgeyard House allows you to use your property from property line to property line. Chair Schiffman asked for confirmation that you could work on the close side without having to go onto your neighbor's property. Mr. Anderson replied yes, with the Edgeyard House you own property all the way around the building.

Matt Johnson, Senior Development Engineer, asked if Architectural Review would be required in the TND zone. Mr. Anderson replied that the TND zone would have the same requirements for ARB review as in other districts - for multi-family, commercial, and institutional buildings, not single-family residential housing.

Building height is regulated in stories, rather than by absolute number. Commissioner Kelley pointed out that the draft zone appears to allow two-story houses that would exceed the current maximum height in the R1 zoning district of 35 feet. Mr. Anderson confirmed the statement.

Commissioner Kelley stated he would like to see a finished maximum height for the buildings. Commissioner Brownell echoed the comment. Commissioner Kelley said he would like to see compatibility measures in the Special District where it abuts existing outside development so that similar building sizes are used across the seams. Mr. Anderson said that all transitions between densities and intensities should be feathered to

achieve compatibility and that more work needs to be done on “seam treatments” to ensure acceptable transitions. Mr. DiGiovanni provided an example and suggested that alleyways can be very useful in creating transitions between densities and uses. Mr. Anderson added that all street sections in the proposed amendments to Title 18R require the use of an alley.

For each building type, there is a “build to” line as opposed to a “set back” line with the intent to create uniformity in how the buildings address the street. The minimum setback line is appropriate in rural settings with larger lots, but creating a uniform “street wall” is more important in urban situations.

Commissioner Brownell asked if the only entrance to the Courtyard House building type is through the courtyard. Mr. Anderson replied no, that’s a drafting mistake, the drawing should show a front door shown on the street. He explained that if the building takes up more than 60% of the frontage and there isn’t an entrance to the courtyard, then there needs to be an entrance on the street. Commissioner Brownell asked if the front door would have extra detail, as it fronts the street, and Mr. Anderson replied that it would.

Mr. Anderson added that the Courtyard house is designed with formal rooms toward the front and informal living to the rear, so it’s ideal for a home office or similar type of use. Commissioner Brownell pointed out the trend of placing sleeping quarters toward the rear on bottom stories and asked if it extended to the second story design. Mr. Anderson replied yes and described a gradient of increasing privacy as you move from the front to the rear of the building.

Mr. Anderson continued to describe building types. “Dock Yard Building” should read “Dock Height Building”

Commissioner Monfort commented that the draft zone appears to allow a large office building in the Core, next to shopfront commercial. Mr. Anderson said that the zone should be changed to prevent that type of incompatible development. Commissioner Luvaas noted that the proposed office buildings have 5-foot sideyard setbacks and they typically have zero lot lines. Mr. Anderson said that too should be corrected to read zero.

Principal Planner Bishow asked if there were any proposed minimum building heights or floor-to-area ratio requirements. Mr. Anderson replied no. Bishow asked if all offices could be developed as one-story rather than the three-story depicted. Mr. Anderson replied that minimum heights should be required in the Center or Core areas, but not in the Special District areas.

Commissioner Kelley asked if the roof pitch is prescribed by the illustrations and Mr. Anderson replied no, the illustrations just show an example and aren’t meant to stifle creativity in style of architecture.

Mr. Anderson continued the presentation and described the progression of private frontages as one moves from the Edge toward the Core. Commissioner Brownell asked if

there was a height limitation for front yard fences in the “porch and fence” type frontage. Mr. Anderson replied that it is usually 40-inches. Commissioner Brownell asked if that would still allow a tall hedge to be grown immediately behind and Mr. Anderson replied that the maximum height could also be applied to landscaping between the front of the building and the public sidewalk.

Chair Schiffman asked if there’s a minimum number of similar units to require to avoid an eclectic mis-mash. Mr. Anderson replied that you’ll typically want to run row-houses in a group of four or more, attached houses offer a range of values as interior units cost less while end-units cost more. He added that from block to block it’s okay to have variety as long as there is some overall rhythm to the pattern.

Planning Director Seidler asked if all the frontage types were consistent with the visitability standard that’s included. Mr. Anderson replied yes, if you have a stoop, then your visitability standard is that you have a zero-step entry to the rear where your auto access is located.

Principal Planner Bishow asked if the draft zone suggests any changes to the approved list of City street trees, noting the palm trees shown on the drawings. Mr. Anderson replied that no changes to the City street trees are proposed.

Mr. Anderson described a parking analysis of several small “park once and walk around” towns that found the appropriate ratio to be on the order of 1.6 parking spaces per 1,000 square feet, including on-street parking. So there’s a provisions for the minimum amount of parking required on each parcel depending on if the project is on the Edge, General, Center or Core. With self-parked building types (Edgeyard House, Sideyard House, Bungalow Court, Rowhouse), required parking is provided on site. In the Core areas, the project is allowed to count on street parking as part of the parking calculation. Further reductions to required parking could be allowed, subject to submission and approval of a parking plan.

Commissioner Brownell commented that requiring only 1.5 parking spaces per dwelling is not enough, as most people have two cars, and guests would have nowhere to park. Mr. Anderson replied that there is no maximum proposed for the amount of parking spaces, so people can provide more spaces if they want. Principal Planner Bishow observed that the Commission will be faced with the policy decision on the City’s role in requiring off-street parking and the impact it has on the cost of housing. She stated that one concept emphasized in TND areas is creating a walkable, mixed use area. Commissioner Brownell clarified that she was referring particularly to the Edge areas where people are more reliant on cars. Mr. Anderson offered that those on the Edge would have larger lots and comparatively more on-street parking. Doe Mill, as a reference, compares to the Neighborhood General subzone, where the lots are small and there’s typically one or two parking spaces available per unit on the street. Commissioner Brownell voiced concern about parking adequacy at Doe Mill.

Commissioner Luvaas asked if the parking calculations, particularly at the Edge, were based on the assumption that there would be a substantial number of on-street parking

spaces provided. Mr. Anderson replied yes, but the requirement is for the minimum amount of parking required off-street. In the Core, there would be larger amounts of shared parking. For all the residential uses, except flats and apartment buildings, the project could have unbundled parking where not all units would need to be assigned two spaces. For a fee, the resident could get one or two spaces. To save money, they could not request a space and save on the cost of the living unit. Commissioner Luvaas confirmed that parking on the street would be shared and would allow spaces for guests to park.

Commissioner Kelley commented that requiring parking on a per-dwelling basis is hard to compare to what we have now because it isn't clear how many rooms there are per dwelling. Mr. Anderson said that it should read per "dwelling unit." Mr. DiGiovanni added that developers will evaluate market demand and propose the number of parking spaces that will meet that demand. Mr. Anderson offered the one solution may be to split the Neighborhood Edge and Neighborhood General and require a higher amount of off-street parking at the Neighborhood Edge.

Commissioner Kelley said that meeting market demand is also to provide enough storage, and said that garages should be designed with room for both parking and storage. Mr. DiGiovanni replied that it is the choice of the homeowner to decide how to use their space.

Chair Schiffman adjourned for a 10-minute recess.

Commissioner Kelley clarified that he believes, overall, that developers will propose adequate parking/storage. Mr. Anderson concluded the slide presentation.

Planning Director Seidler asked if other cities have adopted codes like this and, if so, have those areas been developed pursuant to those. Mr. Anderson responded that lots of other cities have adopted a form-based code that prescribes what you want out the other end rather than a set of prohibitions where you lay out the rules and see what you get. Success stories include downtown Providence, Rhode Island, which has come back in a big way, and Climate Street in West Palm. Petaluma is the first city in California to adopt the SmartCode, and they're doing a redevelopment project using it. Lots of places are using it for extensions and redevelopment. Form-based code seems to perform better than PUDs because all PUDs are different and municipalities have difficulty administering them.

Chair Schiffman asked Mr. Steve Noack, of Design, Community, and Environment, to comment on the EIR process. Mr. Noack stated that the EIR will compare the Master Plan and zone itself, with City standards and that performance-based mitigation will be developed that responds to impacts over time as build-out occurs. Chair Schiffman asked if Mr. Noack's work would address the Draft TND zone as it could be applied throughout the City or just as it applies to Meriam Park. Mr. Noack responded that the EIR is primarily for Meriam Park. Principal Planner Bishow added that the Meriam Park project description includes the code amendment and application of a new TND zone to Meriam Park. The EIR will include the analysis of the code amendment but future

requests to amend the General Plan and rezone land to the TND zone require further environmental review.

Commissioner Kelley listed 5 data requests:

- (1) more explanation of the transition at the edges of existing neighborhoods, where new TND project will abut the old;
- (2) maximum heights for the residential so that we can understand how high the peaks of roofs will be and how that's measured;
- (3) clarity on how much minimum or maximum open space (yard) there will be per residential house and a comparison to what we have now;
- (4) with regard to parking concerns, knowing how many rooms are there per dwelling would allow for a comparison with current City standards and help evaluate the apparent reduction in minimum off-street parking requirements;
- (5) the TND zone mentions eight-foot high fences in a number of different areas. Currently a Use Permit is required for an eight-foot high fence, so staff needs to address the issue so that an additional Use Permit is not required.

Commissioner Kelley asked if the City standards for second dwelling units, such as minimum separation from the main house, apply to Carriage Houses? Mr. Anderson replied no, they would not, second dwelling units would only need to comply with standards in the proposed zone. Commissioner Alvistur asked if the owner-occupancy requirement would still apply and Mr. Anderson replied that it would.

Commissioner Kelley asked if, once the TND zone is approved, proposed TND projects would come before the Commission for their review or if it would just be a matter of Planning Director approval. Principal Planner Bishow and Mr. Anderson both said that a Regulating Plan would come before the Commission concurrent with the Tentative Subdivision Map. Ms. Bishow added that if a proposal for a TND project required a General Plan amendment and rezone, the Planning Commission would also review and forward a recommendation to the City Council.

Principal Planner Bishow asked for clarification about how a project would be processed when there is no need for a subdivision. Mr. Anderson said that such a situation would likely occur in an infill setting where the property would still need to be rezoned and the Regulating Plan could be submitted at that time and would need to demonstrate how the proposal would work on existing public rights-of-way and parcels. It would likely be a smaller, focused application and wouldn't need to use all building types. The intent is, if you were to rezone a larger parcel and then come in with a Regulating Plan for a portion of that parcel, you're limited to using what's in the TND zone in your subdivision. If you were phasing development of the large parcel into 4 phases, then you'd have 4 Regulating Plans. You'd do well to lay out a Regulating Plan showing the broader context to see what else is going on nearby.

Commissioner Monfort asked what the Commission would be making decisions about in the future when they have a Regulating Plan in front of them. Mr. Anderson confirmed

that the Commission would evaluate proper allocation of subzones in the proposal and how the proposal would transition at the edges.

Chair Schiffman asked if the Commission would have site plan review, as they currently do with PUDs. Mr. Anderson said that the TND zone is intended to prescribe a consistent approach with what is allowed in a given zone, how buildings behave on their lots, where the public spaces are, but not identifying every single building pad because it's a subdivision map, subject to an urban design code. Mr. DiGiovanni added that the proposed TND zone is supposed to be internally consistent and coherent, and enable traditional neighborhood development that doesn't have to be a PUD.

Commissioner Brownell asked what portion of the plan [building types] would go to the Architectural Review Board (ARB). Mr. Anderson answered that individual developments would be subject to the same provisions requiring ARB approval, and that commercial, industrial, and multi-family projects would still need to go to ARB if they were in the TND zone. Principal Planner Bishow stated that staff will need to review the draft zone to determine which portions of Title 18 and 19 will still be applicable. Mr. Tom Hayes explained that, with this process, he believes the Commission will end up with better control over what the final product will look like.

Commissioner Brownell noted that some of the allowable uses, particularly the uses listed under Agriculture and Open Space, do not apply to this project and she questioned whether cows and horses should be permitted at all, given the minimum 8 foot sideyard setback requirement. She noted that the "SD" acronym is already used by the City for an overly district, and it shouldn't be used by the TND zone. She also asked if processing multiple subdivision maps for one development would present a workload issue for City staff, suggesting that a set time frame may be needed. She also asked how the average lot coverage in the TND zone compares to the current 40% lot coverage for single-family residential and what that difference means in terms of drainage [runoff]. She requested more information about the proposed yield street, where it appears that there's parking on both sides and there's no 2-way traffic, one car has to pull over to let other pass. Mr. Anderson clarified that yield streets do function that way, but they are tertiary streets that are exclusive of the emergency response network.

Mr. Anderson explained utility installation is different on the Edge as in the Center. Short setbacks require that "dry" utilities be provided from the rear and just the "wet" public utilities come in from the street. Joint-trench agreements will likely be recommended.

Commissioner Alvistur opined that the larger number of smaller parks would result in a better neighborhood, but requested that minimum standards be developed for the small parks. He said that, intuitively, 1.5 parking spaces per dwelling unit did not seem enough, as a required minimum.

Commissioner Monfort asked for clarification of the Commission's role when projects come in under the TND zone. He suggested that, details aside, the big question is if we

like the types of places that this zone creates. Planning Director Seidler suggested that there may be some advantage to adopting a TND zone that makes development approvals as administrative as possible.

Commissioner Monfort asked if one was allowed to do extensive remodeling and additions. Mr. Anderson replied that those actions would be allowed, but they'd need to conform with the applicable building standards for their prescribed building type.

Commissioner Schiffman asked if there would be homeowners associations and CC&Rs with this type of zone. Mr. DiGiovanni replied that New Urban Builders does not look favorably upon CC&Rs because CC&Rs inhibit the eventual reinvestment that neighborhoods need over the long term. Mr. Anderson added that requirements in the various building types cover many of the important items that would be handled by CC&Rs, that there's code compliance folks for the important code compliance issues, and that neighbors have to work out the small stuff among themselves.

Commissioner Luvaas asked why a Use Permit is required for hiking, biking and riding trails. Mr. Hayes explained that proposals for trails on private property would likely be adjacent to public land and that the City typically requires a Use Permit in these instances.

Commissioner Luvaas noted that there doesn't seem to be a building type for duplexes and asked if the other residential building types, such as the Sideyard House, could be used for a duplex. Mr. Anderson replied that yes, any of the permitted uses in a particular zone could occupy any of the building types permitted in that zone, but that parking may present a limitation. Commissioner Luvaas requested that it be clarified that building types can be used for any of the permitted uses and not just the use indicated by the drawing.

Commissioner Luvaas observed that porches are an important feature in traditional neighborhoods and asked if porches should be required for the Sideyard House and Cottage building types, as they are for the other building types. Mr. Anderson said that there aren't actually that many porches in traditional neighborhoods.

Commissioner Luvaas asked if it was necessary to require a 10-foot sideyard setback for the Bungalow Court building type. Mr. Anderson said that the setback is advised for detached bungalows to give the occupant some private space for gardening, placing the air conditioning condenser on private property, etc. Commissioner Luvaas asked if the units in a Bungalow Court would be rented or individually owned. Mr. Anderson said that the zone would allow either, but that individual ownership is most likely.

Commissioner Luvaas noted that the 7-foot wide parkway strip called out in the Street Standards matches the current City standard for parkway width, but that the Urban Forester, Chris Boza, often recommends 8-feet for root health. He would like for staff to see if Mr. Boza recommends 8-feet for this standard before we further codify 7-feet as the standard.

Commissioner Luvaas noted that the sign provisions in the proposed zone seem consistent with existing sign provisions, but requested that an analysis of the changes be conducted to see how they'll work.

Commissioner Luvaas said that we need requirements for frontage articulation so that we can verify that there's a certain quality to the look [of proposed projects].

Commissioner Luvaas asked for examples from other areas of how parking standards like the ones proposed are working. Mr. Anderson suggested that the Commission consider the effect of a minimum parking space requirement. If the City requires it, then the cost is built into every development, every time. If the market is provided the opportunity to provide more parking, then those houses are differentiated from others with less parking and people can make market decisions. He added that New Urban Builders could provide examples that will give a range of comfort and present subzones separately, offering different minimum parking requirements for each.

Commissioner O'Bryan observed that there are currently very few 20-acre parcels available for this type of development in the City and that smaller projects would be determined eligible at the discretion of the Planning Director. He suggested that the Commission may want to be the ones to decide when the TND zone is appropriate for smaller parcels.

Commissioner O'Bryan asked if the attic units in apartment buildings, because attics don't count as a story, would be included in parking requirement calculations. Mr. Anderson explained that attics count as a half-story and are not used for building height calculations. Parking requirements are determined by the number of units, including units located on the attic level.

Chair Schiffman asked what effect the TND zone would have on overlay districts. Principal Planner Bishow said that existing overlay zoning districts would not be affected unless the rezone application also requested a change to the overlay zoning.

Chair Schiffman asked if billboards would be allowed in the TND zone.
Chair Schiffman asked if sound walls would be allowed in the TND zone.

Commissioner Brownell requested that New Urban Builders be allowed to come back to present the Street Sections which weren't shown due to technical difficulty.

Principal Planner Bishow announced that, if possible, another work session on the TND zone will be scheduled prior to the Planning Commission's public hearing on this issue to respond to questions raised tonight and to complete the presentation.

Chair Schiffman closed the work session portion of the meeting.

6. BUSINESS FROM THE FLOOR

None.

7. PLANNING UPDATE

Planning Director Seidler introduced new Associate Planner Mike Sawley.

Mr. Seidler advised that the City Council upheld the decision by the Planning Commission to approve Hawes Parcel Map (PM 05-11) and denied the appeal.

Mr. Seidler announced that the City Council has scheduled a workshop to discuss infill and flag lot development on March 28, 2006. He explained that this will not be a joint workshop, but that the Commissioners are welcome to attend and participate as long as there isn't a quorum present; if a quorum is present, then the Commissioners can not participate.

Principal Planner Bishow reminded the Commission of the 4 Planning Commission meetings scheduled in February. She requested their availability for a third meeting in March to review the Mountain Vista Subdivision (S 01-12) and Sycamore Glen Subdivision (S 00-11).

8. ADJOURNMENT - There being no further business from the Commission, the meeting adjourned at 9:33 p.m. to the Regular Meeting of February 2, 2006.

April 6, 2006
Date Approved

/s/
Kim Seidler
Planning Director

**CITY OF CHICO PLANNING COMMISSION
FEBRUARY 2, 2006 MINUTES**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Irv Schiffman, Chair
Vic Alvistur, Vice Chair
Mary Brownell
Dave Kelley
Jon Luvaas
Kirk Monfort
Steve O'Bryan

Staff Members Present: Kim Seidler, Planning Director
Teresa Bishow, Principal Planner
Claudia Sigona, Senior Planner
Steve Betts, Associate Planner
Ed Palmeri, Associate Planner
Mike Sawley, Associate Planner
Matt Johnson, Senior Development Engineer
Lori Barker, Assistant City Attorney
Renee Schreindl, Administrative Secretary

1. ROLL CALL

Chair Schiffman called the meeting to order at 6:30 p.m. Commission members and staff were present as noted.

2. DISCUSSION OF EX PARTE COMMUNICATIONS

Commissioner Monfort reported that he had spoken with Sandy Fisher regarding Nursery Place.

3. PUBLIC HEARING ITEMS

3.1. Kevin Thomas Tentative Parcel Map (PM 05-13) 2321 Fair Street - A request to divide a 0.68-acre parcel into four lots ranging in size from 6,000 square feet to 8,278 square feet for single-family residential development. The project would result in a density of 5.1 dwelling units per gross acre. The property is located on the east side of Fair Street, south of East 23rd Street, and at the west end of Yarrow Street, at 2321 Fair Street, and is identified as Assessor's Parcel Number 005-490-051. The parcel is designated on the City of Chico General Plan Diagram as Low Density Residential and is zoned R1-SD-6 Low Density Residential/Chapman/Mulberry Neighborhood special design considerations overlay zone. This project is categorically exempt from environmental review pursuant to Section 15332 of the California Environmental Quality Act (CEQA)

Guidelines In-Fill Development Projects. *Staff recommends that this item be continued to a future Planning Commission meeting.*

The Planning Commission continued this item to the Planning Commission meeting of February 16, 2006.

- 3.2. Perkins Trust Tentative Vesting Parcel Map (PM 05-15) 464 Juniper Street -**
A request to divide a 0.91-acre parcel into two parcels for single-family residential development. Proposed lot sizes are 16,745 square feet and 19,855 square feet. The project would result in a density of 2.2 dwelling units per gross acre. The property is located on the east side of Juniper Street, approximately 600 feet north of Vallombrosa Avenue, at 464 Juniper Street, and is identified as Assessor's Parcel Number 045-640-016. The parcel is designated on the City of Chico General Plan Diagram as Low Density Residential and is zoned R1-15 Low Density Residential 15,000 square foot minimum parcel size. This project is categorically exempt from environmental review pursuant to Section 15332 of the California Environmental Quality Act (CEQA) Guidelines In-Fill Development Projects. *Staff recommends that the Planning Commission approve, with conditions, Perkins Trust Vesting Parcel Map.*

Associate Planner Betts presented the staff report.

Chair Schiffman opened the public hearing. Addressing the Commission in the following order were:

Wes Gilbert, representing the applicant, spoke in support.

There being no other speakers, the public hearing was closed.

Commissioner Alvistur moved, seconded by Commissioner O'Bryan, that the Planning Commission adopt Resolution No. 05-60 approving the Perkins Trust Tentative Vesting Parcel Map (PM 05-15) based on the required findings and subject to the conditions of approval contained therein with the following changes:

Modification:

- 7. The 36-inch tree located behind the existing dwelling on Parcel 1 shall be preserved. The applicant shall indicate on all grading and building plans that this tree shall be preserved in compliance with Chico Municipal Code Section (CMC) 19.68.060 Tree Preservation Measures. Prior to approval of building and/or grading permits, Building Division and Engineering Division staff shall verify that the proper notation for tree preservation is indicated on all applicable development plans and a copy of CMC 19.68.060 is included on all applicable plan drawings. Prior to any ground-disturbing activities, including clearing, grubbing, scraping and grading of the subject site, the applicant shall conduct a pre-construction (pre-ground disturbance) site meeting with Planning staff and the supervising contractor.*

All protective fencing shall be installed prior to this meeting.

Additions:

- 10. The final map shall reflect a 20-foot front yard building setback on Parcel 1.*
- 11. The half-street section of Juniper Street along the project site frontage shall be constructed to a width of 16 feet.*

Motion passed 7-0.

- 3.3. Hollis Elliot Parcel Map (PM 05-16) 548 W. East Avenue** - A request to create two lots on a 0.78 acre parcel located at the northeast corner of W. East and Cussick Avenues and addressed as 548 W. East Avenue. The site is currently developed with a veterinary hospital. The project site is identified as Assessor's Parcel Number 042-450-046, is designated on the City of Chico General Plan Diagram as Office, and is zoned OR Office Residential. This project is categorically exempt from environmental review pursuant to Section 15315 of the California Environmental Quality Act (CEQA) Guidelines Minor Land Divisions. *Staff recommends that the Planning Commission approve, with conditions, Hollis Elliot Parcel map.*

Associate Planner Palmeri presented the staff report.

Chair Schiffman opened the public hearing. Addressing the Commission in the following order were:

Wes Gilbert, representing the applicant, spoke in support.

There being no other speakers, the public hearing was closed.

Commissioner Monfort moved, seconded by Commissioner Kelley, that the Planning Commission adopt Resolution No. 06-02 approving the Hollis Elliot Tentative Parcel Map (PM 05-16) based on the required findings and subject to the conditions of approval contained therein.

Motion passed 7-0.

- 3.4. Use Permit (UP 05-43) Modification No. 2 (Riley) 152 E. Frances Willard Avenue** - A request to modify a previously-issued use permit which authorized a fence five feet in height and wall six feet in height within the front yard setback of property located at the northeast corner of E. Frances Willard Avenue and The Esplanade. The modification involves the wall on the eastern portion of the front property line, which was originally approved to be six feet in height and located

seven feet behind the back of sidewalk. The requested modification would authorize a wall six feet in height located two feet behind the back of sidewalk. The site is identified as Assessor's Parcel No. 003-176-010, is designated Low Density Residential on the City of Chico General Plan Diagram, and is located in an R1 Low Density Residential zoning district. This project is categorically exempt from environmental review pursuant to Section 15303(e) of the California Environmental Quality Act Guidelines New Construction or Conversion of Small Structures. *Staff recommends that the Planning Commission either a) find that the project is categorically exempt and approve Use Permit 05-43 Modification No. 2 (Riley), based on the findings and subject to the recommended conditions of approval, or b) deny Use Permit 05-43 Modification No. 2 (Riley).*

Principal Planner Bishow presented the staff report for Assistant Planner Redeker who was absent.

Chair Schiffman opened the public hearing. Addressing the Commission in the following order were:

Melinda Vasquez, opposed.

Marci Goulart, opposed.

There being no other speakers, the public hearing was closed.

Commissioner Luvaas moved, seconded by Commissioner Brownell, that the Planning Commission deny Use Permit 05-43 Modification No. 2 (Riley).

Motion passed 7-0.

- 3.5. 1645 Esplanade Tentative Condominium Subdivision Map (S 05-12) (Hart Diversified, LLC)** - A request to approve the creation of two condominium units and one common area for existing offices located at 1645 Esplanade. The project site is identified as Assessor's Parcel No. 003-022-010. The property is designated Office on the City of Chico General Plan Diagram and is in an OR-SD-4 Office Residential-Special design considerations overlay zone - West Avenue Neighborhood Area zoning district. The project is categorically exempt from environmental review pursuant to Section 15301 (k) of the California Environmental Quality Act Guidelines (Existing Facilities). *Staff recommends that the Planning Commission approve, with conditions, Esplanade Tentative Condominium Subdivision Map.*

Associate Planner Palmeri presented the staff report.

Chair Schiffman opened the public hearing. Addressing the Commission in the following order were:

Wes Gilbert, representing the applicant, spoke in support.

There being no other speakers, the public hearing was closed.

Commissioner Monfort moved, seconded by Commissioner Luvaas, that the Planning Commission adopt Resolution No. 05-57 making a determination that the project is categorically exempt and approve 1645 Esplanade Tentative Condominium Subdivision Map (S 05-12), subject to the findings and conditions contained therein.

Motion passed 7-0.

- 3.6. Nursery Place Subdivision Map/Planned Development Permit (S/PDP 05-04) 400 W. 6th Avenue, APN 043-740-067** - A proposal to create six parcels on 1.19 acres located on the north side of W. 6th Avenue, situated between Citrus Avenue and Hobart Street, with additional access from Robert E. Lee Place, a private drive. Two single-family residences and one duplex are currently located on the property. If approved, new single-family residences would be constructed on Parcels 3-5. At ultimate development (7 total units), the gross density for the project will be 5.88 units per acre. Average lot size is 7,748 square feet (gross) and 5,615 square feet (net). The subject site is designated Low Density Residential and zoned R1 Low Density Residential. This project has been determined to be categorically exempt from environmental review pursuant to the California Environmental Quality Act Section 15332 In-Fill Development Projects. *Staff recommends that the Planning Commission approve, with conditions, Nursery Place Subdivision Map and Planned Development Permit.*

Senior Planner Sigona presented the staff report.

Chair Schiffman opened the public hearing. Addressing the Commission in the following order were:

Tim Wood, representing the applicant from The Engineering Group, spoke in support.

Gale Brown, expressed concerns.

Melinda Vasquez requested the house on Parcel 3 be single story and reoriented to face W. 6th Avenue.

Lauren Neville, expressed concerns.

Steve Schuman, applicant, spoke in support.

There being no other speakers, the public hearing was closed.

The Commission continued this item to the Planning Commission meeting of March 2, 2006, to allow the applicant an opportunity to address the issue of providing access to the landlocked parcel.

4. BUSINESS FROM THE FLOOR

None.

5. PLANNING UPDATE

Planning Director Seidler recommended the Commission keep a record of people they

speak with concerning Enloe for ex parte communications. He distributed a copy of the staff report for the Cook Use Permit (UP 05-52) appeal to City Council.

6. **ADJOURNMENT** - There being no further business from the Commission, the meeting adjourned at 9:05 p.m. to the Adjourned Regular Meeting of February 6, 2006.

April 6, 2006
Date Approved

/s/
Kim Seidler
Planning Director

**CITY OF CHICO PLANNING COMMISSION
FEBRUARY 6, 2006 MINUTES**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Irv Schiffman, Chair
Mary Brownell
Dave Kelley
Jon Luvaas
Kirk Monfort
Steve O'Bryan

Commissioners Absent: Vic Alvistur, Vice Chair

Staff Members Present: Tony Baptiste, Community Services Director
Kim Seidler, Planning Director
Fritz McKinley, Director of Engineering
Teresa Bishow, Principal Planner
Brendan Vieg, Senior Planner
Matt Johnson, Senior Development Engineer
Lori Barker, Assistant City Attorney
Mary Fitch, Administrative Secretary

Project Consultants Present: Whit Manley, Remy, Thomas, Moose & Manley
Mark Teague, Pacific Municipal Consultants
Jeff Clark, Fehr and Peers

1. ROLL CALL

Chair Schiffman called the meeting to order at 6:30 p.m. Commission members and staff were present as noted.

2. DISCUSSION OF EX PARTE COMMUNICATION

Each Commissioner disclosed various outside communications regarding the project.

3. PUBLIC HEARING ITEMS

- 3.1. To consider recommendations to the City Council regarding (1) certification of the Final EIR for the Enloe Medical Center (EMC) Master Plan and its associated Mitigation Monitoring and Reporting Program, (2) approval of a Development Agreement (DA 03-03) between the City of Chico and EMC, and (3) approval of proposed General Plan amendments and rezones (GPA/RZ 03-04) for various properties within the EMC campus consistent with the proposed Master Plan.**

Enloe Medical Center (EMC) is located on a 13.19 acre campus in central Chico, Butte County. The campus is generally located west of the Esplanade, south of West

Seventh Avenue, north of West Fourth Avenue, and east of Arcadian Avenue (APNs various).

EMC has prepared a Master Plan proposing the improvement and expansion of facilities within the existing campus for the time period 2005-2025. The project proposes expansion of the existing 186,405 square foot hospital building through the combination of new construction and remodeling of existing hospital space. The Master Plan would be built in three phases, and includes: 1) a new 191,000 square foot, five-story bed tower, which will provide a net increase of 142 patient beds for a total of 346 beds; 2) a 790-space, three-story, four-level parking garage to be located on the east side of Magnolia Avenue between West Sixth and West Seventh Avenues and the alley; 3) realignment of Magnolia Avenue between West Fifth and West Sixth Avenues to facilitate the new hospital tower; and 4) construction of a passive park generally between Magnolia and Arcadian Avenues, and West Fifth and West Sixth Avenues.

The proposed project requires the following City approvals: (1) an amendment to the City's General Plan to change the current land use designations affecting various properties from Low Density Residential and Office to Public Facilities and Services; (2) a rezone to change the current zoning affecting various properties from OR Office Residential and R1 Low Density Residential to PQ Public/Quasi Public; (3) approval of a development agreement to govern allowed uses, density, design, improvement, and construction standards and specifications for development of the EMC campus consistent with the proposed Master Plan; (4) abandonment of Magnolia Avenue between the south half of the block between West Seventh and West Sixth Avenues and the north half of the block between West Fourth and West Fifth Avenues with a realignment and simultaneous rededication of a new curvilinear Magnolia Avenue as reflected in the Master Plan, as well as the abandonment of the alleyway between Magnolia and Arcadian Avenues bordered by West Fifth Avenue and West Sixth Avenues to facilitate the EMC expansion; (5) a grant of license or other right to encroach into the north side of the West Fifth Avenue right-of-way, between Magnolia Avenue and the Esplanade to accommodate a covered ambulance and emergency patient drop-off; and (6) minor property line adjustments to move or eliminate parcel lines to facilitate development of the project site consistent with the Master Plan.

Additionally, in accordance with the California Environmental Quality Act (CEQA), an Environmental Impact Report (EIR) has been prepared by the City to consider potential impacts associated with implementation of the Master Plan, and to provide mitigation measures that will reduce potential impacts to less than significant levels. The Draft EIR was released for public and agency review on May 31, 2005, and the review period ended on August 1, 2005 (a 60-day review period). Comments were received and responses have been developed as part of a Final EIR. It has been determined that the proposed project would result in the following significant and

unavoidable impacts: Air Quality - construction and operation of the project would exacerbate nonattainment for criteria air pollutants within the air basin and contribute to cumulative air quality impacts; Noise - there is a significant and unavoidable sleep disturbance impact associated with helicopter operations. Prior to taking final action on the proposed Master Plan, the City, acting as the lead agency, is required to certify the EIR.

Chair Schiffman provided a brief explanation of the separate components of the project and stressed that this is not the appropriate forum for addressing any labor disputes. He then outlined the procedural guidelines to be used for the public hearing, indicating the location of the cards to be used in determining the order of speakers. Planning Director Seidler added that a chair had been reserved at the front of the audience seating to be used as a waiting area for the next speaker in line.

Senior Planner Vieg introduced the project consultants in attendance and presented the staff report, using wall displays and video images for clarification. He outlined the three phases of the proposed project, including timelines for their completion, and reviewed the proposed landscape plan and architecture, which included features resulting from the public charrette process. He then provided an overview of the separate entitlements necessary for the project and highlighted several issues staff believes should be given particular consideration by the Commission.

Project consultant Whit Manley then provided a brief presentation regarding the difference between the procedural and substantive aspects of CEQA review. He stated that the City had complied with all of the procedural requirements and asserted that the City had also done a good job with its substantive obligations such as identifying criteria, impacts, and mitigation measures, pointing out that all of the comments received had been addressed in the final document. He went on to say that with regard to mitigation measures, they are included in the EIR to assist in making informed choices and should be considered and weighed against competing concerns, and contrasted mitigation measures with alternatives, which ask whether the objective can be reached in a more environmentally sound way.

Mr. Manley then stated that the CEQA process is often a basis for litigation and stressed the importance of the City carrying out its obligations scrupulously. He concluded by saying that in this instance the process was not simply an exercise, but rather that it effected a good result by changing the project in an authentic attempt to be responsive to comments received.

There being no questions for staff, Chair Schiffman explained that EMC and the Chico Avenues Neighborhood Association (CANNA) would be given equal time to speak, after which the floor would be opened to other interested parties wishing to address the Commission.

Chair Schiffman opened the public hearing at 7:10 p.m. and invited representatives of EMC to make a presentation.

Betty Dean, Chair of EMC Board of Directors, explained the various site options that had

been considered before concluding that the current project location was the only logical choice. She stated that the \$110 million expansion has been in the planning stage for seven years and that EMC does want to be a good neighbor, having changed the plan through the charrette process, and she urged the Commission to back the project.

Dr. Jeff Lobosky, representing EMC medical staff, stressed that the expansion is needed not only for space, but also to facilitate recruitment of professionals who will bring with them new technology and innovative, sophisticated services to meet the needs of increasing numbers of patients from outside the traditional “catch” area who want to come to EMC because of its growing reputation for excellence in various fields.

Dan Neumeister, EMC Chief Executive Officer, provided an overview of the charrette that EMC conducted in an effort to break down communication barriers with the community, which resulted in a variety of design modifications such as additional architectural features, a revised plan for Magnolia Avenue, consolidation of the two original parking structures into one, and the neighborhood park. He said that EMC has also agreed to “Ten Guiding Principles”, which is a covenant with CANA, and that the hospital is very proud of the work it has done with the neighbors.

Marty Marshall, EMC Emergency Room Director and Flightcare pilot, addressed the proposed mitigation measures that would move some or all of the helicopter operations away from the hospital. He stressed that it would be a senseless waste of resources, because the highly qualified flight staff also work in the hospital’s emergency room.

Katy Thoma, former director of the Jesus Center and a neighbor of EMC, said that although her windows rattle when the EMC helicopter flies over the Esplanade, she considers it a call to pray for the flight staff and the patient rather than an annoyance. She acknowledged that not all of the neighbors share her sentiment, but stressed that CANA does not speak for the entire neighborhood either. She went on to point out that EMC treats everyone the same, even the homeless, and she expressed hope that the Commission will allow the expansion.

At this time, Chair Schiffman invited representatives of CANA to make their presentation.

Kristine Mazzei, member of CANA’s Board of Directors, said that the feedback the Board received had been condensed to reflect the ideas of most of the neighborhood residents. She gave a slide show presentation setting forth 10 conditions under which CANA would support the expansion project, including providing infrastructure improvements, creating and implementing a comprehensive traffic calming plan, adding “liner” buildings as a buffer between the parking structure and residences, relocating helicopter operations to the Chico Municipal Airport, making CANA a voting partner in design and planning, formally involving CANA in the annual review and evaluation of the parking demand management plan, making the hospital conference center available for community functions, limiting future hospital development to within the charrette “red line”, prohibiting future rezones of residential lands for hospital expansion, and inviting one CANA board member to serve on the EMC Board of Directors.

Ms. Mazzei then stated that the project does not go far enough to get to a winning outcome.

She pointed out that the neighbors are accepting many impacts, and she asserted that \$250,000 and a neighborhood park are not enough to compensate for them. She said that CANA is demanding excellence because it wants excellent land use planning, not just excellent health care, adding that everything CANA has presented is environmentally superior to what is being proposed. In summary, she stated that the neighborhood is committed to continue working with EMC and that it is time for the City to fulfill its obligation to the community to ensure that the project delivers a winning outcome with equally shared successes.

At the conclusion of Ms. Mazzei's presentation, Chair Schiffman opened the hearing to other members of the public.

Robert Woods spoke in opposition to the project, saying that the EIR underestimates required parking, does not adequately address helicopter and ambulance noise, ignores air quality impacts due to emissions from diesel equipment during the site grading phase of construction, and fails to take into account other factors such as future growth of student population and second dwelling units.

Lee Ann Schlaf expressed a desire to see the Commission require a design incorporating multi-use into the parking structure and liner buildings or live/work space to help contain the project between the east side of Magnolia Avenue and the Esplanade.

Charles Withuhn asserted that the proposed expansion will create traffic issues that will adversely affect Citrus Elementary School and urged the Commission to require EMC to move its emergency operations to the Cohasset location.

Marsha Martin, a member of the EMC Board of Trustees, related a personal story to try to illustrate the importance of having a hospital that can meet the needs of each person in the community, and she noted that EMC has made many efforts to address the community's concerns with respect to the proposed expansion.

Tamara Yates, representing the Community Benefit Coalition, said that she had received a letter from the Chico Chamber of Commerce supporting the project and that it contained a number of misrepresentations. She stated that EMC is not a high-paying employer, that the new facility will be outgrown before it is built, that 2 weeks is too short a time to analyze the EIR, and that shifting to a development agreement is irresponsible because the neighbors do not yet understand it.

Andrea Andrews, representing the obstetric unit at EMC, said that the staff in her unit provide the best care they can; however, the aging facility is a detriment to the quality of care. She went on to say that this expansion is not about anything other than meeting needs; sixty-one staff members in her unit have put their differences of opinion about EMC aside and signed a letter in support of the project.

Marvin Davidson, who has lived in the neighborhood for 25 years, said that he wants this project to be the number one priority for the City, but he wants to make sure that parking lost

to the expansion is taken into consideration, that curbing will be provided where muddy potholes are now, and that traffic calming measures are in place when construction begins, particularly since the project will directly affect Citrus Elementary School.

The meeting recessed at 8:12 p.m. and reconvened at 8:27 p.m.

Robert Coots said that his experiences with EMC had always been excellent, other than once when he was left in a hallway because all of the rooms were already full of patients. He stressed that he does not want to be forced to go out of town to go to the hospital and urged the Commission to expedite the process and allow the hospital to be enlarged.

Ed McLaughlin said that he would like a noise study to address aggregate rather than cumulative impacts, and that he wants the applicant to provide assistance to the neighbors with additional insulation against the noise, as well as with air conditioning and electrical costs, since their windows will not be able to be left open.

Kasey Merrill, representing CANA, requested that no recommendations be made to the Council until the Final EIR and the staff report are corrected to reflect the true project, and she voiced support for Ms. Mazzei's earlier comments.

Judy Cline, an EMC FlightCare nurse, related a story about a critically ill patient who had to be transferred to UC Davis because there was no room available at EMC, and explained that because the helicopter was available onsite, EMC staff was able to deliver him to UC Davis in only 34 minutes. She then introduced Jon Berger, the patient about whom she had just been speaking, and said that there are hundreds of similar examples of patients who received the best possible service because of the helicopter on the roof.

Joy Anderson Kimball relayed a personal story about how her mother was able to live with her in Chico because of the quality of care she could receive at EMC and spoke in favor of the project.

Lance Tennis spoke in favor of the project, urging the Commission to get serious about planning for the future rather than basing its decision on unhappy employees and disgruntled neighbors, and recounting a personal experience about requiring emergency transport by FlightCare.

Kyle Harp, EMC employee and union member, submitted a letter from an attorney regarding the Final EIR and asked the Commission not to approve it in its current form and to require recirculation.

Trudy Duisenberg, EMC employee and neighbor, spoke in favor of the project and explained EMC's involvement in various beneficial community activities related to cardiac care awareness.

Fred Davis spoke in support of the EMC proposal and urged the Commission to act quickly and decisively, acknowledging that this is a tough issue but reiterating that delays mean

additional costs and equating the value of this project to the community with previous controversial projects such as the expansion of the university and Highway 99.

Christine Sarrico, representing EMC, spoke in favor of the project and pointed out that the additional costs related to delays will ultimately be passed along to the entire community.

Joe Chiapella, M.D., representing EMC, spoke in support of the project and recounted a recent situation in which he had to tell a doctor that he could not accept a critically ill patient because there was no bed available in the EMC intensive care unit.

Robert Adams, EMC staff member in charge of charitable support for the expansion project, said that the incredible swell of staff support has come down to a couple of basic things, not the least of which is that expansion will positively affect every department. He noted that EMC employee donations have amounted to roughly \$535,000 to date.

Doug Bentz, Administrator of Butte College Health Programs, spoke in favor of the project and explained because three of the college's programs use EMC for clinical classes (students spend approximately 1,200 hours apiece there), it is essential that EMC be permitted to provide sufficient facilities to support that training.

Li Poa, a cardiac surgeon at EMC who spoke in favor of the project, reflected back to Ms. Cline's earlier story about Mr. Berger and said that situations like that are the ones he was hired to correct. He stressed that if he had seen how a handful of neighbors could hold up a project like this before he had accepted the position at EMC, it would have drastically affected his decision to transfer here, and he noted that since EMC is a non-profit hospital and all of its revenues go back into the hospital for staff and doctors, \$50 million worth of delays has already been lost to the community.

Nancy Mayer, an EMC employee who previously worked at Chico Community Hospital, spoke in favor of the project and said that because EMC is a non-profit facility, it provides care for all community members, even the homeless.

Ken Lango, representing Chico Economic Planning Corporation (CEPCO), stated that CEPCO had voted unanimously to support the project and asked the Commission to move it forward, since Chico will likely not have another opportunity such as this to grow its regional health care system and create 400 new jobs resulting in an increased payroll of \$20 million that will be spent locally.

Barbara Garcia, EMC employee and SEIU service unit member, asked the Commission to reject the Final EIR in its current form because although the hospital needs to be expanded, the current proposal does not counter balance the environmental impacts with public interest. She stated that the community should not expect to be treated any better by EMC than the way it treats its staff.

Beverly Robertson, neighbor of EMC, spoke in opposition to the project and said that she dislikes the newly received packet with the development agreement. She added that the neighbors are not responsible for all of the additional costs of delays, since the project has

been in the planning stages for seven years and the neighbors have only known about it for the last two.

Bob Kiuttu, 25-year employee of EMC, spoke in favor of the project, outlining some of the many opportunities and benefits EMC provides for its staff and asserting that many of the people who are opposed to the project are the same ones who complain when the quality of medical care is less than they think they deserve.

Linda Reynolds, EMC employee, spoke in support of the project, saying that EMC is trying its best to respect the neighbors' needs and suggesting that the neighbors should give EMC's needs the same consideration.

Tony DeLuca, a member of the EMC Century Committee, spoke in favor of the expansion and recapped some of the positive economic impacts it will have on the city. He urged the Commission to move quickly and not to allow outside interests and petty complaints to delay the project any longer.

Steve Gonsalves, a local architect who has designed other health care centers, asserted that it would be impossible to disassociate the emergency room from the hospital, since it needs to be in the same location with radiology, surgical services, the clinical lab, etc. He said that EMC is doing its best to work with the neighbors, and that if the neighbors want more, maybe they should pay for it themselves.

Michael Dailey, family member of two EMC employees, spoke in favor of the project and made the point that although there were a variety of complaints from students at the university when he was student body president, none were about the helicopter noise, and that he believes having the ambulance so close to the campus is more reassuring than bothersome.

Alivia Strawn, EMC Nursing Department Manager, spoke in support of the project, saying that when she came to work at EMC six years ago, staff rarely had to put patients out in the hall other than on holidays, for instance, when there was a significantly higher number of accidents and injuries. Now, however, it happens so frequently that there is no choice other than to expand the facility to make room for the patients.

Stuart King spoke in opposition to the project, saying that the neighborhood has already deteriorated due to the presence of the Outlaws baseball games and that if EMC wants to expand, it should be required to make improvements to the streets, etc. to compensate the neighbors.

David Palmerlee, with the carpenters' union and the Community Benefit Coalition, spoke against the project and said that although all the "feel good" stories are nice, the EIR is clearly incomplete and contains errors that need to be corrected.

Ben Calo, EMC employee and SEIU service unit member, urged the Commission to deny the EIR and expressed his opinion that EMC has no track record to earn the community's

trust, due to its violation of fair labor laws.

Bob Linscheid, representing Butte County Economic Development Corporation, spoke in favor of the project. He said that the project is the single largest economic expansion in Chico's history, and that if this were a stand alone project, the community would be bending over backward to support it and provide incentives instead of asking EMC to spend \$207 million when \$110 million is clearly the better alternative.

Betty Nopel, neighbor of EMC, read a letter that she had submitted, pointing out that although the expansion's impact is nil for most citizens, for the neighbors it is great, and asking EMC to share their burden by finishing curbs, gutters, etc. and to provide the tools to rehabilitate the blighted homes.

Molly Amick, representing CANA, encouraged the Commission to relocate the helicopter to the airport and to prohibit the expansion unless EMC is required to help the neighbors. She said that everyone agrees there should be a good hospital; however, better health care should not come at the expense of children's safety, displacement of the elderly, and other erosion of the neighborhood.

Marba Hazzard said that although EMC is promising overwhelming community benefits that will override the negative aspects of the project, it currently ranks among the lowest in the state for providing health care for uninsured patients and has employees who do not earn a living wage and are forced to rely on public assistance, and for those reasons does not have a reputation that can be trusted.

Marcia Nelson, EMC Vice President of Medical Affairs and a local family physician, spoke in favor of the project, stressing that not only is there is a real urgency to provide room for patients, but also to provide the quality of facilities that will allow EMC to recruit top professionals.

Karen Laslo, EMC neighbor, spoke in opposition to the project, saying that the neighbors should not have to pay for their own infrastructure because EMC can afford it with the millions of dollars it will save by expanding into the neighborhood rather than relocating.

The meeting recessed at 9:55 p.m. and reconvened at 10:05 p.m.

Ted Schwartz spoke against the project and urged the Commission to consider what will best serve the community rather than what is the least expensive, since the project will likely take longer and cost more than projected, and will be inadequate to meet the area's needs by the time build out is complete.

John Anderson of New Urban Builders spoke in favor of the project, pointing out that EMC has been attempting to work through the various issues in good faith and itemizing project details that have been altered in response to the community's concerns and comments.

Linda Kline, EMC neighbor, stated that she does not support the project in its current form, since there will be a need for an additional expansion within the next 25 years, and there is

not anything to hold it within the boundaries of Magnolia and 6th Avenues.

Steve Horne, representing Merit Medi-Trans, spoke in support of the expansion, explaining that his medical transportation company routinely transports patients to UC Davis and San Francisco because there are no beds available at EMC, and stressing that the additional costs to patients are very high.

Jim Goodwin, President and CEO of the Chico Chamber of Commerce, spoke in favor of the project, saying that it is the entire community's responsibility to ensure that as the City grows, the quality of its health care grows with it and commenting that this one project should not be held accountable for the increased challenges that growth places on City infrastructure.

Bruce Burke, EMC Board Member and physician, urged the Commission to reject further delays and allow the project to move forward, and he reiterated some of the problems related to having too little space and few beds to provide quality medical care at the current facility.

David Killingsworth, EMC physician, spoke in support of the project and said that he recently left the #9 rated children's hospital in the country to return to EMC because of his belief in how much it cares about the community and the fact that it is willing to go the extra mile to work with its neighbors, a quality lacking in many hospitals.

Barbara Reed spoke in opposition to the project, saying that the development agreement gives EMC a 20-year carte blanche, that liner buildings are the best way to blend the project with the neighborhood, and that the proposed neighborhood park is on private land that could be reclaimed at any time. She went on to recommend that if Enloe did not care to be a landlord for the liner buildings, a community trust could be established with the City holding title and 99-year tenant leases, and that the neighborhood park should be deeded to the City in order to guarantee perpetual public access and use.

Melinda Vasquez spoke against the project, asserting that for the past several years there has been a constant refusal by the EMC administration to discuss alternative sites and recommending that an in-depth analysis be conducted by the City to verify EMC's claims that building on the Cohasset Road site will cost \$200 million.

Peter Calo spoke in opposition to the project and said that quality care is provided by people, not space, and adding that if the hospital expands and doesn't provide fair wages to its employees, it will just be a bigger building with more employees being paid unfair wages.

Jan Probst, a registered nurse at EMC, spoke in support of the project and detailed the various types of community service EMC currently provides free of cost, including donating to and making meeting rooms available for the cancer society.

Randal Stone, representing the Community Benefit Coalition, spoke against the project, stating that EMC does not adhere to a true community benefit ideal and does not provide even the standard amount of charity care.

Ann Marie Robinson, representing the Infection Connection, spoke in opposition to the project, asserting that a better idea would be to bring a second hospital to Chico to prevent EMC from having a monopoly on providing local health care.

Kitty Courcier, a registered nurse at EMC and resident of the Avenues, urged the Commission to consider carefully whether the proposed expansion plan is the result of thoughtful planning for the future or if it is simply crisis-driven, and she outlined various neighborhood infrastructure improvements that she believes should be included in the project, unless taxpayers are willing to bear the costs.

Greg Tropea urged the Commission to take a hard look at the project before approving it, since there must be serious issues if the expansion, which should enjoy full community support, has generated such a large degree of opposition.

Tom DiGiovanni spoke in support of the project, praising EMC for its authentic efforts to work out issues with the community through the charrette, in which hundreds of people participated and from which came a conceptual plan and a series of principles that guided the final proposal, and cautioned the Commission not to make a “perfect project the enemy of a good project”.

Clyde Powers, the first Chief Financial Officer of EMC, spoke in favor of the project and said that at EMC, the poor do not have to compete with the wealthy for care, because there is a policy in place to care for those who are uninsured, adding that EMC has earned the community’s trust, and that the neighborhood, while important, does not represent the entire community.

At 10:52 p.m., all members of the public still present who wished to address the Commission had been heard. Chair Schiffman stated that the public hearing would remain open to afford an opportunity for those who had left before their turn to speak or who had been unable to attend tonight’s meeting to be heard at the meeting of February 8, 2006.

Project consultant Whit Manley briefly reviewed a list he had created, categorizing tonight’s public comments in opposition to the project into four broad categories. He explained that most of the comments related to policy decisions, rather than legal decisions, which are to be considered and decided upon at the Commission’s discretion; however, he recommended that any legal issues regarding the adequacy of the EIR be addressed by staff at the next meeting. The Commission agreed to the recommendation by consensus.

Chair Schiffman summarized by saying that the order of business for the next meeting would be to finish the public hearing, receive staff’s responses to the issues raised regarding the EIR, and allow the Commission to ask questions of EMC and staff.

4. ADJOURNMENT

Chair Schiffman adjourned the meeting at 10:57 p.m. to the adjourned regular meeting of February 8, 2006.

April 6, 2006
Date Approved

/s/
Kim Seidler
Planning Director

**CITY OF CHICO PLANNING COMMISSION
FEBRUARY 8, 2006 MINUTES**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Irv Schiffman, Chair
Vic Alvistur, Vice Chair
Mary Brownell
Dave Kelley
Jon Luvaas
Kirk Monfort
Steve O'Bryan

Staff Members Present: Kim Seidler, Planning Director
Teresa Bishow, Principal Planner
Brendan Vieg, Senior Planner
Fritz McKinley, Director of Engineering
Matt Johnson, Senior Development Engineer
Lori Barker, Assistant City Attorney
Renee Schreindl, Administrative Secretary

1. ROLL CALL

Chair Schiffman called the meeting to order at 6:30 p.m. Commission members and staff were present as noted.

2. DISCUSSION OF EX PARTE COMMUNICATIONS

None.

3. PUBLIC HEARING ITEMS

3.1. TO CONSIDER RECOMMENDATIONS TO THE CITY COUNCIL REGARDING: 1) CERTIFICATION OF THE FINAL EIR FOR THE ENLOE MEDICAL CENTER (EMC) MASTER PLAN AND ITS ASSOCIATED MITIGATION MONITORING AND REPORTING PROGRAM, 2) APPROVAL OF A DEVELOPMENT AGREEMENT (DA 03-03) BETWEEN THE CITY OF CHICO AND EMC, AND 3) APPROVAL OF PROPOSED GENERAL PLAN AMENDMENTS AND REZONES (GPA/RZ 03-04) FOR VARIOUS PROPERTIES WITHIN THE EMC CAMPUS CONSISTENT WITH THE PROPOSED MASTER PLAN

Chair Schiffman continued the public hearing from the Planning Commission meeting of February 6, 2006.

Joanne Adams, Community Benefit Coalition, read a statement expressing concerns with

regard to the treatment of Enloe employees and the expansion. She said that a new facility should be built and requested the Commission deny the project.

John Martinez, Community Benefit Coalition, read a statement requesting the postponement of the project to allow time to review the revised development agreement. He reviewed issues of concern in the development agreement and mitigation measures which included noise, traffic, and air quality. He said that Enloe is the lowest provider of charity care among other hospitals.

Planning Director Seidler reminded the public that the Chair communicated clearly at the Planning Commission meeting of February 6, 2006, that the Commission does not deal with labor issues.

Keith Mitten, Enloe employee, spoke in support of the expansion.

Mark Clarke, Enloe employee, spoke in support of the emergency flight care service and the expansion.

Debbie Strukan, Enloe employee, spoke in support of the expansion.

Rick Turner, Chico Avenues Neighborhood Association (CANA) and owner of The Grateful Bed, which is located across from the hospital, said that the hospital does need to expand or rebuild, but that new infrastructure must be put into place and extend well beyond the Enloe campus before the expansion begins. He asked that the Planning Commission and the City Council work with CANA and Enloe to make this a priority.

Robin Kiuttu, Enloe employee, said that they care for patients daily in the hallways. She spoke in favor of the expansion.

Ed Kimball spoke in support of the expansion.

Judy Sitton, read a statement advising that the Enloe Board of Directors unanimously supports the expansion.

Carol Linscheid, Vice President of Human Resources at Enloe, said that a number of jobs will be created if this project is approved. She spoke about the benefits available to Enloe employees and explained that Enloe does recruit people locally for jobs and supports local education.

Stacy Vincent, Enloe employee, spoke in support of the expansion.

Monte Leavitt, Enloe employee, spoke in support of the expansion and the emergency flight care service.

Michael Baird, Enloe employee, spoke in support of the expansion. He said this would help in recruiting more physicians.

Carol Blacet, Director of Education at Enloe, spoke in support of the expansion. She said that the expansion would assist in attracting medical specialists which Chico needs.

Lee Laney said that he agrees with the prior speakers and that we need to move forward with this project and provide innovative parking.

James Harro, Community Benefit Coalition, reviewed a survey that Enloe conducted regarding childhood asthma and requested that the Commission reject the final environmental impact report.

Amyre DeDeaux, CANA, spoke in opposition to the expansion. He said that questioning the location of the hospital does not mean that we do not support the hospital.

Nancy Ledoyen, Enloe employee, spoke in support of the expansion. She said that financially it is not fiscally responsible to relocate the hospital, that people made a conscious decision to live in the area, and that she hopes the approval will allow other specialty services to excel.

Bill Doherty, Enloe employee, spoke in favor of the expansion. He said that it is hard to attract good medical care providers and urged the Commission to expedite the project.

John Blacklock, representing the Chico Chamber of Commerce, said that this project reaches out far beyond Chico. He said that the EIR has done a good job in identifying impacts and urged the Commission to move forward with the project.

Manuel Esteban, Enloe board member, said that they did look at other locations, but that they do not have the resources to relocate. He spoke in favor of the expansion.

James Dimmitt spoke in favor of the expansion.

Michael Ricks, Enloe employee, spoke in favor of the expansion.

Jennifer Humphries, Enloe employee, said that the hallways were filled with patients all day today and requested the Commission to approve the expansion.

Barbara Vlamis, BEC, read a statement concerning the EIR and the DA and reviewed issues from the EIR.

Lynn Pardini, CANA, said that she recognizes that Enloe does need to expand, but does not believe the present location is the best choice and questioned whether the hospital would need to grow again in another 20 years.

Pam Stoesser spoke against the expansion.

Tag Engstrom said that Enloe does need to expand to provide excellent healthcare and

that adequate infrastructure and parking is needed.

Norm Nielsen spoke in support of the expansion.

Grace Marvin said that she strongly agrees with CANA's infrastructure recommendations and would prefer the hospital to be at a different location. She questioned if the money from the property that Enloe sold could or would be used towards the expansion.

John Martin, CANA, said that the EIR does not address traffic impacts and that Enloe is not a community hospital, but a business, as it serves other communities.

Dan Neumeister, CEO of Enloe, said that the expansion will take approximately 3 ½ to 4 years to build, and that in the meantime, congestion in the hospital will get worse. He said he embraces the charrette principles and recapped the successes Enloe has had with CANA including the creation of a covenant. He said that they will continue to work on a new design for the old tower, that they are creating a park, consolidating the parking into one parking structure, and have provided an additional \$250,000 for traffic calming to be used around the neighborhood. He emphasized the importance of flightcare and that the flightcare nurses are the finest healthcare providers. He said that liner buildings will increase traffic, change the parking structure, and were not a requirement of the planning charrette. He reviewed the proposed changes to the parking structure which he said will increase costs and could threaten the EIR. He said that Enloe has shown good faith with the neighborhood, will continue to work with CANA, and that Enloe's mission is to provide quality care to the community.

Mr. Neumeister addressed questions from the Commission concerning the idea of relocating the flightcare service, what the vision is for the future growth of Enloe, the design of the parking structure, and adding liner buildings.

Ms. Mickelson explained that it is cost prohibitive to go below ground level with the parking structure due to the water table.

In response to questions by the Commission, Mr. Neumeister explained that disposal of hazardous materials is highly regulated, reviewed the facilities available to employees and guests, and advised that there are no plans for a daycare facility for staff and guests.

Bob Coito advised that with available grant money, Enloe will have the ability to decontaminate outside of the facility, in response to a question by the Commission.

Commissioner Luvaas wanted clarification on what items from the covenant will be in the development agreement.

Mr. Seidler explained to the Commission that they are being asked to make recommendations to the City Council.

Commissioner Monfort reviewed items in the covenant which he proposed be added to the development agreement.

Mr. Neumeister explained that the Balanced Budget Act of 1997 no longer allowed the revenues needed to execute the 20th Street project, and therefore, the project was abandoned. He also explained that between the development fees being paid, the positive changes being made, and the lack of funds, that Enloe is paying a substantial amount to fund the neighborhood infrastructure, in response to questions by Commissioner O'Bryan.

Ms. Mickelson said that they can look at the layout of the oxygen tanks including shielding the aesthetics from the neighbors, in response to a concern expressed by Commissioner Brownell.

Commissioner Kelley inquired about the mitigation measure to retrofit homes in the neighborhood for noise reduction.

Mr. Neumeister said that they would be willing to do whatever needs to be done to assure that the park remains a park, that they have no intention to charge for parking in the parking garage, that they will work with the neighbors on a facade for the parking structure, and that they will be preserving the house on 6th Avenue and Magnolia, in response to questions by the Commission. He also addressed questions by the Commission concerning access to the facility during construction.

Chair Schiffman closed the public hearing.

Mr. Seidler advised that Senior Planner Vieg would like to introduce the City's consultants and briefly review the supplemental agenda report which was distributed to the Commission today. He said that staff has not had an opportunity to review the covenant and that the City does want to accommodate the needs of Enloe and the neighborhood in this process, but that the covenant is an agreement of two parties that does not involve the City.

Assistant City Attorney Barker gave a brief explanation of what a development agreement is intended to do and how it works.

Senior Planner Vieg introduced the consultants and explained that the comments addressing the adequacy of the EIR during the public hearing were reviewed. He said that there were no issues raised that staff believes would determine the EIR to be inadequate. He reviewed issues that were raised at the February 6, 2006 meeting which included a different location for the facility, traffic, and air quality analysis.

Mr. Seidler explained that if the Commission determines that the EIR does not adequately inform them to be able to make a decision, then the Commission could recommend to the City Council not to approve the EIR, in response to a question by Commissioner Luvaas.

Jeff Clark, Fehr & Peers, reviewed the traffic analysis in response to questions by

Commissioner Brownell regarding the relocation of the emergency facility to 5th and 6th Avenues and the possibility of increased traffic on 7th Avenue due to the access to parking being on 7th Avenue.

Whit Manley, Remy, Thomas, Moose & Manley, explained what conditions the Commission could implement with regard to traffic impacts.

Jim Brennan, Brennan & Associates, reviewed what the major affects would be if the helipad was relocated to the parking structure, in response to the suggestion by Commissioner Kelley.

Commissioner Luvaas questioned why there was no evaluation on the possibility of operating the emergency flightcare service from the Cohasset location and then transporting patients from that location to Enloe via ambulance.

Mark Teague, Pacific Municipal Consultants, said that an evaluation was not done on changing the modes of transportation when moving a patient, particularly with a patient who is ill enough to be transported by helicopter.

Mr. Seidler recommended reopening the public hearing to allow the people who perform the operation of transporting patients to respond.

Chair Schiffman reopened the public hearing.

Mr. Neumeister said that there is a basic unawareness of care and that Enloe would not be a Level 2 healthcare facility if their emergency transportation was at a different location.

Dr. Poe explained that every minute or second counts when saving a patient's life.

Chair Schiffman closed the public hearing.

Jeff Clark, Fehr & Peers, reviewed traffic calming measures and clarified that the Final EIR only addresses trip generations.

Mr. Vieg explained that there are existing bus stops along the Esplanade, that traffic calming measures are identified as Attachment B in the staff report and Attachment K in the EIR, and that all of the traffic calming measures located on the campus will be paid by Enloe. Mr. Vieg advised that there will be street improvements on the Enloe side of 6th Avenue between Arcadia and Magnolia Avenues, in response to questions by the Commission.

Mr. Manley advised that the EIR analyzed as an alternative the impacts of liner buildings along 7th Avenue, that a cumulative noise analysis was completed and determined that there are no violations to City standards, and that there is no legal obligation to re-circulate the EIR for people who did not respond during the comment period, in response to questions by Commissioner Monfort.

In response to the Commission wanting to amend the development agreement to require liner buildings, Ms. Barker explained that the obligations in the development agreement expire when the development agreement expires.

Staff and the consultants reviewed mitigation measures regarding noise levels which included retrofitting the surrounding homes to reduce noise impacts. They also addressed concerns expressed by the Commission regarding traffic impacts, parking, air quality, and architectural review of the new tower design.

Commissioner Monfort moved, seconded by Commissioner Alvistur, that the Planning Commission adopt a resolution recommending that the City Council certify the Final EIR and its associated Mitigation Monitoring and Reporting Program for the Enloe Medical Center (EMC) Master Plan with the following changes:

1. Change MM 4.3.4 to read as follows:

MM 4.3.4 ~~[In the event that Enloe FlightCare operations are not relocated from the hospital,]~~The applicant shall establish a program to provide funding for residences significantly affected by single-event night-time noise. A noise consultant shall be retained to identify which residences shall be eligible for the program, using the 95 dB SEL contour as the standard for determining which homes are eligible to participate. Qualifying residences shall be paid to retrofit ~~[the sleeping areas of]~~ homes so the noise levels from single-event noise are reduced. Participants shall also be required to agree to an avigation easement for the benefit of the hospital. The program shall be structured such that a specified amount of funds are made available each year so that the program is financially feasible. The program shall terminate, and no further funding will be required, if no further qualified residences enroll in the program. The program shall be subject to review and approval by the Planning Commission.

2. New Mitigation Measure:

Upon the removal of any current off-street parking places by Enloe for construction activity during Phase 1, the City will freshen up curb markings and mark parking places within a two block radius of the Enloe campus and implement a preferential parking system within that same area. Upon completion of the parking garage, the preferential parking system may be eliminated.

3. New Mitigation Measure:

Enloe will charge for all off-street parking except for the 96 space lot on the south side of West Fifth Avenue across from the proposed

Emergency Department entrance. The City will meter all the on-street parking on the Enloe campus and use meters or a preferential parking program to create disincentive for seeking cheaper parking in the residential neighborhoods surrounding the Enloe campus.

4. New Mitigation Measure:

Enloe shall provide an on-site day care center for its employees.

5. New Mitigation Measure:

Streets within and adjacent to the Enloe campus will be improved to City street standards, including curb, gutter, sidewalk, and landscaping strip, with specific consideration given to making improvements within existing right-of-way. Storm drainage improvements will also be required. Key street sections adjacent to the Enloe campus include Arcadian Avenue between West 4th Avenue and West 6th Avenue (both sides), West 6th Avenue between Magnolia and Arcadian Avenues (north side), and West 7th Avenue from the Esplanade to Arcadian Avenue (both sides).

Motion passed 6-1. Commissioner Luvaas opposed.

The Commission continued this item to the Planning Commission meeting of February 16, 2006, to consider the proposed Development Agreement between the City of Chico and Enloe Medical Center; and consider GPA/Rezone 03-04, which would amend the land use designation and rezone various properties within the hospital campus consistent with the Enloe Medical Center Master Plan.

4. BUSINESS FROM THE FLOOR

None.

5. PLANNING UPDATE

None.

6. ADJOURNMENT - There being no further business from the Commission, the meeting adjourned at 12:04 a.m. to the Adjourned Regular Meeting of February 16, 2006.

April 6, 2006
Date Approved

/s/
Kim Seidler
Planning Director

**CITY OF CHICO PLANNING COMMISSION
FEBRUARY 16, 2006 MINUTES**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Irv Schiffman, Chair
 Vic Alvistur, Vice Chair
 Mary Brownell
 Dave Kelley
 Jon Luvaas
 Kirk Monfort
 Steve O'Bryan

Staff Members Present: Kim Seidler, Planning Director
 Teresa Bishow, Principal Planner
 Brendan Vieg, Senior Planner
 Steve Betts, Associate Planner
 Ed Palmeri, Associate Planner
 Bob Summerville, Associate Planner
 Fritz McKinley, Director of Engineering
 Matt Johnson, Senior Development Engineer
 Lori Barker, Assistant City Attorney
 Renee Schreindl, Administrative Secretary

1. ROLL CALL

Chair Schiffman called the meeting to order at 6:30 p.m. Commission members and staff were present as noted.

2. APPROVAL OF MINUTES

*Commissioner Alvistur moved, seconded by Commissioner Monfort,
approval of the minutes of November 22, 2005 and December 1, 2005.*

Motion passed 7-0.

3. DISCUSSION OF EX PARTE COMMUNICATION

Commissioners Monfort, Kelley, Schiffman, and Luvaas reported that they had received correspondence regarding Enloe. Commissioner Brownell reported that she had spoken to Ed McLaughlin regarding Enloe.

4. PUBLIC HEARING ITEMS

- 4.1. Review of Impact Report Prepared for Closure of Catalpa Tree Trailer Park** *Staff recommends that the Planning Commission determine whether or not additional steps must be taken to mitigate any adverse impacts of the closure of the referenced trailer park on displaced residents.*

Planning Director Seidler presented the staff report.

Chair Schiffman opened the public hearing. Addressing the Commission in the following order were:

Emily Fisher
Stephanie Watkins
Mike Jensen
Dan Ostrander
Larry Soloman
Gustavo Villegas
Raymund Sandelman
Kevin Brennan

There being no other speakers, the public hearing was closed.

Commissioner Alvistur moved, seconded by Commissioner Kelley, that the Planning Commission direct Mr. Ostrander, owner of Catalpa Tree Trailer Park, to compensate Stephanie M. Watkins and Michael Jensen, the two former tenants who presented claims for their costs of relocation, 75% of the total relocation costs claimed.

Motion passed 7-0.

- 4.2. Kevin Thomas Tentative Parcel Map (PM 05-13) 2321 Fair Street** - A request to divide a 0.68-acre parcel into four lots ranging in size from 6,000 square feet to 8,278 square feet for single-family residential development. The project would result in a density of 5.1 dwelling units per gross acre. The property is located on the east side of Fair Street, south of East 23rd Street, and at the west end of Yarrow Street, at 2321 Fair Street, and is identified as Assessor's Parcel Number 005-490-051. The parcel is designated on the City of Chico General Plan Diagram as Low Density Residential and is zoned R1-SD-6 Low Density Residential/Chapman/Mulberry Neighborhood special design considerations overlay zone. This project is categorically exempt from environmental review pursuant to Section 15332 of the California Environmental Quality Act (CEQA) Guidelines In-Fill Development Projects. *Staff recommends that the Planning Commission adopt Resolution No. 05-58 approving, with conditions, Thomas Tentative Parcel Map (PM 05-13).*

Associate Planner Betts presented the staff report.

Chair Schiffman opened the public hearing. Addressing the Commission in the following

order were:

Mike Byrd, Project Engineer from Rolls, Anderson & Rolls, spoke in support.

There being no other speakers, the public hearing was closed.

Commissioner Monfort moved, seconded by Commissioner Alvistur, that the Planning Commission adopt Resolution No. 05-58 approving the Thomas Tentative Parcel Map (PM 05-13) based on the required findings and subject to the conditions of approval contained therein and the additional condition as follows:

9. The sidewalk on Fair Street shall be 5 feet in width.

Motion passed 7-0.

- 4.3. Lassen Glen Vesting Tentative Subdivision Map (S 05-01) (Webb)** - A request to subdivide approximately 5.8 acres located approximately 620 feet east of Cussick Avenue to create a total of 21 lots for development with single-family homes. In addition, a boundary line modification has been approved to adjust the property lines of 410 and 420 West Lassen Avenue and the proposed subdivision. The lots range in size from 7,000 to 20,000 square feet. A mitigated negative declaration (SCH# 2005122061) was circulated for comments from December 18, 2005 to January 17, 2006. The project site is identified as Assessor's Parcel Numbers 006-340-001, 002, 003, and 004. The site is designated Low Density Residential in the General Plan and is located in an R1 (Low Density Residential) zoning district.

An initial study for environmental review has been prepared for this project. Based upon the information within the initial study, the Planning Division is recommending that a mitigated negative declaration be adopted for the project pursuant to the California Environmental Quality Act (CEQA). A mitigated negative declaration is a determination that a project will not have a significant impact on the environment, after the incorporation of specific mitigation measures. *Staff recommends adoption of Resolution No. 05-59, adopting the mitigated negative declaration and approving, with conditions, Lassen Glen Vesting Tentative Subdivision Map (S 05-01).*

Associate Planner Palmeri presented the staff report.

Chair Schiffman opened the public hearing. Addressing the Commission in the following order were:

Bill Webb, Applicant, spoke in support.

There being no other speakers, the public hearing was closed.

Commissioner Monfort moved, seconded by Commissioner Brownell, that the Planning Commission adopt Resolution No. 05-59, adopting

the mitigated negative declaration and approving Lassen Glen Vesting Tentative Subdivision Map (S 05-01), subject to the required findings and conditions of approval contained therein.

Motion passed 7-0.

- 4.4. Review of the Conceptual and Final Development Plan of the Chico Courtyards Use Permit (UP 05-34), Planned Development Permit (PDP 05-05), and Architectural Review (AR 06-02) (Chico Pacific Associates), Southwest side of Pillsbury Road and adjacent to east side of State Highway Route (SHR) 99, approximately 850 feet south of East Avenue - A Use Permit request to allow residential uses on the ground floor in a CC Community Commercial zoning district specifically involving a 78-unit City subsidized affordable housing project and a Planned Development Permit request to allow modifications to development standards including a reduction in the parking lot setback from State Highway 99 and to allow a reduction in required guest parking. The Planning Commission is also requested to conduct architectural review of the project. The project is located on land designated Community Commercial on the General Plan diagram and in the CC Community Commercial zoning district. *Staff recommends that the Planning Commission adopt Resolution No. 06-04, adopting a mitigated negative declaration and approving, with conditions, Use Permit 05-34 and Planned Development Permit 05-05 (Chico Pacific Associates).***

Associate Planner Summerville presented the staff report.

Chair Schiffman opened the public hearing. Addressing the Commission in the following order were:

- Chris Stark, Applicant, spoke in support.
- David Waldron, Project Architect, spoke in support.
- Ron Fry, Butte Bible Fellowship Church, expressed concerns.
- Dennis McLaughlin, spoke in support.
- Joann Hilgert, expressed concerns.

There being no other speakers, the public hearing was closed.

Commissioner Kelley moved, seconded by Commissioner Monfort, that the Planning Commission adopt Resolution No. 06-04, adopting a mitigated negative declaration and approving Use Permit 05-34 and Planned Development Permit 05-05 (Chico Pacific Associates) with the additional conditions as follows:

- 19. *The developer shall install “No Parking” signage along the east side of the project to ensure that no tenant parking occurs on the existing parking lot allocated for church parking. The developer shall work with the church administrators on the design, text, and location of the signage. The design, text, and location of all signage shall be reviewed by Planning Division staff prior to its installation.***

20. *Architectural elements shall be added to the east elevation (only) of each Building 'A' (i.e., two buildings) to increase design interest of this elevation as viewed from Pillsbury Road. The design of the added architectural elements shall be reviewed and approved by the Architectural Review Board.*
21. *The final color selection for all project buildings shall be reviewed and approved by the Architectural Review Board.*
22. *The species of shade trees and shading calculations of the parking areas illustrated on the final landscape plans shall be reviewed by the City's Urban Forester.*
23. *Access to all television cable facilities (along the north side of the site) shall be maintained.*
24. *All fencing along the north side of the site shall restrict the headlights of tenant vehicles from shining through to the rear yards of the adjacent condominium complex.*
25. *Recreational amenities such as picnic tables and bar-b-que pits or grills shall be added to open space areas as indicated on all site and landscape plans submitted for building permits.*
26. *An architecturally compatible security light shall be installed at the project's bicycle/pedestrian path connection as indicated on all site and landscape plans submitted for building permits.*

Motion passed 7-0.

5. ENLOE MEDICAL CENTER

On February 6th and 8th 2006, the Planning Commission held a public hearing to consider recommendations to the City Council regarding: 1) certification of the Final Environmental Impact Report (EIR) and its associated Mitigation Monitoring and Reporting Program for the Enloe Medical Center (EMC) Master Plan; 2) approval of the proposed Development Agreement between the City of Chico and Enloe Medical Center (DA 03-03); and 3) approval of GPA/Rezone 03-04, which would amend the land use designation and rezone various properties within the hospital campus consistent with the Enloe Medical Center Master Plan. The public hearing was closed during the February 8th meeting and the Commission made its recommendation regarding certification of the EIR. The meeting was continued to Thursday, February 16, 2006. *The Planning Commission will complete its deliberations and consider recommendations to Council regarding the proposed Development Agreement and GPA/Rezone.*

Chair Schiffman reminded the Commission that they adopted a resolution recommending

that the City Council certify the Final EIR, with changes, at the Planning Commission meeting of February 8, 2006, and that this item is being continued from that same meeting to consider the Development Agreement, General Plan amendment and rezone.

Senior Planner Vieg offered to review issues heard at the previous meetings including some items from the covenant to be incorporated into the Development Agreement, in response to Commissioner Monfort advising that he would like to propose such amendments to the Development Agreement.

Assistant City Attorney Barker explained that staff can create the language to changes in the Development Agreement if the Commission provides the concepts.

The Commission and staff had extensive discussions regarding amendments to the Development Agreement which included the following issues: parking, traffic calming measures, surrounding facilities, improving infrastructure in the neighborhood, design of the parking structure, new tower design, screening for the oxygen tanks, the park, sidewalks, and liner buildings.

Chair Schiffman opened and closed the public hearing for the sole purpose of allowing Dan Neumeister, CEO of Enloe, and Kristine Mazzei, representing CANA, to respond to the amendments proposed by the Commission.

As part of its recommendation to the City Council to approve the Development Agreement, the Planning Commission made a series of recommendations. It is important to note that the Development Agreement is a negotiated agreement between the City and Enloe, not the placement of conditions on the applicant by the City. Thus, in order to become binding requirements, Enloe must consent to these terms.

Commissioner Monfort moved, seconded by Commissioner Luvaas, that the Planning Commission adopt Resolution No. 06-03 recommending that the City Council approve the proposed Development Agreement between the City of Chico and Enloe Medical Center with the following changes:

- 1. Enloe shall be required to provide 5 foot sidewalks throughout its campus for all new street sections.***
- 2. Either existing or new subcommittee of the Enloe Board of Directors shall have a dedicated responsibility of working with the neighborhood on neighborhood issues.***
- 3. Enloe shall provide that 50 percent of bike racks are covered.***
- 4. Within the Development Agreement, the reference to "generally" regarding whether the park will be open to the public shall be removed.***

5. *Enloe shall construct all traffic calming measures as shown on the final site plan (including the off-campus measures), unless changes to the location or design of the traffic calming measures are developed through the neighborhood planning process.*
6. *Enloe shall retain a 20' setback on the West 7th Avenue side of the parking structure (as proposed by Enloe at the Planning Commission meeting) and shall work with the neighborhood to come back in the future regarding development of a liner building within that setback for mixed use/residential use.*
7. *Enloe shall engage in early design consultation with the neighborhood for the two proposed cottage buildings proposed for the passive park.*
8. *The Development Agreement shall be amended to extend to 36 months the time for spending the \$250,000 for neighborhood projects identified in the as-yet undeveloped neighborhood plan.*
9. *The parking structure design shall be subject to architectural review and approval of the City's Architectural Review Board (ARB) prior to issuance of a building permit.*
10. *Any architectural refacing of the existing hospital tower shall be subject to architectural review and approval of the City's Architectural Review Board (ARB).*
11. *Appropriate screening (i.e., landscaped wall) shall be provided between the oxygen tank and the residences located to the south on West Fourth Avenue.*
12. *Portions of the February 5, 2006, Covenant signed by both Enloe and CANA which address the physical development of the hospital campus, shall be incorporated into the Development Agreement.*

Motion passed 7-0.

Commissioner Alvistur moved, seconded by Commissioner Monfort, that the Planning Commission adopt Resolution No. 06-03 recommending that the City Council approve GPA/Rezone 03-04, which would amend the land use designation and rezone various properties within the hospital campus consistent with the Enloe Medical Center Master Plan.

Motion passed 7-0.

Other Planning Commission Recommendations to the City Council

As part of its overall recommendation to the City Council regarding approval of the Enloe project, the Planning Commission made the following two additional recommendations.

- 1. The City Council and RDA shall make the Avenues neighborhood a priority for future funding of capital improvement projects.*
- 2. The City Council should forward consideration of parking restrictions in front of Magnolia Avenue between West Fifth and West Sixth Avenue to the Internal Affairs Committee.*

6. BUSINESS FROM THE FLOOR

None.

7. PLANNING UPDATE

Staff distributed a packet from the Lincoln Institute of Land Policy to the Commission.

Planning Director Seidler updated the Commission on the items scheduled for the February 21, 2006 and March 7, 2006 City Council meetings.

- 8. ADJOURNMENT** - There being no further business from the Commission, the meeting adjourned at 11:40 p.m. to the Regular Meeting of March 2, 2006.

April 6, 2006 _____
Date Approved

/s/ _____
Kim Seidler
Planning Director

**CITY OF CHICO PLANNING COMMISSION
MARCH 2, 2006 MINUTES**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Irv Schiffman, Chair
Mary Brownell
Dave Kelley
Jon Luvaas
Kirk Monfort
Steve O'Bryan

Commissioners Absent: Vic Alvistur, Vice Chair

Staff Members Present: Kim Seidler, Planning Director
Teresa Bishow, Principal Planner
Brendan Vieg, Senior Planner
Claudia Sigona, Senior Planner
Matt Johnson, Senior Development Engineer
Lori Barker, Assistant City Attorney
Renee Schreindl, Administrative Secretary

1. ROLL CALL

Chair Schiffman called the meeting to order at 6:30 p.m. Commission members and staff were present as noted.

2. DISCUSSION OF EX PARTE COMMUNICATION

None.

3. PUBLIC HEARING ITEMS

**3.1. Nursery Place Subdivision Map/Planned Development Permit (S/PDP 05-04)
400 W. 6th Avenue, APN 043-740-06**

The Commission continued the public hearing to the Planning Commission meeting of March 9, 2006.

**3.2. Extension of Time for Planned Development Permit (PDP 04-01) (Crossen)
Commercial development at the southeast corner of Lassen Avenue and
Esplanade** - A request to approve a one year extension of time for Planned Development Permit 04-01 (Crossen). The planned development permit (PDP) was approved by the Planning Commission at its meeting of November 18, 2004, to allow a 35,500 square-foot commercial retail center at the southeast corner of Lassen Avenue and Esplanade. Upon annexation of the site, the PDP became effective on March 16, 2005 and will expire on March 15, 2006 unless

development commences or the Planning Commission approves an extension. The property is identified as Assessor's Parcel No 006-044-002. The site is designated Community Commercial on the City of Chico General Plan Diagram, and is located in a CC-PD Community Commercial-Planned Development overlay zoning district. A mitigated negative declaration was adopted for the project and no further environmental review is required. **(Report - Teresa Bishow, Principal Planner, for Associate Planner Palmeri)**
Staff recommends that the Planning Commission approve a one-time, one year extension of Planned Development Permit 04-01 (Crossen) to expire on March 16, 2007, based on the findings contained in the staff report.

Chair Schiffman opened the public hearing. Addressing the Commission in the following order were:

Byron Crossen, Applicant, spoke in support.

There being no other speakers, the public hearing was closed.

Commissioner O'Bryan moved, seconded by Commissioner Brownell, that the Planning Commission approve a one-time, one year extension of Planned Development Permit 04-01 (Crossen) to expire on March 16, 2007, based on the findings contained therein.

Motion passed 6-0-1. Commissioner Alvistur absent.

- 3.3. Discovery Builders Vesting Tentative Parcel Map (PM 05-05)** - This application proposes the subdivision of 10.2 acres located west and southwest of the Willoughby Glen Subdivision, southwest of the existing terminus of Eaton Road, and northwest of the northern terminus of Bay Avenue, Assessor's Parcel No. 006-690-036 to create two parcels. Proposed Parcel 2 is 7.12 acres in size and is intended for future subdivision into single-family residential lots, while Parcel 1 is 2.2 acres and will contain an existing residence. The property was given a Low Density Residential General Plan designation and rezoned R1 Low Density Residential by the recently adopted Northwest Chico Specific Plan (NWCSP). A Sphere of influence amendment and annexation to the City of Chico is necessary prior to filing of the final map. An Environmental Impact Report (EIR) was prepared and certified for the NWCSP. Pursuant to Sections 15162 and 15168 of the California Environmental Quality Act (CEQA) Guidelines, the project has been examined in the light of the NWCSP and has been found to be within the scope of the project covered by the EIR. No new significant effects could occur and no new mitigation measures are warranted as a result of the project that were not previously identified in the NWCSP EIR. As a result, no further environmental review is required. A copy of the NWCSP and its associated EIR are available for public review in the Planning Division office at 411 Main Street. **(Report - Claudia Sigona, Senior Planner)**
Staff recommends that the Planning Commission adopt Resolution No. 06-06 approving, with conditions, the Discovery Builders Vesting Tentative Parcel Map.

Chair Schiffman opened the public hearing. Addressing the Commission in the following order:

Jim Mann, Applicant, spoke in support.

There being no other speakers, the public hearing was closed.

Commissioner Monfort moved, seconded by Commissioner Luvaas, that the Planning Commission adopt Resolution No. 06-06, approving The Discovery Builders Tentative Parcel Map (PM 05-05), based on the required findings contained therein and subject to the attached conditions of approval (Attachment A) and the additional condition as follows:

5. Dedicate a 20-foot public pedestrian/bike path easement across the southerly portion of Parcel 1 as depicted on the Tentative Map.

Motion passed 6-0-1. Commissioner Alvistur absent.

3.4. Lee Estates Vesting Tentative Subdivision Map/Planned Development Permit (S/PDP 04-19) - A proposal to create 7 single-family residential parcels on 3.29 acres located on the northwest side of Chico Canyon Road, 600 feet north of the intersection of E. 8th Street and Bruce Road, identified as Assessor's Parcel Numbers 018-010-097 and 098. The project density would be 1.94 units per acre, with an average lot size of 11,932 square feet (net), and parcel sizes ranging from 9,662 to 16,564 square feet (net). The property is designated Low Density Residential by the General Plan diagram, and is located in an RS-20 Suburban Residential (20,000 square foot minimum lot size) zoning district. A planned development permit has been requested to allow clustering of lots away from a steep embankment, resulting in lot sizes less than the 20,000 square foot minimum normally required by the RS-20 zoning district. The planned development request would also allow a 5 foot reduction in the interior side yard setbacks, from 10 feet to 5 feet.

An initial study for environmental review has been prepared for the project. Based upon the information within the initial study, the Planning Division is recommending that a mitigated negative declaration be adopted for the project pursuant to the California Environmental Quality Act (CEQA). A mitigated negative declaration is a determination that a project will not have a significant impact on the environment, after the incorporation of specific mitigation measures. **(Report - Claudia Sigona, Senior Planner)**

Staff recommends that the Planning Commission adopt Resolution No. 06-05 approving, with conditions, Lee Estates Vesting Tentative Subdivision Map and Planned Development Permit.

Chair Schiffman opened the public hearing. Addressing the Commission in the following order:

Jim Stevens, representing the applicant from NorthStar Engineering, spoke in support.

Robert Main, expressed concerns.

Allan Savitz, spoke in support.

There being no other speakers, the public hearing was closed.

Commissioner Luvaas moved, seconded by Commissioner Monfort, that the Planning Commission adopt Resolution No. 06-05, approving the Lee Estates Vesting Tentative Subdivision Map and Planned Development Permit (S/PDP 04-19), based on the findings and subject to the conditions of approval contained therein (Attachment A) and the following changes:

Modification:

- 10. Home construction shall substantially conform to the architecture and exterior materials of the house plans included as Exhibit IV of Resolution No. 06-05, and the Owner's Letter of Intent identified as Attachment "D" in the staff report dated February 6, 2006. At the time of building permit plan check submittal, Planning Division staff shall review the plans to verify substantial conformance with the approved plans and Owner's Letter of Intent. Any significant deviation or design modification not deemed by staff to be in substantial conformance will require subsequent approval by the Planning Commission.*

Additions:

- 12. Homes on Lots 1 and 7 shall include a positive orientation to Chico Canyon Road. Acceptable options include wrapping front porches around the homes to include the Chico Canyon Road side and providing a direct pedestrian access to Chico Canyon Road, or positioning the front doors to the homes at a 45 degree angle toward the corner of the intersection so that the front entrances are visible from both streets and pedestrian walkways are provided from both streets directly to the front doors. Site placement of these homes will be reviewed by Planning staff during the building permit plan check process to ensure compliance.*
- 13. Exterior materials for all the homes shall consist of horizontal lap siding for all elevations facing streets.*
- 14. Where feasible, home design should incorporate at least one roof oriented for future solar facilities.*

Motion passed 6-0-1. Commissioner Alvistur absent.

- 3.5. Shastan Homes at Glenwood Avenue Vesting Tentative Subdivision Map (S 04-21), east side of Glenwood Avenue** - Proposal to create 57 single-family lots on approximately 14.9 acres in two development phases, at a density of 3.8 units per gross acre. The property is located on the east side of Glenwood Avenue, approximately 800 feet north of West Sacramento Avenue, at 1134 and 1150 Glenwood Avenue, and is identified as Assessor's Parcel Numbers 042-640-020 and 042-640-021. The site is designated Low Density Residential on the City of Chico General Plan Land Use Diagram and is rezoned R1 Low Density Residential. The subject property is outside the City limits and an application for annexation is pending.

An initial study for environmental review has been prepared for the project and was circulated for public review from January 9, 2006, to February 7, 2006 (State Clearinghouse No. 2006012021). Based upon the information within the initial study, the Planning Division is recommending that a mitigated negative declaration be adopted for the project pursuant to the California Environmental Quality Act (CEQA). A mitigated negative declaration is a determination that a project will not have a significant impact on the environment, after the incorporation of specific mitigation measures. The City of Chico will review all comments, and either adopt the mitigated negative declaration or determine that an Environmental Impact Report is required. *Staff recommends that the Planning Commission adopt Resolution No. 06-07 approving, with conditions, Shastan Homes at Glenwood Avenue Vesting Tentative Subdivision Map.*

The Commission continued this item to a future Planning Commission meeting.

- 3.6. Webb Homes Specific Plan Amendment (SPA 05-01) to the Northwest Chico Specific Plan (NWCSP)** - Applicant requests that specific language in the NWCSP be removed, which requires that a portion of a parcel that is designated Low Density Residential (LDR) be developed at the higher density range of the LDR designation.

An Environmental Impact Report (EIR) was prepared and certified by the City Council for the NWCSP on December 5, 2006. Pursuant to Sections 15162 and 15168 of the California Environmental Quality Act (CEQA) Guidelines, the proposed specific plan amendment has been examined in the light of the overall adoption of NWCSP and has been found to be within the scope of the project covered by the EIR. No new significant effects would occur and no new mitigation measures are warranted as a result of the proposed specific plan amendment that were not previously identified in the NWCSP EIR. As a result, no additional environmental analysis is required. A copy of the NWCSP and its associated EIR are available for public review in the Planning Division office at 411 Main Street. **(Report - Brendan Vieg, Senior Planner)**
Staff recommends that the Planning Commission review the proposed specific plan amendment and provide a recommendation to the City Council.

Chair Schiffman opened the public hearing. Addressing the Commission in the following order:

Greg Webb, Applicant, spoke in support.

There being no other speakers, the public hearing was closed.

Chair Schiffman moved, seconded by Commissioner Monfort, that the Planning Commission adopt Resolution No. 06-09 recommending that the City Council approve Specific Plan Amendment 05-01 to the Northwest Chico Specific Plan (Webb Homes; APN# 006-680-009).

Motion passed 5-1-1. Commissioner Luvaas opposed, Commissioner Alvistur absent.

- 3.8. Rural Consulting Associates Specific Plan Amendment (SPA 05-03) to the Northwest Chico Specific Plan (NWCSP)** - Applicant requests applying the Eaton Road design treatment that is currently in place adjacent to the Brentwood Subdivision and the Eaton Village apartments for the remaining section of Eaton Road to the edge of the Plan Area.

An Environmental Impact Report (EIR) was prepared and certified by the City Council for the NWCSP on December 5, 2006. Pursuant to Sections 15162 and 15168 of the California Environmental Quality Act (CEQA) Guidelines, the proposed specific plan amendment has been examined in the light of the overall adoption of NWCSP and has been found to be within the scope of the project covered by the EIR. No new significant effects would occur and no new mitigation measures are warranted as a result of the proposed specific plan amendment that were not previously identified in the NWCSP EIR. As a result, no additional environmental analysis is required. A copy of the NWCSP and its associated EIR are available for public review in the Planning Division office at 411 Main Street. **(Report - Brendan Vieg, Senior Planner)**
Staff recommends that the Planning Commission review the proposed specific plan amendment and provide a recommendation to the City Council.

Chair Schiffman opened the public hearing. Addressing the Commission in the following order:

Jim Mann, Rural Consulting, spoke in support.

There being no other speakers, the public hearing was closed.

Commissioner Monfort moved, seconded by Chair Schiffman, that the Planning Commission recommend to the City Council that a soundwall treatment be applied along Eaton Road to the edge of the Plan area, but only on the northern side of the roadway.

Motion passed 5-1-1. Commissioner Luvaas opposed, Commissioner Alvistur absent.

- 3.7. Webb Homes Specific Plan Amendment (SPA 05-02) to the Northwest Chico Specific Plan (NWCSP)** - Applicant requests that residential street widths be allowed within a proposed residential subdivision that are wider than those standards that were adopted in the NWCSP.

An Environmental Impact Report (EIR) was prepared and certified by the City Council for the NWCSP on December 5, 2006. Pursuant to Sections 15162 and 15168 of the California Environmental Quality Act (CEQA) Guidelines, the proposed specific plan amendment has been examined in the light of the overall adoption of NWCSP and has been found to be within the scope of the project covered by the EIR. No new significant effects would occur and no new mitigation measures are warranted as a result of the proposed specific plan amendment that were not previously identified in the NWCSP EIR. As a result, no additional environmental analysis is required. A copy of the NWCSP and its associated EIR are available for public review in the Planning Division office at 411 Main Street. **(Report - Brendan Vieg, Senior Planner)**
Staff recommends that the Planning Commission review the proposed specific plan amendment and provide a recommendation to the City Council.

Chair Schiffman opened the public hearing. Addressing the Commission in the following order:

Greg Webb, Applicant, spoke in support.

There being no other speakers, the public hearing was closed.

Chair Schiffman moved, seconded by Commissioner Monfort, that the Planning Commission adopt Resolution No. 06-10 recommending that the City Council deny Specific Plan Amendment 05-02 to the Northwest Chico Specific Plan (Webb Homes; APN#s 006-680-006 through 009).

Motion passed 4-2-1. Commissioners Brownell and Kelley opposed, Commissioner Alvistur absent.

- 3.9. Pete Giampaoli Specific Plan Amendment (SPA 05-04) to the Northwest Chico Specific Plan (NWCSP)** - Applicant requests that residential street widths be allowed within a proposed residential subdivision that are wider than those standards that were adopted in the NWCSP.

An Environmental Impact Report (EIR) was prepared and certified by the City Council for the NWCSP on December 5, 2006. Pursuant to Sections 15162 and 15168 of the California Environmental Quality Act (CEQA) Guidelines, the proposed specific plan amendment has been examined in the light of the overall adoption of NWCSP and has been found to be within the scope of the project

covered by the EIR. No new significant effects would occur and no new mitigation measures are warranted as a result of the proposed specific plan amendment that were not previously identified in the NWCSP EIR. As a result, no additional environmental analysis is required. A copy of the NWCSP and its associated EIR are available for public review in the Planning Division office at 411 Main Street. **(Report - Brendan Vieg, Senior Planner)**
Staff recommends that the Planning Commission review the proposed specific plan amendment and provide a recommendation to the City Council.

Chair Schiffman opened the public hearing. Addressing the Commission in the following order:

Pete Giampaoli, spoke in support.

There being no other speakers, the public hearing was closed.

Commissioner Monfort moved, seconded by Commissioner Luvaas, that the Planning Commission adopt Resolution No. 06-12 recommending that the City Council deny Specific Plan Amendment 05-04 to the Northwest Chico Specific Plan (Epick Homes; APN# 006-690-007).

Motion passed 4-2-1. Commissioners Brownell and Kelley opposed, Commissioner Alvistur absent.

4. BUSINESS FROM THE FLOOR

None.

5. PLANNING UPDATE

Planning Director Seidler advised that the appeals on Parkwood Estates (S 03-01), Cook (UP 05-52), and Sierra Gardens (S/PDP 03-24) are scheduled for the March 7, 2006 City Council meeting. He reminded the Commission of the Planning Commission meeting on March 9, 2006, and thanked them for doing these additional meetings.

6. ADJOURNMENT - There being no further business from the Commission, the meeting adjourned at 10:20 p.m. to the Adjourned Regular Meeting of March 9, 2006.

April 20, 2006
Date Approved

/s/
Kim Seidler
Planning Director

**CITY OF CHICO PLANNING COMMISSION
MARCH 9, 2006 MINUTES**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Irv Schiffman, Chair
Vic Alvistur, Vice Chair
Mary Brownell
Jon Luvaas
Kirk Monfort
Steve O'Bryan

Commissioners Absent: Dave Kelley

Staff Members Present: Teresa Bishow, Principal Planner
Claudia Sigona, Senior Planner
Matt Johnson, Senior Development Engineer
Lori Barker, Assistant City Attorney
Renee Schreindl, Administrative Secretary

1. ROLL CALL

Chair Schiffman called the meeting to order at 6:30 p.m. Commission members and staff were present as noted.

2. DISCUSSION OF EX PARTE COMMUNICATION

Commissioners Luvaas and Monfort reported that they spoke to Pete Giampaoli regarding Mountain Vista/Sycamore Glen subdivisions. Chair Schiffman reported that he spoke to Steve Schuman regarding Nursery Place.

3. PUBLIC HEARING ITEMS

3.1. Nursery Place Subdivision Map/Planned Development Permit (S/PDP 05-04) 400 W. 6th Avenue, APN 043-740-067 - A proposal to create six parcels on 1.19 acres located on the north side of W. 6th Avenue, situated between Citrus Avenue and Hobart Street, with additional access from Robert E. Lee Place, a private drive. Two single-family residences and one duplex are currently located on the property. If approved, new single-family residences would be constructed on Parcels 3-5. At ultimate development (7 total units), the gross density for the project will be 5.88 units per acre. Average lot size is 7,748 square feet (gross) and 5,615 square feet (net). The subject site is designated Low Density Residential and zoned R1 Low Density Residential. This project has been determined to be categorically exempt from environmental review pursuant to the California Environmental Quality Act Section 15332 In-Fill Development Projects. *Staff recommends that the Planning Commission adopt Resolution*

No. 06-01 approving, with conditions, the Nursery Place Vesting Tentative Subdivision Map and Planned Development Permit (S/PDP 05-04).

Senior Planner Sigona presented the staff report.

Chair Schiffman opened the public hearing. Addressing the Commission in the following order were:

Tim Wood, Project Engineer, spoke in support.

Steve Schuman, Applicant, spoke in support.

There being no other speakers, the public hearing was closed.

Commissioner Monfort moved, seconded by Commissioner Alvistur, that the Planning Commission adopt Resolution No. 06-01, approving the Nursery Place Vesting Tentative Subdivision Map and Planned Development Permit (S/PDP 05-04), based on the findings and subject to the conditions of approval contained therein with the following changes:

Modification:

- 15. The street section of Robert E. Lee Place shall be modified to reflect two 10-foot drive lanes; and a 6-foot parking lane, a 6-foot parkway strip with street trees, and a 4-foot sidewalk on the west side of the street. The rear yards of Lots 3-5 shall be reduced by 4-foot to provide adequate right-of-way width to accommodate the noted improvements.***

Additions:

- 17. Fencing along W. 6th Avenue in excess of 3-feet in height shall be setback the same distance as the residence and truncated at the southwest corner of the home on Parcel 3.***
- 18. Prior to recordation of the final map, the applicant shall provide for the permanent maintenance of all common areas within the development, including, but not limited to the 4 1/2-foot strip of landscaping along the east side of Robert E. Lee Place. To meet this requirement, the applicant shall submit the following information to the Planning Division: 1) a plan showing all common areas and areas to be designated for shared use; and 2) an agreement in a form approved by the City Attorney providing for the permanent maintenance of all common areas. The maintenance agreement shall be prepared by an attorney licensed to practice in the State of California.***

Motion passed 6-0-1. Commissioner Kelley absent.

4. BUSINESS FROM THE FLOOR

None.

5. PLANNING UPDATE

Principal Planner Bishow updated the Commission on City Council actions advising that Larson (RZ 05-02) was approved, that the Cook (UP 05-52) and Parkwood Estates (PDP 05-03, SDU 05-01, and SDU 05-11) appeals were denied, and that Sierra Gardens (S/PDP 03-24) was continued to a future City Council meeting in April.

6. ADJOURNMENT - There being no further business from the Commission, the meeting adjourned at 7:22 p.m. to the Adjourned Regular Meeting of March 16, 2006.

April 20, 2006

Date Approved

/s/

Teresa Bishow
Principal Planner

**CITY OF CHICO PLANNING COMMISSION
MARCH 16, 2006 MINUTES**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Irv Schiffman, Chair
Vic Alvistur, Vice Chair
Mary Brownell
Dave Kelley
Jon Luvaas
Kirk Monfort

Commissioners Absent: Steve O'Bryan

Staff Members Present: Teresa Bishow, Principal Planner
Bob Summerville, Associate Planner
Matt Johnson, Senior Development Engineer
Lori Barker, Assistant City Attorney
Renee Schreindl, Administrative Assistant

1. ROLL CALL

Chair Schiffman called the meeting to order at 6:30 p.m. Commission members and staff were present as noted.

2. APPROVAL OF MINUTES

*Commissioner Alvistur moved, seconded by Commissioner Luvaas,
approval of the minutes of December 15, 2005.
Motion passed 6-0-1. Commissioner O'Bryan absent.*

3. DISCUSSION OF EX PARTE COMMUNICATIONS

None.

4. PUBLIC HEARING ITEMS

4.1. Conceptual Review: Tuscan Village General Plan Amendment /Rezone 04-05, Vesting Tentative Subdivision Map /Planned Development Permit S/PDP 04-08 and Architectural Review AR 06-03 (Schuster and Scott)
Staff recommends that the Planning Commission continue this item to the Planning Commission meeting of April 6, 2006.

The Commission continued this item to the Planning Commission meeting of April 6, 2006.

4.2. Zamora Vesting Tentative Subdivision Map (S 05-09) (MARCON, Inc.), 1367

and 1369 East Avenue, 015-440-015 - A request to subdivide a 3.81 acre parcel that is located in two separate zoning districts to create 14 lots for development of single-family residential uses and one 0.73 acre lot to maintain an existing commercial use (a retail plant nursery). The project creates a residential density of approximately 4.83 units per gross acre. The northerly 0.91 acre portion of the parcel along East Avenue is designated Office on the General Plan diagram and is located in the OR Office Residential zoning district. The remaining southerly portion of the existing parcel is designated Low Density Residential (allowing 2.01 to 6 units per acre) and is located in the R1 Low Density Residential zoning district. This project is categorically exempt from Section 15332 of the California Environmental Quality Act (Infill Development Projects). *Staff recommends that the Planning Commission adopt Resolution No. 06-13 approving, with conditions, the Zamora Vesting Tentative Subdivision Map (S 05-09).*

Chair Schiffman opened the public hearing. Addressing the Commission in the following order were:

Mark Adams, Project Engineer from NorthStar Engineering, spoke in support
Donn Marshall, Applicant, spoke in support

There being no other speakers, the public hearing was closed.

Commissioner Alvistur moved, seconded by Commissioner Kelley, that the Planning Commission adopt Resolution No. 06-13, finding that the project is categorically exempt from environmental review and approving the Zamora Vesting Subdivision Map (S 05-09), based on the required findings and subject to the conditions contained therein with the following changes:

Modification:

10. A new six-foot high decorative fence and masonry wall shall be installed along the common property line with the adjacent parcel to the east (APN 015-440-014) and shall replace the existing chainlink fence in this location. Design elevations and the location of the new fence and wall shall be illustrated on the subdivision improvement plans and shall be reviewed and approved by Planning staff prior to the issuance of grading permits. Landscaping between the new fence/wall and the sidewalk of Street 'A' shall be hearty, low-maintenance ground-cover along the wrought iron fence and shall be hearty, low-maintenance shrubs maintained at a minimum height of four feet along the masonry wall. All landscaping shall be irrigated as described on a complete landscape plan submitted with the subdivision improvement plans. All irrigation shall be installed and landscaping planted prior to the recordation of the final map.

Additions:

12. Decorative wrought-iron fencing along the east side of Street A shall

continue approximately 16-feet to the south of the wrought-iron gate indicated on the tentative map.

13. The wrought-iron fencing within Lot 1 and along the west side of Street A shall be located at least one foot behind the sidewalk to allow a landscape buffer. The east end of the new masonry wall located along the common property line between Lots 1 and 2 shall include an appropriate radius or angle connection to the wrought-iron fence to allow adequate site distance for pedestrians and motorists.

Motion passed 6-0-1. Commissioner O'Bryan absent.

5. **BUSINESS FROM THE FLOOR**

None.

6. **PLANNING UPDATE**

Principal Planner Bishow distributed the April 4, 2006 City Council staff report for the Enloe Medical Center Master Plan. She also distributed a flier regarding the Downtown Access Planning Charrette and encouraged the Commission to attend.

Administrative Assistant Schreindl advised the Commission that effective immediately, staff will be implementing action minutes for the Planning Commission meetings.

7. **ADJOURNMENT** - There being no further business from the Commission, the meeting adjourned at 7:00 p.m. to the Regular Meeting of April 6, 2006.

April 20, 2006
Date Approved

/s/
Teresa Bishow
Principal Planner

**CITY OF CHICO PLANNING COMMISSION
APRIL 6, 2006 MINUTES**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Irv Schiffman, Chair
Vic Alvistur, Vice Chair
Mary Brownell
Dave Kelley (Arrived at 7:15 p.m.)
Jon Luvaas
Kirk Monfort
Steve O'Bryan

Staff Members Present: Kim Seidler, Planning Director
Teresa Bishow, Principal Planner
Ed Palmeri, Associate Planner
Matt Thompson, Senior Civil Engineer
Lori Barker, Assistant City Attorney
Renee Schreindl, Administrative Assistant

1. ROLL CALL

Chair Schiffman called the meeting to order at 6:30 p.m. Commission members and staff were present as noted.

2. APPROVAL OF MINUTES

Commissioner Monfort moved, seconded by Commissioner Brownell, approval of the minutes of January 5, 2006, January 19, 2006, February 2, 2006, February 6, 2006, February 8, 2006, and February 16, 2006.

Motion passed 4-0-3 for the minutes of January 5, 2006. Commissioners Luvaas and Monfort abstained due to being absent from that meeting.

Commissioner Kelley absent.

Motion passed 6-0-1 for the remainder of the minutes. Commissioner Kelley absent.

3. DISCUSSION OF EX PARTE COMMUNICATIONS

None.

4. PUBLIC HEARING ITEMS

- 4.1. 578 Rio Lindo Tentative Condominium Subdivision Map (S 05-21) (Silacci)
578 Rio Lindo Avenue - This map proposes to create one parcel with four office condominium units, with access and parking shared with the adjacent parcel to the north. A second related map is being processed for 572 Rio Lindo Avenue (S**

05-22). The subject 0.73 acre is identified as APN 006-260-038, and is located on the east side of Rio Lindo Avenue. The subject property is in the City limits, is zoned OC Office Commercial and is designated Offices by the General Plan. The property is currently developed with commercial offices and associated parking and landscaping. No additional improvements are proposed. This project is Categorically Exempt from environmental review under the California Environmental Quality Act, California Code of Regulations, Title 14, Chapter 3, Section 15301(k) Existing Facilities. **(Report - Teresa Bishow, Principal Planner)**

Staff recommends that the Planning Commission adopt Resolution No. 06-16 approving, with conditions, the 578 Rio Lindo Tentative Condominium Subdivision Map (S 05-21).

Chair Schiffman opened the public hearing. Addressing the Commission in the following order were:

Herb Votaw from Rolls, Anderson, and Rolls, representing the applicant, spoke in support.

There being no other speakers, the public hearing was closed.

Commissioner Luvaas moved, seconded by Commissioner Monfort, that the Planning Commission adopt Resolution No. 06-16, approving the 578 Rio Lindo Tentative Condominium Subdivision Map (S 05-21), based on the findings and subject to the conditions of approval contained therein.

Motion passed 6-0-1. Commissioner Kelley absent.

- 4.2. **572 Rio Lindo Tentative Condominium Subdivision Map (S 05-22) (Silacci)**
572 Rio Lindo Avenue - This map proposes to create one parcel with 12 office condominium units, with access and parking shared with the adjacent parcels to the north and south. The subject 0.64 acre is identified as APN 006-260-039, and is located on the east side of Rio Lindo Avenue. The subject property is in the City limits and is currently zoned OC Office Commercial and designated Offices by the General Plan. The property is currently developed with commercial offices. A second related map has been received for 578 Rio Lindo Avenue (S 05-21). No additional improvements are proposed. This project is Categorically Exempt from environmental review under the California Environmental Quality Act, California Code of Regulations, Title 14, Chapter 3, Section 15301(k) Existing Facilities. **(Report - Teresa Bishow, Principal Planner)**
Staff recommends that the Planning Commission adopt Resolution No. 06-17 approving, with conditions, the 572 Rio Lindo Tentative Condominium Subdivision Map (S 05-22).

Chair Schiffman opened the public hearing. Addressing the Commission in the following order were:

Herb Votaw from Rolls, Anderson, and Rolls, representing the applicant, spoke in support.

There being no other speakers, the public hearing was closed.

Commissioner Monfort moved, seconded by Commissioner O'Bryan, that the Planning Commission adopt Resolution No. 06-17, approving the 572 Rio Lindo Tentative Condominium Subdivision Map (S 05-22), based on the findings and subject to the conditions of approval contained therein.

Motion passed 6-0-1. Commissioner Kelley absent.

- 4.3. Starr/Coastal View Tentative Parcel Map (PM 05-17) 1992 Vallombrosa Avenue** - A request to create three lots, including two flag lots, on a 1.14 acre parcel located on the north side of Vallombrosa Avenue and addressed as 1992 Vallombrosa Avenue. The site is currently developed with a single-family residence that is being renovated. The project site is identified as Assessor's Parcel Number 045-412-089, is designated on the City of Chico General Plan Diagram as Low Density Residential, and is located in an R1-15 Low Density Residential (15,000-square-foot minimum lot areas) zoning district. This project is categorically exempt from environmental review pursuant to Section 15332 of the California Environmental Quality Act (In-Fill Development Projects).
(Report - Ed Palmeri, Associate Planner)
Staff recommends that the Planning Commission adopt Resolution No. 06-15 approving, with conditions, the Starr/Coastal View Tentative Parcel Map (PM 05-17).

Chair Schiffman opened the public hearing. Addressing the Commission in the following order were:

Mike Byrd from Rolls, Anderson, and Rolls, representing the applicant, spoke in support.
Doug Starr, Applicant, spoke in support.

There being no other speakers, the public hearing was closed.

Commissioner Alvistur moved, seconded by Commissioner Monfort, that the Planning Commission adopt Resolution No. 06-15, finding the project categorically exempt and approving Starr/Coastal View Construction Tentative Parcel Map (PM 05-17), subject to the required findings and conditions of approval contained therein and the additional condition as follows:

- 13. The developer shall relocate the sidewalk into the public utilities easement to allow additional parkway strip.*

Motion passed 6-0-1. Commissioner Kelley absent.

- 4.4. Conceptual Review: Tuscan Village General Plan Amendment /Rezone**

(GPA/RZ 04-05), Vesting Tentative Subdivision Map /Planned Development Permit (S/PDP 04-08) and Architectural Review (AR 06-03) - The project site consists of 18.3 acres of undeveloped land located on the south side of Eaton Road, between Morseman and Burnap Avenues. The project consists of a General Plan amendment to change the current General Plan Diagram designation from Low Density Residential/Medium Density Residential/Mixed Use Neighborhood Core/Open Space to Medium Density Residential/Mixed Use Neighborhood Core. A zone change is requested from PMU Planned Mixed Use to a classification of R2 Medium Density Residential and CN Neighborhood Commercial. The project includes a vesting tentative subdivision map to create a total of 104 lots to allow a mix of residential uses including single-family residential with second dwelling units, townhouses, and multi-family residential for a total of 200 residential units. Also, there is one 1.56 acre lot at the southwest corner of Eaton Road and Burnap Avenue proposed for commercial development at a future date. The project requires approval of a planned development permit and architectural review. The project site is identified as Assessor's Parcel Numbers 007-190-022.

An initial study for environmental review has been prepared for the project. Based upon the information within the initial study, the Planning Division is recommending that a mitigated negative declaration be adopted for the project pursuant to the California Environmental Quality Act (CEQA). A mitigated negative declaration is a determination that a project will not have a significant impact on the environment, after the incorporation of specific mitigation measures. **(Report - Ed Palmeri, Associate Planner)**

The Planning Commission recessed for a 10 minute break at 7:47 p.m. The meeting was reconvened and all members of the Commission were present.

Chair Schiffman opened the public hearing. Addressing the Commission in the following order were:

- Steve Schuster, Applicant, spoke in support.
- Don Scott, Applicant, spoke in support.
- Andy Willhoit, opposed.
- Jim Neuhart, opposed.
- Charlotte Sturgis, opposed.
- Christine Persson, opposed.
- Bill Sherwood, opposed.
- Martha Mathern, opposed.
- Robin Perry, opposed.
- Kevin Bartshe, opposed.
- Rupert McDowell, opposed.
- Nancy Curtis, opposed.

There being no other speakers, the public hearing was closed.

Mr. Palmeri stated for the record that the Airport Land Use Commission approved this project.

Commissioner Alvistur stated for the record that the Commission is conducting a conceptual review only on this project and will provide recommendations to the applicants. This project will come back to the Commission at a future date for another public hearing and approval or denial.

After extensive discussion of the project, the Commission provided the following recommendations:

1. Orient homes along Eaton Road to the street.
2. Relocate the access points on Morseman Avenue to align with existing streets at Marcia Court and Sandi Drive.
3. Reduce density and massing of homes and provide additional transition by removing up to a total of 12 single-family units along Morseman Avenue and adjacent to properties fronting Netters Circle. Provide additional landscaping and spacing between homes on Morseman Avenue and adjacent to Netters Circle properties.
4. Relocate three-story structures on the interior so they are not visible from Morseman Avenue. The number of three story units can remain the same.
5. Provide a visual simulation and side profile extending from the interior of the project to existing homes on the west side of Morseman Avenue and homes fronting Netters Circle.
6. Provide a vehicular access point on Eaton Road at a mid-point.
7. Incorporate solar and passive energy to the extent possible.
8. Group the residential units over the garages in a varied arrangement other than every other garage.
9. Staff is to work with the developer to achieve a greater setback adjacent to residential lots fronting onto Netters Circle.
10. Consider reducing the width of motor court streets to 24 feet in width with additional landscaping including shade trees to encourage pedestrian use.
11. Use the area at Burnap Avenue and Eaton Road for a park or play area in the event it is not developed with commercial uses. At the very least, the area needs to be landscaped and maintained until such time that the site is developed with commercial uses.

Commissioner O'Bryan stated for the record that he does not support this project.

5. **BUSINESS FROM THE FLOOR**

None.

6. **PLANNING UPDATE**

Planning Director Seidler updated the Commission on City Council actions which included the approval of the Enloe Medical Center Master Plan, the Specific Plan Amendments for the Northwest Chico Specific Plan, and the appeal on Discovery Builders (PM 05-05).

Mr. Seidler also provided an update of the City Council workshop held on March 28, 2006, regarding infill and flag lot development and reminded the Commission of the presentation on April 13, 2006, given by Will Toor regarding downtown and transportation planning.

7. **ADJOURNMENT** - There being no further business from the Commission, the meeting adjourned at 10:02 p.m. to the Adjourned Regular Meeting of April 20, 2006.

May 4, 2006
Date Approved

/s/

Kim Seidler
Planning Director

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE ADJOURNED REGULAR MEETING OF
APRIL 20, 2006**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Vic Alvistur, Vice Chair
 Dave Kelley
 Jon Luvaas
 Kirk Monfort
 Steve O'Bryan

Commissioners Absent: Mary Brownell
 Irv Schiffman, Chair

Staff Members Present: Kim Seidler, Planning Director
 Teresa Bishow, Principal Planner
 Patrick Murphy, Senior Planner
 Steve Betts, Associate Planner
 Bob Summerville, Associate Planner
 Matt Thompson, Senior Civil Engineer
 Lori Barker, Assistant City Attorney
 Renee Schreindl, Administrative Assistant

1. ROLL CALL

Vice Chair Alvistur called the meeting to order at 6:30 p.m. Commission members and staff were present as noted.

2. APPROVAL OF MINUTES

Commissioner Monfort moved, seconded by Commissioner Kelley, approval of the minutes of March 2, 2006, March 9, 2006, and March 16, 2006.

Motion passed 5-0-2 for the minutes of March 2, 2006 and March 9, 2006. Commissioner Brownell and Chair Schiffman absent.

Motion passed 4-0-3 for the minutes of March 16, 2006. Commissioner Brownell and Chair Schiffman absent. Commissioner O'Bryan abstained due to being absent from that meeting.

3. DISCUSSION OF EX PARTE COMMUNICATIONS

Commissioners Alvistur and Luvaas reported that they had spoken to Jeff Ferrar regarding Longs and received an email from Alan Gair regarding Nextel. Commissioner O'Bryan reported that he had spoken to Jeff Ferrar regarding Longs and to Jerry Lutt, Mike Rupp, principal of Pleasant Valley High School, and Art Neumann, principal of

Marigold Elementary School regarding Nextel.

4. PUBLIC HEARING ITEMS

- 4.1. Use Permit (UP 05-65) and Architectural Review (ARB 05-26) (Jones) 1455 Chestnut Street** - A request to demolish an existing convenience store and laundromat, and construct a new mixed use building, including six multi-family residential units, offices, and a laundromat, on property located at the corner of Chestnut and W. 15th Streets. The proposed building is two stories in height, approximately 5,500 square feet in total area, and is located adjacent to the street. A 16-space parking lot will be located behind the building, taking access from W. 15th Street. The site is identified as Assessor's Parcel No. 005-166-008, is designated Mixed Use Neighborhood Core on the City of Chico General Plan Diagram, and is located in a CN Neighborhood Commercial zoning district. The use permit is required to authorize the ground-floor residential use in the CN Zoning district. Site design and architectural review is also being requested. This project is categorically exempt from environmental review pursuant to Section 15332 of the California Environmental Quality Act Guidelines (Infill Development Projects). **(Report - Greg Redeker, Assistant Planner)**
Staff recommends that the Planning Commission approve, with conditions, Use Permit 05-65 and Architectural Review 05-26 (Jones).

Vice Chair Alvistur opened the public hearing. Addressing the Commission in the following order were:

Paul Jones, Applicant, spoke in support.

There being no other speakers, the public hearing was closed.

Commissioner Monfort moved, seconded by Commissioner O'Bryan, that the Planning Commission find that the project is categorically exempt from environmental review and approve Use Permit 05-65 and Architectural Review 05-26 (Jones), based on the findings and subject to the conditions of approval contained in the agenda report with the following changes:

Modifications:

- 6. The permittee shall install compact fluorescent bulbs in all coach light fixtures, with emitted light no greater than the equivalent of a 40 watt incandescent bulb.***
- 8. The permittee shall install wall or ceiling bicycle hooks suitable for storing at least one bicycle in each of the storage areas for project residents. Two additional hoop-style racks with space for four bicycles shall be installed in the vicinity of the laundromat entrance.***

Additions:

11. *The permittee shall revise the design to include shutters on the second story of the east and north elevations (facing W. 15th Street and the parking lot) similar to the shutters on the south (Chestnut Street) elevation.*
12. *The permittee shall revise the design to show a separated sidewalk and parkway strip along the W. 15th Street frontage.*

Motion passed 5-0-2. Commissioners Brownell and Schiffman absent.

- 4.2. **Use Permit (UP 05-76) (Nextel) 1705 Manzanita Avenue** - A request to construct a 125-foot high stealth monopine telecommunications tower, including installation of associated ground-mounted equipment, adjacent to an existing softball field at the rear of the Elks Lodge property located at 1705 Manzanita Avenue. The site is identified as Assessor's Parcel Nos. 015-520-051 and -062, is designated Public Facilities and Services on the City of Chico General Plan Diagram, and is located in a PQ Public/Quasi-Public zoning district.

An initial study for environmental review has been prepared for the Project. Based upon the information within the initial study, the Planning Division is recommending that a mitigated negative declaration be adopted for the Project pursuant to the California Environmental Quality Act (CEQA). A mitigated negative declaration is a determination that a project will not have a significant impact on the environment, after the incorporation of specific mitigation measures. **(Report - Greg Redeker, Assistant Planner)**

Staff recommends that the Planning Commission approve, with conditions, Use Permit 05-76 (Nextel).

Vice Chair Alvistur opened the public hearing. Addressing the Commission in the following order were:

- Frank Schabarum, Applicant, spoke in support.
- Linnea Hanson, opposed.
- Alan Gair, neighbor, opposed.
- Rick Fortier, The Elks Lodge, spoke in support.
- Ken Crouse, Metro PCS, spoke in support.
- Rita Craddock, opposed.
- Leanne Lutt, neighbor, opposed.
- Karen Kite, opposed.
- Wendy Smith, neighbor, opposed.
- Francine Gair, neighbor, opposed.
- Dennis Brugman, Nextel, spoke in support.
- Gary Lutt, neighbor, opposed.
- Chris Perske, opposed.
- Kris Koenig, opposed.
- Mike Jensen, opposed.
- Jurri Jazmadarian, Cingular Wireless, spoke in support.

There being no other speakers, the public hearing was closed.

After considering the project, the staff report, and testimony from interested parties, the Commission voted 3-2-2, Commissioners Alvistur and Monfort opposed, Commissioners Brownell and Schiffman absent, to require an independent third-party analysis of this project. Pursuant to both the Chico Municipal Code and the direction of the Commission, the analysis will consist of the following elements:

- 1. Verification that the tower needs to be in this location and/or zoning district in order to provide the service.*
- 2. Verification that the tower needs to be the height requested. (Implicit in these first two questions is confirmation whether a tower is needed at all.)*
- 3. An alternative site analysis to examine the feasibility of any other location which could provide the service. The analysis shall specifically look at other locations on the Elks Lodge property, Wildwood Park, and the Hooker Oak Recreation Area.*
- 4. Verification that the EMF emissions comply with applicable federal standards.*

The Planning Commission recessed for a 10 minute break at 8:30 p.m. The meeting was reconvened and all members of the Commission were present.

- 4.3. Sawgrass Investors Tentative Condominium Subdivision Map (S 05-19) 1125 Sheridan Avenue** - A request to convert an existing 70-unit apartment complex (Sawgrass Estates) into 70 privately-owned condominium units within seven separate buildings, as well as the creation of one common use area. Units will range in size from 640 square feet (s.f.) to 1,028 s.f.. All common areas and exclusive use common areas will be owned by a homeowner's association. The project site is identified as Assessor's Parcel Number 003-480-113, is designated on the City of Chico General Plan Diagram as Medium High Density Residential, and is located in an R3 Medium High Density Residential zoning district. This project is categorically exempt from environmental review pursuant to Section 15301(k) of the California Environmental Quality Act (Existing Facilities), as the project will result in no physical changes. **(Report - Patrick Murphy, Senior Planner)**
Staff recommends that the Planning Commission approve, with conditions, Sawgrass Investors Tentative Condominium Subdivision Map (S 05-19).

Vice Chair Alvistur opened the public hearing. Addressing the Commission in the following order were:

Tom Knowles, representing the Applicant, spoke in support.

There being no other speakers, the public hearing was closed.

Commissioner Kelley moved, seconded by Commissioner O'Bryan, that the Planning Commission adopt Resolution No. 06-19, approving Sawgrass Investors Tentative Condominium Subdivision Map (S 05-19), based on the findings and subject to the conditions contained therein.

Motion passed 4-1-2. Commissioner Monfort opposed. Commissioners Brownell and Schiffman absent.

- 4.4. PROPOSED AMENDMENT TO CHAPTER 19.44 COMMERCIAL AND OFFICE ZONES OF TITLE 19 OF THE CHICO MUNICIPAL CODE (CA 05-05) (Long's Drug Store/Doucet & Associates)** - A proposal to amend Chapter 19.44 of the City's Land Use and Development Regulations (Title 19) of the Chico Municipal Code, Table 4-6 - Allowed Uses and Permit Requirements for Commercial Zoning Districts to allow pharmacy drive-through services subject to the issuance of a use permit in the CN Neighborhood Commercial zoning district. Currently, the CN district does not allow for any drive-through services. Pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines, the project is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. As there is no possibility that the code amendment may have a significant effect on the environment, the project is not subject to CEQA. If approved, any specific drive-through use would be subject to further environmental review to assess any potential site-specific impacts. **(Report - Bob Summerville, Associate Planner)**

Vice Chair Alvistur opened the public hearing. Addressing the Commission in the following order were:

Galen Grant, Project Architect, spoke in support.

George Ramstead, Applicant, spoke in support.

There being no other speakers, the public hearing was closed.

Commissioner Kelley moved, seconded by Commissioner Alvistur, that the Planning Commission adopt Resolution No. 06-21 recommending that the City Council approve the amendment to Chapter 19.44, Table 4-6 Allowed Uses and Permit Requirements for Commercial Zoning Districts with the additional condition as follows:

The drive-through service shall be used for the sole purpose of dispensing prescription drugs.

Motion passed 3-2-2. Commissioners Luvaas and O'Bryan opposed.

Commissioners Brownell and Schiffman absent.

- 4.5. **Conceptual Review of Planned Development Permit (PDP 06-02), Use Permit (UP 06-02), and Architectural Review (AR 06-01) (Long's Drug Store/Doucet & Associates) Northwest corner of East and Marigold Avenues, APN 016-070-023.** The project involves the following development applications and requests:

AR 06-01:

Architectural review of a new 16,926 square foot drug store with a drive-through service window and the installation of a traffic diverter in the project driveway that accesses East Avenue to prevent left turn movements (eastbound) onto East Avenue.

Use Permit 06-02:

1. A use permit request to allow a drug store/pharmacy that exceeds 4,000 square feet in the CN zoning district;
2. A pharmacy drive-through service window;
3. 24-hour operation of a business within 300 feet of a residential district.

Planned Development Permit 06-02:

A request to allow the following modifications of the development standards of Title 19 of the Chico Municipal Code:

1. An increase in the maximum allowable square footage of sign area;
2. A 13 percent reduction in required parking (from 85 required parking spaces to 74 proposed parking spaces);
3. Modifications of the development standards for drive-through uses.

The site is located on a vacant 1.91 acre parcel designated Community Commercial on the General Plan Diagram and located in the CN Neighborhood Commercial zoning district. This project is categorically exempt from environmental review pursuant to Section 15332 of the California Environmental Quality Act (CEQA) Guidelines (Infill Development Projects). **(Report - Bob Summerville, Associate Planner)**
Staff recommends that the Planning Commission conduct a conceptual review of the project and provide direction to the applicant. Following receipt of any revised design drawings and information that incorporates the comments from the Planning Commission, staff will schedule the project for another public hearing and final action.

Vice Chair Alvistur opened the public hearing. Addressing the Commission in the following order were:

Galen Grant, Project Architect, spoke in support.

George Ramstead, Applicant, spoke in support.

Stephanie Brutsch, developer from DeBartolo Development, spoke in support.

Patty Hester, neighbor, expressed concerns.

There being no other speakers, the public hearing was closed.

The Planning Commission provided the following recommendations:

1. The parking lot light fixtures located within the northerly parking area shall be a

goose-neck flat lens design producing a lima bean-shaped light spread.

2. The two bicycle racks shall be placed in a more visible location near the front doors of the building.
3. Consider other lighting options for signage instead of internal lighting.
4. Consider funding a public art project.
5. The monument sign shall be a maximum height of 4 feet.

The Planning Commission recessed for a 5 minute break at 10:20 p.m. The meeting was reconvened and all members of the Commission were present.

4.6. Shastan Homes at Glenwood Avenue Vesting Tentative Subdivision Map (S 04-21), east side of Glenwood Avenue - Proposal to create 57 single-family lots on approximately 14.9 acres in two development phases, at a density of 3.8 units per gross acre. The property is located on the east side of Glenwood Avenue, approximately 800 feet north of West Sacramento Avenue, at 1134 and 1150 Glenwood Avenue, and is identified as Assessor's Parcel Numbers 042-640-020 and APN 042-640-021. The site is designated Low Density Residential on the City of Chico General Plan Land Use Diagram and is zoned R1 Low Density Residential. The subject property is outside the City limits and an application for annexation is pending.

An initial study for environmental review has been prepared for the project, which was previously circulated for public comment (SCH # 2006012021) but has been revised to incorporate additional information received during the public comment period. Based upon the information within the revised initial study, the Planning Division is recommending that a mitigated negative declaration be adopted for the project pursuant to the California Environmental Quality Act (CEQA). A mitigated negative declaration is a determination that a project will not have a significant impact on the environment, after the incorporation of specific mitigation measures. **(Report - Steve Betts, Associate Planner)**
Staff recommends that the Planning Commission approve, with conditions, Shastan Homes at Glenwood Avenue Vesting Tentative Subdivision Map (S 04-21).

Vice Chair Alvistur opened the public hearing. Addressing the Commission in the following order were:

- Jim Stevens, Project Engineer, spoke in support.
- Olga Peterson, neighbor, opposed.
- Lance Tennis, neighbor, opposed.
- Mike Watts, neighbor, opposed.
- Tom Blixt, neighbor, opposed.

Herb Loeffler, neighbor, opposed.
Nancy Watts, neighbor, opposed.
Maggi Dorsett, neighbor, opposed.

There being no other speakers, the public hearing was closed.

Commissioner Kelley stated that he was voting against this project due to the overall density which he said should be less dense along the perimeter and more dense in the interior.

Commissioner Luvaas stated that he is voting in favor of the project as the General Plan supports infill development and that this project is in the middle range of the R1 zoning district, but some time ago he fought to keep this area rural.

Commissioner Monfort moved, seconded by Commissioner O'Bryan, that the Planning Commission adopt Resolution No. 06-07 approving the Shastan Homes at Glenwood Avenue Vesting Tentative Subdivision Map (S 04-21) based on the required findings and subject to the conditions of approval contained therein with the additional conditions as follows:

- 20. Lots 28 and 29 shall be combined into one parcel and designated on the final map with a "(D)". The following notation shall be included on the final map: "(D) This designates the lot as suitable for development with either a single-family home or a duplex. The structure shall be designed to have a positive orientation to Glenwood Avenue."***

Note: According to the code, a duplex requires site design and architectural review prior to issuance of a building permit.

- 21. The following notation shall be included on the final map: "Homes on Lots 1 and 27 shall be designed to have a positive orientation to Glenwood Avenue."***
- 22. The following notation shall be included on the final map: "No fences shall be installed on the Glenwood Avenue side of the parcels adjacent to Glenwood Avenue."***
- 23. In order to provide buyer notification of aircraft overflights and potential noise impacts from those flights, the applicant shall record a deed notice in conjunction with recordation of the final subdivision map which states that the lots are subject to aircraft overflights from the Ranchoero Airport.***
- 24. Street lights shall not create glare on the adjacent subdivisions.***

25. *The following notation shall be included on the final map:
“Where feasible, the dwellings shall have a southerly orientation.”*

*Motion passed 4-1-2. Commissioner Kelley opposed.
Commissioners Brownell and Schiffman absent.*

5. **BUSINESS FROM THE FLOOR**

None.

6. **PLANNING UPDATE**

None.

7. **ADJOURNMENT** - There being no further business from the Commission, the meeting adjourned at 11:45 p.m. to the Regular Meeting of May 4, 2006.

June 1, 2006 _____

Date Approved

\s\

Kim Seidler
Planning Director

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING OF
MAY 4, 2006**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Irv Schiffman, Chair
Vic Alvistur, Vice Chair
Mary Brownell
Dave Kelley
Jon Luvaas
Steve O'Bryan

Commissioners Absent: Kirk Monfort

Staff Members Present: Teresa Bishow, Principal Planner
Patrick Murphy, Senior Planner
Claudia Sigona, Senior Planner
Steve Betts, Associate Planner
Ed Palmeri, Associate Planner
Matt Johnson, Senior Development Engineer
Renee Schreindl, Administrative Assistant

1. ROLL CALL

Chair Schiffman called the meeting to order at 6:30 p.m. Commission members and staff were present as noted.

2. APPROVAL OF MINUTES

*Commissioner Alvistur moved, seconded by Commissioner O'Bryan,
approval of the minutes of April 6, 2006.
Motion passed 6-0-1. Commissioner Monfort absent.*

3. DISCUSSION OF EX PARTE COMMUNICATIONS

None.

4. PUBLIC HEARING ITEMS

4.1. Tischler Vesting Tentative Parcel Map (PM 06-01) 254 and 272 East 4th Avenue - A request to divide a 0.41-acre parcel into two lots, one of 12,873 square feet and one of 5,124 square feet. The project site is located on the northeast corner of Oleander Avenue and East 4th Avenue, at 254 and 272 East 4th Avenue, and is identified as Assessor's Parcel Number 003-044-013. The site is currently developed with two detached residential structures containing five multi-family rental units. One of the rental units is proposed to be removed. The

project would result in two dwelling units on each proposed lot and would have a residential density of 5.55 dwelling units per gross acre. The project site is designated on the City of Chico General Plan Diagram as Low Density Residential and is located in an R1 Low Density Residential zoning district. This project is categorically exempt from environmental review pursuant to Section 15332 (In-Fill Development Projects) and Section 15301 (Existing Facilities) of the California Environmental Quality Act Guidelines. **(Report - Steve Betts, Associate Planner)**

Staff recommends that the Planning Commission approve, with conditions, Tischler Vesting Tentative Parcel Map (PM 06-01).

Chair Schiffman opened the public hearing. Addressing the Commission in the following order were:

Adam Tischler, Applicant, spoke in support.

There being no other speakers, the public hearing was closed.

Commissioner Alvistur moved, seconded by Commissioner Kelley, that the Planning Commission adopt Resolution No. 06-19 approving the Tischler Vesting Parcel Map (PM 06-01) based on the required findings and subject to the conditions of approval contained therein and the additional condition as follows:

- 8. Every effort shall be made to save the 48" black oak located in the parkway strip adjacent to the alley, if the City Urban Forester determines the tree is worth preserving and if the alley approach apron can be modified to avoid the tree.***

Motion passed 6-0-1. Commissioner Monfort absent.

4.2. Tran Vesting Tentative Parcel Map (PM 06-02) - 491 A & B Waterford Drive

- A request to divide a 0.46-acre parcel into two lots, one of 13,588 square feet (Parcel 1) for an existing duplex, and one of 6,438 square feet (Parcel 2) for a new single-family dwelling. The project site is located on the southwest corner of Waterford Drive and Joshua Tree Road, at 491 A & B Waterford Drive and is identified as Assessor's Parcel Number 007-330-001. The site is currently developed with a duplex, accessory building, and a septic system. The accessory building and septic system are proposed to be removed. The two proposed parcels would connect to the City of Chico public sewer system, which requires a 300+\" sewer main extension on Joshua Tree Road. The project would have a residential density of 4.4 dwelling units per gross acre. The project site is currently within the unincorporated area of Butte County, but is within the City of Chico Sphere of Influence and is adjacent to the City limits. The project site is designated on the City of Chico General Plan Diagram as Low Density Residential and is rezoned R1 Low Density Residential. The property is proposed to be annexed into the City of Chico. The project is categorically exempt from environmental review

pursuant to Section 15332 of the California Environmental Quality Act Guidelines (In-Fill Development Projects). (**Report - Steve Betts, Associate Planner**)

Staff recommends that the Planning Commission approve, with conditions, Tran Vesting Tentative Parcel Map (PM 06-02).

Chair Schiffman opened the public hearing. Addressing the Commission in the following order were:

Kimberly Gear, neighbor, opposed.

Paul Gear, neighbor, opposed.

Tham Tran, Applicant, spoke in support.

Teresa Reynolds, neighbor, opposed.

Beth Howard, neighbor, opposed.

Matt Kleimann, neighbor, opposed.

Russ Erickson, Robertson and Dominick, spoke in support.

There being no other speakers, the public hearing was closed.

Commissioner O'Bryan moved, seconded by Commissioner Alvistur, that the Planning Commission adopt Resolution No. 06-22 approving the Tran Vesting Parcel Map (PM 06-02) based on the required findings and subject to the conditions of approval contained therein.

Motion passed 6-0-1. Commissioner Monfort absent.

- 4.3. Fleetwood Enterprises (Airport Industrial Development) Tentative Subdivision Map (S 05-16) (Meghdadi):** A request to subdivide approximately 17.8 acres located at 370 and 390 Ryan Avenue to create seven lots for development with industrial uses. The lots range in size from 0.64 acres to 9.2 acres. The site consists of the former Fleetwood Enterprises manufacturing facility located at the intersection of Ryan and Marauder Avenues. The project site is identified as Assessor's Parcel Number 047-560-002. The site is designated Manufacturing and Warehousing on the General Plan Diagram and is located in an AM Airport Manufacturing zoning district.

An initial study for environmental review has been prepared for the Project. Based upon the information within the initial study, the Planning Division is recommending that a mitigated negative declaration be adopted for the Project pursuant to the California Environmental Quality Act (CEQA). A mitigated negative declaration is a determination that a project will not have a significant impact on the environment, after the incorporation of specific mitigation measures. (**Report - Ed Palmeri, Associate Planner**)

Staff recommends that the Planning Commission approve, with conditions, Fleetwood Enterprises Tentative Subdivision Map (S 05-16).

Chair Schiffman opened the public hearing. Addressing the Commission in the following

order were:

Russ Erickson, Project Engineer from Robertson and Dominick, spoke in support.
Andrew Meghdadi, Applicant, spoke in support.

There being no other speakers, the public hearing was closed.

Commissioner Kelley moved, seconded by Commissioner Brownell, that the Planning Commission adopt Resolution No. 06-23, approving the Fleetwood Enterprises Tentative Subdivision Map (S 05-16), based on the findings and subject to the conditions of approval contained therein and the additional condition as follows:

- 11. The following notation shall be included on the final map:
"Where feasible, the buildings shall have a southerly orientation."*

Motion passed 6-0-1. Commissioner Monfort absent.

The Planning Commission recessed for a 10 minute break at 7:57 p.m. The meeting was reconvened and all members of the Commission were present.

- 4.4. Two Gen Vesting Tentative Condominium Subdivision Map (S 06-01) (Two Gen Properties, Inc.)** - A request to approve creation of sixteen condominium lots and one common area on 2.44 acres located at the terminus of Bellarmine Court and addressed as 32 Bellarmine Court. The project site is identified as Assessor's Parcel No. 039-430-123. The property is designated Manufacturing and Warehousing on the City of Chico General Plan Diagram and is located in an ML Light Manufacturing/Industrial zoning district. This project is categorically exempt from environmental review pursuant to Section 15332 of the California Environmental Quality Act Guidelines (In-Fill Development Projects). **(Report - Ed Palmeri, Associate Planner)**
Staff recommends that the Planning Commission approve, with conditions, Two Gen Vesting Tentative Condominium Subdivision Map (S 06-01).

Chair Schiffman opened the public hearing. Addressing the Commission in the following order were:

Bill Dinsmore, Project Engineer from Rolls, Anderson, and Rolls, spoke in support.

There being no other speakers, the public hearing was closed.

Commissioner O'Bryan moved, seconded by Commissioner Alvistur, that the Planning Commission adopt Resolution No. 06-24 approving the Two Gen Tentative Subdivision Map (S 06-01), based on the findings and subject to the conditions of approval contained therein and the additional condition as follows:

- 6. The following notation shall be included on the final map:*

“Where feasible, the buildings shall have a southerly orientation.”

Motion passed 6-0-1. Commissioner Monfort absent.

- 4.5. **Glenshire Park Vesting Tentative Subdivision Map (S 05-53)** - A proposal to create 27 lots for single-family residential development and two lots for residential duplexes on 5.52 acres located on the west side of Mariposa Avenue, east of the east terminus of Glenshire Lane, identified as Assessor’s Parcel Nos. 016-020-050 and 051. The proposed project density is 5.62 units per acre and the average lot size is 6,443 square feet. The subject site is designated Low Density Residential by the General Plan diagram, and is zoned R1 Low Density Residential.

An initial study for environmental review has been prepared for the project. Based upon the information within the initial study, the Planning Division is recommending that a mitigated negative declaration be adopted for the project pursuant to the California Environmental Quality Act (CEQA). A mitigated negative declaration is a determination that a project will not have a significant impact on the environment, after the incorporation of specific mitigation measures. **(Report - Claudia Sigona, Senior Planner)**

Staff recommends that the Planning Commission approve, with conditions, Glenshire Park Vesting Tentative Subdivision Map (S 05-53).

Chair Schiffman opened the public hearing. Addressing the Commission in the following order were:

Tony Symmes, Applicant, spoke in support.

There being no other speakers, the public hearing was closed.

Commissioner Kelley moved, seconded by Commissioner Brownell, that the Planning Commission adopt Resolution No. 06-25, adopting a mitigated negative declaration and mitigation monitoring program, and approving the Glenshire Park Subdivision, and architectural review of the duplex units, subject to the findings and conditions contained therein and the additional conditions as follows:

15. ***Installation of the access serving Lots 24 and 25 shall include permanent irrigation and landscaping within the 2.5 feet on both sides of the driveway.***
16. ***Where feasible, the roofs of the dwellings constructed within the subdivision shall be oriented to provide for passive solar heating and cooling and enable the installation of solar equipment.***

Motion passed 6-0-1. Commissioner Monfort absent.

- 4.6. Conceptual Review of Wildwood Estates Vesting Tentative Subdivision Map and Planned Development Permit (S/PDP 05-15) (Wildwood Investors) at 2812 Cactus Avenue** - Conceptual review of a proposed 196-lot residential subdivision and planned development permit (PDP) on a 35.4 acre site located on the east side of Cactus Avenue (Assessor's Parcel Number 016-160-003). The subdivision proposes 175 single-family lots and 21 duplex lots, for a total of 217 residential units at a density of 6.1 units per gross acre. Fifteen lots will have frontage along Cactus Avenue and will be a minimum of 10,000 square feet (s.f.). The remainder of the lots interior to the subdivision would range in size from 2,375 s.f. to 12,660 s.f. The average lot size for the development is 5,394 s.f. Through the accompanying PDP application, the applicant is requesting various modifications to City subdivision and design standards, including a request to allow project density to exceed six units per acre, allow reduced lot sizes, allow duplexes on lots other than corner lots, and allow modified street widths. The project also proposes a traffic signal at the intersection of proposed Street "C" and Eaton Road and an additional traffic signal at the intersection of Cactus Avenue and East Avenue. The subject property is designated Low Density Residential on the City of Chico General Plan Land Use Diagram, with a zoning classification of R1-SD7 Low Density Residential with a special design considerations overlay zone.

The Planning Commission is being requested to provide direction to the applicant and City staff as to the appropriateness of the requested application; no action to approve or deny the project will be taken at this meeting. Environmental review of the project is pending. **(Report - Patrick Murphy, Senior Planner)**
Staff recommends that the Planning Commission provide direction as to the appropriateness of the overall design of the proposed Wildwood Estates subdivision. No action to approve or deny the project will be taken at this meeting.

Chair Schiffman opened the public hearing. Addressing the Commission in the following order were:

Tony Symmes, Applicant, spoke in support.
James Sexton, neighbor, opposed.
Mark Streets, neighbor, opposed.
Steve Mosher, neighbor, opposed.
Liz Mosher, neighbor, opposed.
Paul Teegarden, neighbor, opposed.
Jerry Olio, neighbor, opposed.
Cecilia Davenport, neighbor, opposed.

There being no other speakers, the public hearing was closed.

The Planning Commission provided the following direction:

1. It is acceptable to mitigate the loss of the degraded wetlands on the site resulting from the project at an approved off-site mitigation bank.

2. Duplexes will be allowed on lots other than corner lots.
3. Explore reducing the depth of driveways on some of the duplex lots (e.g., Lots 170-176) to provide additional usable open space areas on each of these lots.
4. For the lots within the interior of the subdivision that have garages facing the street, approximately 20 percent of these garages shall be recessed from the front of the house, similar to the requirements of the Northwest Chico Specific Plan.
5. The lots within the interior of the subdivision shall utilize 15-foot front yard setbacks instead of 20 feet, and the incorporation of front porches within the front setbacks (as already allowed by Title 19) is encouraged.
6. Provide passive open space areas within the development (e.g., tot lot, benches, seating). Strive to provide same amount of passive open space as the acreage of the wetlands being displaced by the project.
7. Provide a pedestrian/bicycle path in a west-east direction to link streets B, C and D. The minimum 20-foot wide easement would generally be located in place of Lots 75, 90, 121, and 135. The pedestrian/bicycle path should meander and be landscaped on both sides.
8. To make up for any units that may be displaced by the open space lots, the applicant may add additional row homes or two-story elements within the interior of the subdivision.
9. Garage doors should be painted with a variety of colors (not white) to better blend in with the house.
10. Front yard fencing along Cactus Avenue shall be restricted to the following types: split-rail, field, wire, corral, or steel tube (no solid, chain-link, electric, barbed wire, plastic or vinyl), similar to the conditions imposed on the nearby Symm City subdivision.
11. Add architectural features to back of the duplex units which will be visible from Eaton Road.
12. Minimize lighting impacts on the neighborhood and the observatory by utilizing full cut-off lights and providing lights only at main intersections and the end of the Cactus Avenue cul-de-sac.
13. The phasing plan for the project should be changed to make the first phase the construction of roadways and units adjacent to Eaton Road. Phase 2 would consist of the interior of the subdivision, while Phase 3 would consist of development along Cactus Avenue.

14. The conceptual decorative wall/fence plan submitted by the applicant at the meeting for the row houses along the northern portion of the site are appropriate.
15. The overall density for the project should not exceed 6.0 dwelling units per gross acre.

5. BUSINESS FROM THE FLOOR

Mark Streets asked for direction on what the neighborhood can do to avoid Albion Court from being connected to Eaton Road.

6. PLANNING UPDATE

Principal Planner Bishow advised the Commission that the Planning Commission meeting of May 18, 2006, has been canceled and that the Commission should adjourn to the meeting of June 1, 2006. She also informed the Commission that an appeal has been filed on Shastan at Glenwood subdivision.

Ms. Bishow advised the Commission that Associate Planner Steve Betts is leaving the City and his last day is May 16, 2006, and that Administrative Assistant Renee Schreindl accepted the position of Administrative Assistant in the General Services Department, Park Division.

- 7. ADJOURNMENT** - There being no further business from the Commission, the meeting adjourned at 11:10 p.m. to the Regular Meeting of June 1, 2006.

June 15, 2006
Date Approved

/s/
Teresa Bishow
Principal Planner

ADJOURNED REGULAR PLANNING COMMISSION MEETING - MAY 18, 2006
Chico Municipal Center, 421 Main Street, Council Chambers, 6:30 p.m.

Notice is hereby given that the adjourned regular meeting of the City of Chico Planning Commission scheduled for Thursday, May 18, 2006 at 6:30 p.m. has been canceled. At its meeting of May 4, 2006, the Planning Commission adjourned to the regular meeting on Thursday, June 1, 2006 at 6:30 p.m. in the Council Chambers of the Chico Municipal Center, 421 Main Street, Chico, California.

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING OF
JUNE 1, 2006**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Irv Schiffman, Chair
 Vic Alvistur, Vice Chair
 Mary Brownell
 Dave Kelley
 Jon Luvaas
 Kirk Monfort
 Steve O'Bryan

Staff Members Present: Kim Seidler, Planning Director
 Teresa Bishow, Principal Planner
 Claudia Sigona, Senior Planner
 Claudia Stuart, Senior Planner
 Mike Sawley, Associate Planner
 Matt Johnson, Senior Development Engineer
 Lori Barker, Assistant City Attorney
 Renee Schreindl, Administrative Assistant

1. ROLL CALL

Chair Schiffman called the meeting to order at 6:30 p.m. Commission members and staff were present as noted.

2. APPROVAL OF MINUTES

Commissioner Alvistur moved, seconded by Commissioner O'Bryan, approval of the minutes of April 20, 2006, with the addition of the explanation offered by Commissioner Luvaas as to why Shastan Homes at Glenwood Subdivision was approved. Motion passed 5-0-2. Commissioners Brownell and Schiffman abstained due to being absent from the meeting.

The minutes of May 4, 2006, were pulled to eliminate the word "strive" from direction numbers 4 and 5 given by the Commission regarding the conceptual review of Wildwood Estates Vesting Subdivision and Planned Development Permit.

3. DISCUSSION OF EX PARTE COMMUNICATIONS

None.

4. NEIGHBORHOOD PLANNING UPDATE

Senior Planner Claudia Stuart provided a brief update regarding work on the Avenues and Southwest Chico Neighborhood Plans.

5. **PUBLIC HEARING ITEMS**

5.1. Minch Vesting Tentative Parcel Map (PM 05-18) - 626 West 4th Avenue. A request to divide two parcels into one lot of 4,627 square feet (Parcel 1, which is developed with a single-family dwelling), and a flag lot of 7,298 square feet (6,000 square feet net) for future single-family residential development (Parcel 2). The project would result in a density of 5.97 dwelling units per gross acre. The property is located on the north side of West 4th Avenue, between North Cherry Street and Warner Street, at 626 West 4th Avenue, and is identified as Assessor's Parcel Numbers 043-132-030 & 029. The property is designated on the City of Chico General Plan Diagram as Low Density Residential and is zoned R1 Low Density Residential. This project is categorically exempt from environmental review pursuant to Section 15332 of the California Environmental Quality Act Guidelines (In-Fill Development Projects). *Staff recommends that the Planning Commission approve, with conditions, Minch Vesting Tentative Parcel Map (PM 05-18). (Report - Mike Sawley, Associate Planner)*

Commissioner Monfort abstained and left the Council Chambers due to living within 500 feet from this project.

Chair Schiffman opened the public hearing. Addressing the Commission in the following order were:

- Wes Gilbert, Project Engineer, spoke in support.

There being no other speakers, the public hearing was closed.

Chair Schiffman moved, seconded by Commissioner Kelley, that the Planning Commission adopt Resolution No. 06-14 approving the Minch Vesting Parcel Map (PM 05-18) based on the required findings and subject to the conditions of approval contained therein and the additional condition as follows:

- 12. The flag lot access way shall be sloped to prevent storm water runoff from draining into the West 4th Avenue public right-of-way.*

Motion passed 6-0-1. Commissioner Monfort abstained.

5.2. Creekside Landing Vesting Tentative Subdivision Map (S 03-03) (North Chico Development) - A request to subdivide approximately 95 acres located between Nord Highway and Mud Creek to the north-northwest and the Shasta Union Drainage Assessment District (SUDAD) ditch, west of the current terminus of Eaton Road and the

Willoughby Glen Subdivision, to create a total of 423 lots for development with single-family homes. In addition, the project includes a 0.94 acre towards a future neighborhood park, as well as a linear greenway/bike bath. The average lot size is 5,967 square feet. The project site is identified as Assessor's Parcel Numbers 006-690-005, 008, 009, and 036. The site is designated Low Density Residential in the General Plan and is located in an R1 Low Density Residential rezoning district.

A Program Environmental Impact Report (EIR) was prepared and certified for the Northwest Chico Specific Plan (NWCSP). The EIR included a project specific analysis of the Creekside Landing Subdivision. Pursuant to Sections 15162 and 15168 of the California Environmental Quality Act (CEQA) Guidelines, the project has been examined in the light of the NWCSP and has been found to be within the scope of the project covered by the Program EIR. No new significant effects could occur and no new mitigation measures are warranted as a result of the project that were not previously identified in the NWCSP Program EIR. As a result, no further environmental review is required. A copy of the NWCSP and its associated Program EIR are available for public review in the Planning Division office at the address below. ***Staff recommends that the Planning Commission approve, with conditions, Creekside Landing Vesting Tentative Subdivision Map (S 03-03). (Report - Claudia Sigona, Senior Planner)***

Chair Schiffman opened the public hearing. Addressing the Commission in the following order were:

- Jim Mann, Applicant from Rural Consulting Associates, spoke in support.
- Wes Gilbert, Project Engineer, spoke in support.

There being no other speakers, the public hearing was closed.

The Planning Commission recessed for a 10 minute break at 8:18 p.m. The meeting was reconvened and all members of the Commission were present.

Commissioner Monfort moved, seconded by Commissioner Alvistur, that the Planning Commission adopt Resolution No. 06-26, approving the Creekside Landing Vesting Tentative Subdivision Map (S 03-03) based on the findings and subject to the conditions of approval contained therein and the following changes:

- ***Condition #7 (Moving the Eaton Road connection to Powerline Drive) was deleted (in favor of the Street "E" connection to Eaton Road as shown on the map) and subsequent conditions 8 through 12 are renumbered as 7 through 11.***
- ***Condition #8 is renumbered to Condition #7 (below):***

7. *The final map shall include a note stating that all single-family home designs are subject to administrative architectural review by Planning Division staff prior to or concurrent with the building permit plan check process. The following design elements shall be incorporated into the design of the residences:*
 - a. *Massing achieved through the use of a variety of forms, including porches and wings;*
 - b. *Building facades that are interesting; that include amenities such as porches, steps, and window reveals; and that are designed at a pedestrian-friendly scale;*
 - c. *Seventy percent of the home designs within the subdivision shall incorporate covered porches with a minimum size of 4' x 8'. The remaining home designs shall do so if feasible;*
 - d. *Homes on corner lots along Street "F" shall be designed to face the Mud Creek levee with garage access provided from the side streets;*
 - e. *All garages shall be set back from the main facade by a minimum of 4 feet. In addition, garages should comprise a lesser percentage of the street frontage than the residence. If a garage occupies more than 50 percent of the total front elevation it shall not exceed 22 feet in width.*
- *Additions:*
 12. *Homes on Lots 1, 3, 4, and 5 shall front on Nord Highway with rear-loaded garages.*
 13. *Street "F" shall be modified to reflect a 63-foot street cross-section as shown in Figure 4-4 of the Northwest Chico Specific Plan (Final Plan).*
 14. *The 8-foot multi-use levee path, the 5-foot sidewalk along Street "F" in front of Lot 8, and the sidewalk along Nord Highway shall all converge and connect to one another at the west side of Lot 8.*
 15. *Provide a "choker" on Streets "J" and "K" opposite the Lot F*

bike/pedestrian path. The final design shall be subject to review and approval by the City Engineering Division.

16. *In consultation with the City Engineering Division, redesign the intersection of Streets "B" and "E", and the intersection of Streets "E" and "C" to provide for safer bike and pedestrian crossings, including incorporating smaller turning radii and adjusting handicap ramps. The final designs shall be subject to review and approval by the City Engineering Division.*
17. *Reconfigure the handicap ramps on Street "A" between Streets "G" and "H" and provide demarcated crosswalks where needed to provide designated crossing points at the intersection of Street "A" and the future extension of Center Street. The design and location of improvements shall be reviewed and approved by the City Engineering Division.*
18. *Reduce the depths of Lots 410 and 411 by a minimum of 15 feet in order to increase the size of Lot 406 to provide for a larger building envelope.*
19. *Include bulbing at the corners for intersections along Powerline Drive (identified as Street "A" on the tentative map) in substantial conformance with Figure 5-8 of the Northwest Chico Specific Plan (Final Plan). Bulbing design and locations shall be reviewed and approved by the City Engineering Division.*
20. *Record a deed restriction against lots along the south boundary of the subdivision which advises property owners of the requirement to maintain fencing, irrigation and trees in compliance with the Northwest Chico Specific Plan in the following locations: 1) along the south property line (for Lots 362-371); 2) along the north side of the 27-foot PG&E easement (for Lots 399-406 and 412-413); and along the north side of the 40-foot agricultural buffer setback (for Lots 414-415 and 316-318). The required 8-foot high fencing, permanent irrigation, and the required double row of evergreen trees shall be installed prior to issuance of certificates of occupancy for the affected lots.*
21. *Provide a minimum 15-foot wide alley along the rear of Lots 173-177. Homes constructed on these lots shall be rear-loaded with vehicle access taken from the alley.*

Motion passed 7-0.

6. BUSINESS FROM THE FLOOR

None.

7. PLANNING UPDATE

Planning Director Seidler updated the Commission regarding Nextel (UP 05-76).

- 8. ADJOURNMENT** - There being no further business from the Commission, the meeting adjourned at 10:15 p.m. to the Adjourned Regular Meeting of June 15, 2006.

July 6, 2006 _____
Date Approved

_____/s/_____
Teresa Bishow
Principal Planner

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE ADJOURNED REGULAR MEETING OF
JUNE 15, 2006**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Irv Schiffman, Chair
Vic Alvistur, Vice Chair
Mary Brownell
Dave Kelley
Kirk Monfort
Steve O'Bryan

Commissioners Absent: Jon Luvaas

Staff Members Present: Kim Seidler, Planning Director
Patrick Murray, Senior Planner
Ed Palmeri, Associate Planner
Bob Summerville, Associate Planner
Greg Redeker, Assistant Planner
Matt Johnson, Senior Development Engineer
Lori Barker, Assistant City Attorney
Renee Schreindl, Administrative Assistant

1. ROLL CALL

Chair Schiffman called the meeting to order at 6:30 p.m. Commission members and staff were present as noted.

2. APPROVAL OF MINUTES

Commissioner Alvistur moved, seconded by Commissioner Brownell, approval of the minutes of May 4, 2006. Motion passed 5-0-2. Commissioner Monfort abstained due to being absent from the meeting.

3. DISCUSSION OF EX PARTE COMMUNICATIONS

Commissioner Kelley spoke to Mr. Renfro regarding driveway access.

4. PUBLIC HEARING ITEMS

4.1. Willoughby Glen, Phase III Vesting Tentative Subdivision Map (S 03-16) (Ritchie Investors) - A request to (1) reconfigure four existing single-family residential lots (Lots 52, 53, 73, and 74 of the approved and recorded Willoughby Glen, Phase II subdivision map; Assessor's Parcel Numbers 006-750-018, -019, -039, and -040) and (2) create six new single-family residential lots on approximately 2.26 acres (Assessor's Parcel Number 006-690-037) located just west of the existing

Willoughby Glen, Phase II development, consistent with the recently-adopted Northwest Chico Specific Plan (NWCSP). The subject properties are located at the west end of Weymouth Way and Windham Way, just north of the Eaton Road extension. The properties are designated Low Density Residential in the General Plan and are either zoned or prezoned R1 Low Density Residential. A sphere of influence amendment and annexation will also be required as a condition of the map.

A Program Environmental Impact Report (EIR) was prepared and certified for the Northwest Chico Specific Plan (NWCSP). The EIR included a project specific analysis of the Willoughby Glen, Phase III Subdivision. Pursuant to Sections 15162 and 15168 of the California Environmental Quality Act (CEQA) Guidelines, the project has been examined in the light of the NWCSP and has been found to be within the scope of the project covered by the Program EIR. No new significant effects could occur and no new mitigation measures are warranted as a result of the project that were not previously identified in the NWCSP Program EIR. As a result, no further environmental review is required. *Staff recommends that the Planning Commission approve, with conditions, Willoughby Glen, Phase III Vesting Tentative Subdivision Map (S 03-16).* (Report-Patrick Murphy, Senior Planner)

Chair Schiffman opened the public hearing. Addressing the Commission in the following order were:

- Jim Mann, Applicant from Rural Consulting Associates, spoke in support.

There being no other speakers, the public hearing was closed.

Chair Schiffman moved, seconded by Commissioner Monfort, that the Planning Commission approve Willoughby Glen, Phase III Vesting Subdivision Map (S 03-16), subject to the conditions of approval contained therein and the additional condition as follows:

Condition No. 10 - The intersection of Windham Way with Street A shall be bulbed consistent with the Northwest Chico Specific Plan requirements for Powerline Drive.

Motion passed 6-0-1. (Commissioner Luvaas absent)

- 4.2. Renfro Tentative Parcel Map (PM 05-19) 726 West 11th Avenue** - A request to approve creation of two lots for development with single-family homes on 0.69 acres located at 726 West 11th Avenue. The project site is identified as Assessor's Parcel No. 043-052-014. The site is designated Low Density Residential (2.01 to 6 dwelling units per gross acre) on the General Plan Diagram and is located in an R1 Low Density Residential zoning district. This project has previously been determined to be categorically exempt from the California Environmental Quality Act (CEQA), pursuant to the CEQA Guidelines, Section 15332 In-Fill Development Projects, and no further environmental review is required. *Staff recommend that the Planning*

Commission approve, with conditions, Renfro Tentative Parcel Map (PM 05-19). (Report-Ed Palmeri, Associate Planner)

Chair Schiffman opened the public hearing. Addressing the Commission in the following order were:

- James Renfro, Applicant, spoke in support.

There being no other speakers, the public hearing was closed.

Commissioner Monfort moved, seconded by Commissioner Brownell, that the Planning Commission approve Renfro Parcel Map (PM 05-19), based on the findings and subject to the conditions of approval contained therein and the additional condition as follows:

Condition No. 9 - A 12-foot wide driveway access point may be developed on the east side of proposed Parcel 1.

Motion passed 6-0-1. (Commissioner Luvaas absent)

- 4.3. Use Permit 04-62 (Verizon Wireless) 1460 Humboldt Road** - A request to replace the existing 83' tall (103' tall, including the whip antenna) wireless telecommunications tower located behind the Chico Police Department building with a new 100' tower (120' tall, including the whip antenna), which will mount all existing antennas plus twelve new antenna panels for wireless telecommunications services. All ground-mounted equipment will be located in a 20' x 25' partially-enclosed storage area to the north of the tower. The site is identified as Assessor's Parcel No. 002-060-013, is designated Public Facilities and Services on the City of Chico General Plan Diagram, and is located in a PQ Public/Quasi-Public zoning district. This project is categorically exempt from environmental review pursuant to Section 15303 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act Guidelines. ***Staff recommends that the Planning Commission approve, with conditions, Use Permit 04-62 (Verizon Wireless). (Report-Greg Redeker, Assistant Planner)***

Chair Schiffman opened the public hearing. Addressing the Commission in the following order were:

- Erin Merrill, representing Applicant Verizon Wireless, spoke in support.

There being no other speakers, the public hearing was closed.

Commissioner Kelley moved, seconded by Chair Schiffman, that the Planning Commission adopt Resolution No. 06-29, finding that the project is categorically exempt from environmental review, and approve Use Permit 04-62 (Verizon Wireless), based on the findings and subject to the conditions of approval contained therein.

Motion passed 6-0-1. (Commissioner Luvaas absent)

- 4.4. **Use Permit 05-20/ARB 05-40/Certificate of Appropriateness 06-01 (Fifth Street Steakhouse) 345 West 5th Street** - A request to approve a use permit to allow expansion of a non-conforming historic structure located on 0.15 acres at 345 West Fifth Street that does not comply with RD Downtown Residential zoning district setback requirements. In addition, the Planning Commission will consider a request to approve a site design and architectural review application, and recommendations made by the Architectural Review Board at its meeting of May 17, 2006 (ARB 05-40). A certificate of appropriateness (COA 06-01) is currently being considered for approval by the Planning Director. The proposed expansion consists of approximately 1,100 square feet of banquet area. The property is identified as Assessor's Parcel No. 004-221-001. The site is designated Downtown on the City of Chico General Plan Diagram, and is zoned RD Downtown Residential. This project has previously been determined to be categorically exempt from the California Environmental Quality Act (CEQA), pursuant to the CEQA Guidelines, Section 15303 New Construction or Conversion of Small Structures, and no further environmental review is required. *Staff recommends that the Planning Commission approve, with conditions, Use Permit 05-52/ARB 05-40/Certificate of Appropriateness 06-01 (Fifth Street Steakhouse).* (Report - Ed Palmeri, Associate Planner)

Chair Schiffman opened the public hearing. Addressing the Commission in the following order were:

- Keith Long, AIA, Project Architect, spoke in support.

There being no other speakers, the public hearing was closed.

Commissioner Kelley moved, seconded by Commissioner Monfort, that the Planning Commission approve Permit 005-20/ARB 05-40/Certificate of Appropriateness 06-0 (Fifth Street Steakhouse), based on the conditions contained therein.

Motion passed 6-0-1. (Commissioner Luvaas absent)

- 4.5. **Final Review of Planned Development Permit 06-02, Use Permit 06-02, and Architectural Review 06-01 (Long's Drug Store/ Doucet & Associates), Northwest corner of East and Marigold Avenues, APN 016-070-023** - The project involves the following development applications to allow the construction of a new 16,926 square foot drug store with a drive-through sales window for pharmaceuticals only, including the installation of a traffic diverter in the project driveway that accesses East Avenue to prevent left turn movements (eastbound) onto East Avenue: **Planned Development Permit 06-02:**
A request to allow the following modifications of the development standards of Title

19 of the Chico Municipal Code:

1. An increase in the maximum allowable square footage of sign area;
2. Modifications of the development standards for drive-through uses.

Use Permit 06-02:

A request for a use permit to allow:

1. A drug store/pharmacy that exceeds 4,000 square feet;
2. A pharmacy drive-through sales window for pharmaceuticals only;
3. 24-hour operation of a business within 300 feet of a residential district.

Architectural Review 06-01:

Architectural review of the project building, site, and landscape design, including the design of exterior lighting, signage, and screen wall along the site's northern boundary. The site is located on a vacant 1.91 acre parcel designated Community Commercial on the General Plan Diagram and located in the CN Neighborhood Commercial zoning district. This project has been determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332 (In-fill Development Projects). *Staff recommends that the Planning Commission approve, with conditions, Planned Development Permit 06-02, Use Permit 06-02, and Architectural Review 06-01 (Long's Drug Store/Doucet & Associates). (Report - Bob Summerville, Associate Planner)*

Chair Schiffman opened the public hearing. Addressing the Commission in the following order were:

- Galen Grant, Project Architect, spoke in support.

There being no other speakers, the public hearing was closed.

Commissioner Monfort moved, seconded by Commissioner O'Bryan, that the Planning Commission approve Planned Development Permit 06-02, Use Permit 06/02, and Architectural Review 06-01 (Long's Drug Store/Doucet & Associates), based on the conditions contained therein and a change of condition as follows:

A low wall shall not be constructed along the south side of the drive-through lane. Instead, the decorative fence shall be extended from the street corner to the drive-through lane, with landscaping for screening vehicles.

Motion passed 6-0-1. (Commissioner Luvaas absent)

5. BUSINESS FROM THE FLOOR

None.

6. PLANNING UPDATE

Planning Director Seidler advised the Commission he will be absent from the next three

meetings due to vacation

Shastan at Glenwood was approved.

The Sierra Gardens appeal was upheld; the Applicants will file a lawsuit.

7. **ADJOURNMENT** - There being no further business from the Commission, the meeting adjourned at 8:25 p.m. to the Regular Meeting of July 6, 2006.

July 6, 2006 _____
Date Approved

_____/s/_____
Teresa Bishow
Principal Planner

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING OF
JULY 6, 2006**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Irv Schiffman, Chair
Vic Alvistur, Vice Chairman
Mary Brownell
Dave Kelley
Jon Luvaas
Kirk Monfort
Steve O'Bryan

Staff Members Present: Teresa Bishow, Principal Planner
Claudia Sigona, Senior Planner
Matt Johnson, Senior Development Engineer
Lori Barker, Assistant City Attorney
Dennis McLaughlin, Housing Officer
Karen Masterson, Administrative Assistant

1. ROLL CALL

Chair Schiffman called the meeting to order at 6:30 p.m. Commission members and staff were present as noted.

2. APPROVAL OF MINUTES

Commissioner Kelley moved, seconded by Commissioner Brownell, approval of the minutes of June 1, 2006 and June 15, 2006. Motion passed 7-0-0 for approval of the June 1, 2006 minutes and 6-0-1 for approval of the June 15, 2006 minutes. (Commissioner Luvaas abstained from approval of the minutes of June 15, 2006 as he was absent from that meeting.)

3. DISCUSSION OF EX PARTE COMMUNICATIONS

None

4. PUBLIC HEARING ITEMS

4.1 Tuscan Village General Plan Amendment/Rezone (GPA/RZ 04-05) (Shuster and Scott)

Chair Schiffman announced that due to a procedural error by Planning Staff, the Commission is unable to address this agenda item at tonight's meeting. After

Commission consensus was confirmed, the public hearing was continued to the Adjourned Regular Meeting of July 20, 2006.

4.2. Catalyst Domestic Violence Services Use Permit (UP 05-86) APN 039-400-016

A request to allow a residential care home and transitional housing facility for victims of domestic violence including 4,600 square feet of floor area of office space for intake, counseling, program and housing administration, a 28-bed dormitory with kitchen facilities for individuals and families in crisis, a five unit residential dwelling group, private residential recreation facilities for on-site residents, and related parking and accessory uses. The subject 1.4 acre site is located on the east side of Ivy Street, approximately 125 feet south of Hazel Street. The site is designated Medium Density Residential by the General Plan Diagram and is zoned R2 Medium Density Residential. The project is categorically exempt from environmental review pursuant to Section 15332 of the California Environmental Quality Act Guidelines (In-Fill Development Projects), and no further environmental review is required. *Staff recommends that the Planning Commission approve, with conditions, Catalyst Domestic Violence Services Use Permit (UP 05-86). (Staff Report presented by Claudia Sigona, Senior Planner)*

Senior Planner Sigona's staff report included the following addition and clarification to conditions of approval numbers 3 and 8 contained in the Agenda Report presented to the Commission:

3. Add: The project includes a request to allow a 10:00 p.m. curfew as opposed to the 5:00 p.m. curfew cited in the current list of client rules.

8. Clarify: The reference to "28 beds" does not include infant/toddler cribs or the transitional housing units.

Commissioner Kelley abstained and left the Council Chambers due to his working relationship with the architect representing the applicant.

Chair Schiffman opened the public hearing at 6:50 p.m. Addressing the Commission in the following order were:

- Anastasia Snyder, Executive Director, Catalyst, representing the applicant, spoke in support
- Jim Stevens, representing the developer of the Barber Yard project, expressed concerns
- Nicholas Ambrosia, Project Architect, Thomson & Hendricks, spoke in support
- Jeffrey Greening, Barber Land Company, expressed concerns

Note: Mr. Greening submitted written testimony at the public hearing, including a map showing the proposed round-about on Barber Yard.

There being no other speakers, the public hearing was closed at 7:30 p.m.

Commissioner Monfort moved, seconded by Commissioner Luvaas, that the project is categorically exempt from environmental review pursuant to Section 15332 of the California Environmental Quality Act Guidelines, no further environmental review is required, and that the Commission approve the Catalyst Domestic Violence Services Use Permit (UP 05-86) with the conditions for approval contained therein, and the following added conditions of approval:

10. The final site design shall accommodate the possibility of a future roundabout in conjunction with the Barber Yard project.

11. The minimum number of required off-street parking spaces shall be reduced by 9 (from 26 to 17). The final site design may include more than the number of required off-street parking spaces.

Motion passed 6-0-1 (Commissioner Kelley abstained).

Commissioner Monfort moved, seconded by Commissioner Luvaas, to refer the site design and architectural review process to the Architectural Review Board.

Motion passed 6-0-1 (Commissioner Kelley abstained).

4.3 Hase Use Permit (UP 06-16) and Architectural Review (AP 06-16)

A use permit request to allow a residential project consisting of 17 multi-family residential units (a combination of duplexes and triplexes) on 1.6 acres located between San Jose Street and Panama Avenue, approximately 250 feet east of the Esplanade. The request also includes final approval of the proposed site plan, building designs and landscaping. The site is located at 188 Panama Avenue, and is identified as Assessor's Parcel No. 006-054-013. The subject property is designated Offices on the City of Chico General Plan Diagram and is located in an OR Office Residential zoning district. This project was previously reviewed and approved by the Planning Commission under Use Permit 00-01 which has since expired. The project is categorically exempt from environmental review pursuant to Section 15332 of the California Environmental Quality Act Guidelines (In-Fill Development Projects), and no further environmental review is required.

Staff recommends that the Planning Commission approve, with conditions,

Hase Use Permit (UP 06-16) and Architectural Review (AR 06-16). (Staff Report presented by Claudia Sigona, Senior Planner)

Chair Schiffman opened the public hearing at 7:55 p.m. Addressing the Commission in the following order were:

- Simon Hase, Applicant, spoke in support
- Lee Cobb, Neighbor, expressed concerns
- D.G. Laurie, Neighbor, expressed concerns
- Mark White, representative of Simon Hase, spoke in support
- Ladd Johnson, Neighbor, expressed concerns
- Jeanne Christopherson, Neighbor, expressed concerns

The Planning Commission recessed for a 10-minute break at 8:25 p.m. The public hearing was reconvened at 8:35 p.m. and all members of the Commission were present.

- Michael Reilley, Neighbor, expressed concerns

There being no other speakers, the public hearing was closed at 8:40 p.m.

Commissioner Monfort moved, seconded by Commissioner Alvistur, that the project is categorically exempt from environmental review and that the Commission approve Hase Use Permit (UP 06-16) and Architectural Review (AR 06-16), based on the findings and subject to the conditions of approval contained in the agenda report, with the following amendment and additional conditions:

Amend Condition No. 5 to read: The plaster and block wall along Panama Avenue shall be deleted from the site plan and replaced by a maximum 4-foot high fence constructed of wrought iron or equivalent material (but not wood).

9. The site plan shall include bulbing at the intersection of Raphael and Panama.

10. The 2 segments of wall shown on the site plan along San Jose shall be removed in their entirety.

Motion passed 7-0.

5. BUSINESS FROM THE FLOOR

None

6. PLANNING UPDATE

Principal Planner Teresa Bishow informed the Commission that Planning Director Kim Seidler is on vacation until August 14, 2006. New hire Administrative Assistant Karen Masterson was introduced to the Commission. Ms. Bishow provided an update on the City Council's discussion of infill development, particularly flag lots. After discussing, the Commission expressed interest in hosting a special workshop on the topic and the possibility of a planning official from Ashland, Oregon being invited to attend since they have addressed similar issues.

- 7. ADJOURNMENT** - There being no further business from the Commission, the meeting was adjourned at 9:10 p.m. to the Adjourned Regular Meeting of July 20, 2006.

July 20, 2006
Date Approved

/s/
Teresa Bishow
Principal Planner

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING OF
JULY 20, 2006**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Irv Schiffman, Chair
Vic Alvistur, Vice Chairman
Mary Brownell
Dave Kelley
Jon Luvaas
Kirk Monfort
Steve O'Bryan

Staff Members Present: Teresa Bishow, Principal Planner
Patrick Murphy, Senior Planner
Claudia Sigona, Senior Planner
Matt Johnson, Senior Development Engineer
Lori Barker, Assistant City Attorney
Karen Masterson, Administrative Assistant

1. ROLL CALL

Chair Schiffman called the meeting to order at 6:30 p.m. Commission members and staff were present as noted.

2. APPROVAL OF MINUTES

Commissioner Alvistur moved, seconded by Commissioner Brownell, approval of the minutes of July 6, 2006, with the following correction: The Commissioners' vote count was omitted from the summary of action taken on Agenda Item No. 4.3. The minutes will be revised to include the vote of the Commissioners.

Motion passed 7-0-0

3. DISCUSSION OF EX PARTE COMMUNICATIONS

Commissioner Brownell spoke to Diane Leckenby, a citizen residing on Netters Circle, regarding the Tuscan Village project. Commissioner Luvaas spoke to Rupert McDowell, a citizen residing on Hollow Oak Way in Cohasset, regarding the Tuscan Village project.

4. PUBLIC HEARING ITEMS

4.1 Tuscan Village General Plan Amendment/Rezone (GPA/RZ 04-05) (Schuster and Scott)

A public hearing (continued from July 6, 2006) on applications to: 1) amend the General Plan land use policy addressing the property located generally on the south of Eaton Road, between Burnap and Morseman Avenues (approximately 18.3 acres); 2) change the General Plan land use designation for that property from Low Density Residential/Medium Density Residential/Mixed Use Neighborhood Core/Open Space to Medium Density Residential/Mixed Use Neighborhood Core; and, 3) rezone that property from PMU Planned Mixed Use to a classification of R2-PD Medium Density Residential-Planned Development overlay zone and CN-PD Neighborhood Commercial-Planned Development overlay zone. In addition, the public hearing includes consideration of an initial study and mitigated negative declaration for the project prepared pursuant to the California Environmental Quality Act (CEQA). *Staff recommends that the Commission recommend, to the City Council, adoption of the Tuscan Village General Plan amendments and rezone and adoption of a mitigated negative declaration for the project. (Staff Report presented by Teresa Bishow, Principal Planner)*

Principal Planner Bishow prefaced her report by clarifying the items being considered at the public hearing and that the Planning Commission is charged with deciding whether to recommend to the City Council, approval, approval with modifications, or denial of the proposed General Plan amendments and rezoning. Ms. Bishow distributed a memorandum to the Commission providing policies from the Chico General Plan addressing sound walls. This information was provided at the request of Vice-Chair Alvistur.

Chair Schiffman opened the public hearing at 7:00 p.m. Addressing the Commission in the following order were:

- Steve Schuster, Applicant/Developer, spoke in favor.
- Lynne Ballante, Neighbor, spoke in opposition.
- Chris Persson, Neighbor, spoke in opposition.
- Charlotte Sturgis, Neighbor, spoke in opposition.
- Joan McDowell, Neighbor, spoke in opposition.
- Andy Wilhite, Neighbor, spoke in opposition.
- Dave Blazon, Neighbor, spoke in opposition.
- Linda Valente, Neighbor, spoke in opposition.
- Rupert McDowell, Neighbor, spoke in opposition.
- Crystal Trimble, Neighbor, spoke in opposition.
- Don Scott, Applicant/Developer, spoke in favor.

There being no other speakers, the public hearing was closed at 7:42 p.m.

The Commissioners discussed several areas of concern including access, traffic and whether or not conditions should be recommended such as eliminating sound wall(s) and requiring buildings to face the street.

The Planning Commission recessed for a 10-minute break at 8:10 p.m. The Commission reconvened at 8:23 p.m. and all members of the Commission were present.

Commissioner Monfort moved, seconded by Commissioner Alvistur, that the Commission recommend to the City Council, adoption of the Tuscan Village General Plan amendments and rezone and adoption of a mitigated negative declaration for the project. The Commission further recommends the following modifications to the amendments to the General Plan Policy:

- ***There shall be no continuous sound wall, nor a free standing sound wall along Eaton Road.***
- ***Houses shall front the street, whether it be Eaton Road or Morseman Avenue.***

Chair Schiffman re-opened the public hearing at 8:45 p.m. for the limited purpose of allowing the Applicant to respond to the potential modifications to the General Plan.

Addressing the Commission was Applicant Steve Schuster. Mr. Schuster stated he was opposed to the houses facing Eaton Road. He also expressed his reluctance to fight the Airport Land Use Commission (ALUC) by placing residential uses on the northeast corner of the site. He stated he plans to go forward with the project as it is.

Commissioner Luvaas expressed concern that the proposed location and size of the neighborhood commercial area was not consistent with the General Plan.

Commissioner O'Bryan stated the property is located at the edge of town and believed it was better suited for large lots. He also expressed concerns about the proposed density causing traffic problems and being too far away from services.

The public hearing was closed and the Commission resumed discussion of the motion.

Motion failed 2-5-0; Chair Schiffman and Commissioner Monfort voting in favor.

Chair Schiffman called for a new motion.

Commission Luvaas moved, seconded by Commissioner Kelley, that the Commission recommend, to the City Council, adoption of the Tuscan Village General Plan amendments and rezone, except that

the General Plan amendment and rezoning not change the parcel at Eaton Road and Morseman Avenue, but rather retain the Mixed Use Neighborhood Core designation of 3.5 acres at its current location.

Motion failed 3-4-0; Chair Schiffman, Commissioner Monfort, and Commissioner Luvaas voting in favor.

Vice Chair Alvistur moved, seconded by Commissioner O'Bryan, that the Commission recommend, to the City Council, that the proposed Tuscan Village General Plan amendment and rezone not be approved by City Council.

Assistant City Attorney Lori Barker clarified that because the Planning Commission is recommending denial, no action is needed on adoption of the mitigated negative declaration. It was noted that the Commission spent considerable time in April of this year formulating a list of conditions for the project which, to date, have not been fully incorporated into the design.

Motion passed 5-2-0; Chair Schiffman and Commissioner Monfort voting in opposition.

The Planning Commission recessed for a five minute break at 9:10 p.m. The Commission reconvened at 9:17 p.m. and all members of the Commission were present.

4.2. Manzanita Pointe Vesting Tentative Subdivision Map and Planned Development Permit (S/PDP 06-03)(Rockin' M, Inc.)

A public hearing to conceptually review applications to: 1) subdivide 5 existing parcels located at the northeast, southeast, and southwest corners of Cactus and East Avenues into 25 lots; 2) obtain a planned development permit to allow reduced lot sizes, reduced setbacks, and other modifications to City standards. *Staff recommends that the Planning Commission conceptually review Manzanita Pointe Vesting Tentative Subdivision Map and Planned Development Permit and consider the issues and recommendations identified by Planning Staff. (Report - Claudia Sigona, Senior Planner)*

Chair Schiffman opened the public hearing at 9:37 p.m. Addressing the Commission in the following order were:

- Tony Symmes, Applicant/Developer, spoke in support
- Jim Brobeck, Neighbor, spoke in opposition
- Jerry Olio, Neighbor, spoke in opposition
- Jim Sexton, Neighbor, spoke in opposition

There being no other speakers, the public hearing was closed at 10:24 p.m.

A conceptual review not requiring a motion, the Commission unanimously approved the conceptual review of Manzanita Pointe applications for subdivision and planned development of the property, contingent upon the Applicant making every effort to address the following areas of concern:

- *Minimize the sound wall as much as possible*
- *Keep the “spirit” of the SD-7, Special Design considerations, overlay zoning, in mind as plans move forward*
- *If feasible, have larger lots facing Cactus Avenue*
- *Keep the street lighting low and with full cut-off*
- *No street lights along Cactus Avenue; only at intersections*
- *Incorporate translucent window glass in plans for Parcel 25*

The Planning Commission recessed for a five minute break at 10:40 p.m. The Commission reconvened at 10:43 p.m. and all members of the Commission were present.

4.3. Wildwood Estates Vesting Tentative Subdivision Map and Planned Development Permit (S/PDP 05-15) (Wildwood Investors)

A public hearing on applications to: 1) subdivide 3 existing parcels into 192 lots on a 36.4 acre site on the east side of Cactus Avenue, including 2812 Cactus Avenue; and, 2) create a planned development permit to allow various modifications to City standards, including a request to allow the project density to exceed six units per acre. In addition, the public hearing includes consideration of an initial study and a mitigated negative declaration for the project prepared pursuant to the California Environmental Quality Act (CEQA). *Staff recommends that the Planning Commission adopt Resolution No. 06-31, approving the Wildwood Estates Vesting Tentative Subdivision Map and Planned Development Permit (S/PDP 05-15) based on the findings and subject to the conditions of approval contained therein. (Staff Report presented by Patrick Murphy, Senior Planner)*

Chair Schiffman opened the public hearing at 11:00 p.m. Addressing the Commission in the following order were:

- Tony Symmes, Applicant/Developer, spoke in support
- Mark Streets, Neighbor, spoke in opposition
- Jerry Olio, Neighbor, spoke in opposition
- Jim Sexton, Neighbor, spoke in opposition
- Christine Serna, Neighbor, spoke in opposition
- John Merz, Environmental Advocate, spoke in opposition

- Pat Turnbull, Neighbor, spoke in opposition
- Tony Symmes, Applicant/Developer, responded to concerns

There being no other speakers, the public hearing was closed at 11:46 p.m.

Commissioner Monfort moved, seconded by Vice Chair Alvistur, that the Planning Commission approve Wildwood Estates vesting tentative subdivision map and planned development permit, based on the conditions contained therein and with the following additional conditions of approval:

1. ***Lot B shall be widened ten feet.***
2. ***Lots D and E shall be improved with the bicycle path being a straight path (as opposed to a meandering path) and situated along the south property line (as opposed through the middle of the lots) to leave more useable open space in the center of the open space lots. A row of trees shall be planted between the edge of the bicycle path and the fenceline.***
3. ***No more than one-third of the lots shall have garages facing Cactus Avenue. Those garages that do face Cactus Avenue shall be recessed a minimum of four feet from the front of the house.***
4. ***Garages facing Cactus Avenue shall not exceed 50 percent of the home's frontage.***
5. ***No more than one-third of the lots fronting Cactus Avenue shall have circular driveways and none shall be sited immediately adjacent to another.***
6. ***No access shall be allowed onto Cactus Avenue (including driveways) until such time that the planned Cactus Avenue improvements are implemented.***
7. ***Homes on lots abutting the existing Bidwell Vista subdivision (lots 132-147) shall maintain a minimum rear yard setback of 20 feet and shall be limited to one story.***
8. ***Where feasible, buildings and landscaping shall be oriented and designed to maximize the potential for natural cooling and passive solar principles. To the extent feasible,***

residential building should provide adequate southerly or southwesterly roof orientation to accommodate active solar energy systems.

9. *Street lighting shall utilize cut-off lighting fixtures to minimize glare.*

Motion passed 6-1-0; Commission Luvaas voting in opposition.

5. **BUSINESS FROM THE FLOOR**

None

6. **PLANNING UPDATE**

Principal Planner Bishow distributed an updated Planning Division schedule. The next meeting of the Commission will address two code amendments. Ms. Bishow also announced that Associate Planner, Ed Palmeri, accepted employment with Yuba County; his last day will be July 25, 2006. Ms. Bishow stated that the property owner of Barber Yard, Jeff Greening, filed an appeal of the Commission's decision on the Catalyst Use Permit. Matt Johnson reported that an update of the City's current activities will be distributed to the Commissioners on a weekly basis via e-mail.

7. **ADJOURNMENT** - There being no further business from the Commission, the meeting was adjourned at 12:25 a.m. to the Regular Meeting of August 3, 2006.

August 3, 2006
Date Approved

_____/s/_____
Teresa Bishow
Principal Planner

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING OF
AUGUST 3, 2006**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Irv Schiffman, Chair
Mary Brownell
Dave Kelley
Jon Luvaas
Kirk Monfort
Steve O'Bryan

Commissioner Absent: Vic Alvistur

Staff Members Present: Teresa Bishow, Principal Planner
Patrick Murphy, Senior Planner
Matt Johnson, Senior Development Engineer
Lori Barker, Assistant City Attorney
Tom Varga, Assistant Director of Engineering
Karen Masterson, Administrative Assistant

1. ROLL CALL

Chair Schiffman called the meeting to order at 6:30 p.m. Commission members and staff were present as noted.

2. APPROVAL OF MINUTES

*Commissioner Monfort moved, seconded by Commissioner Luvaas,
approval of the minutes of July 20, 2006, as included in the Agenda
and without changes*

Motion passed 6-0-1 (Commissioner Alvistur absent)

3. DISCUSSION OF EX PARTE COMMUNICATIONS

There were no communications to report.

4. PUBLIC HEARING ITEMS

4.1 Amendment to Chapter 19.16 Application Filing and Processing Fees of Title 19 of the Chico Municipal Code (CA 06-01; City of Chico)

Proposed Amendment to Title 19, Land Use and Development Regulations, of the Chico Municipal Code to modify the City's permit processing procedures to allow a project that involves the processing of multiple applications, one or more of which require City Council approval, to be processed concurrently with final action on all of the applications being taken by the City Council. Currently, land use applications requiring multiple entitlements (e.g., an application involving a legislative act such as a General Plan amendment and rezone, together with an adjudicatory act such as a subdivision or planned development permit) are processed separately with the legislative act being acted upon by the City Council and the adjudicatory act being acted upon by the Planning Commission. Under the proposed ordinance amendment, the Planning Commission would forward a recommendation on all of the applications to the City Council, with the City Council taking the final action.

The proposed ordinance amendment would modify permit processing procedures. The proposed changes will not result in any physical impact on the environment or change allowable uses, densities or any other development regulations. Pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines, the project is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. As there is no possibility that the project may have a significant effect on the environment, the project is not subject to CEQA.

Senior Planner, Patrick Murphy, presented the Staff Report, and explained that this code amendment would streamline the application process by reducing the number of public hearings and the number of staff reports as a result of sending multiple applications to the Planning Commission at one time. The Commission's recommendation(s) would then go to the City Council, also at one meeting. Under this scenario, an appeal of the Planning Commission's decision would not be an option, since their action would be a "recommendation" and not a final decision.

Chair Schiffman opened the public hearing at 6:47 p.m. Addressing the Commission was:

- Jason Bougie, Director, North Valley Chapter, Building Industry Association, spoke in favor.

There being no other speakers, the public hearing was closed at 6:49 p.m.

Commissioner Monfort moved, seconded by Commissioner Luvaas, to recommend to the City Council that it adopt amendments to the

Chico Municipal Code which provide that when a proposed project includes multiple applications, some of which must be acted on by Council, the final action on all the related applications shall be taken by Council after recommendations by the Planning Commission.

After further discussion of the agenda item, Commissioner Luvaas withdrew his second of the motion.

Motion failed due to lack of a second; no vote was called for.

A second motion was presented; Chair Schiffman moved, seconded by Commissioner O'Bryan that the Planning Commission expresses its interest in supporting the concept put forward by Staff and would wait for final language of the Code Amendment so the Commission can determine exactly what they would be voting on.

Motion passed 6-0-1 (Commissioner Alvistur absent)

4.2. Amendment to Title 19 (CA 06-02) (City of Chico)

Proposed amendments to Title 19 of the Chico Municipal Code in regard to residential care home permit requirements in the residential and manufacturing/industrial zoning districts. The proposed code amendments will remove the size limitation on residential care homes in the RS Suburban Residential, R1 Low Density Residential, R2 Medium Density Residential, R3 Medium-High Density Residential, R4 High Density Residential, and RD Downtown Residential zoning districts. The proposed code amendments will also clarify the size distinction between small residential care homes (6 or fewer clients) and large residential care homes (7 or more clients) subject to a use permit. The proposed code amendments would allow a use permit to be issued for a residential care home with 7 or more clients in the ML Manufacturing/Industrial zoning district only when the facility also includes on-site vocational training or employment for the clients residing at the facility. Pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines, the project is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. As there is no possibility that the project may have a significant effect on the environment, the project is not subject to CEQA.

Principal Planner, Teresa Bishow, presented the Staff Report.

Chair Schiffman opened the public hearing at 7:15 p.m. There being no speakers on this agenda item, the public hearing was closed at 7:15 p.m.

In response to a question, Principal Planner Bishow clarified that a Use Permit would still need to be approved for any proposed residential care home serving seven or more clients and would be specific as to the number of clients permitted.

Commissioner Monfort moved, seconded by Commissioner Kelley, that the Planning Commission recommend that the City Council adopt amendments to Title 19 of the Municipal Code with respect to residential care homes, specifically, removing the size restriction for large residential care homes, clarifying the distinction between small and large residential care homes, and allowing, subject to a use permit, large residential care homes in the Manufacturing/Industrial zone.

Motion passed 6-0-1 (Commissioner Alvistur absent)

5. BUSINESS FROM THE FLOOR

City of Chico Assistant Director of Engineering, Tom Varga, introduced himself to the Planning Commission and mentioned he had previously worked for the City of Chico in another capacity and was happy to be back in his new position. Mr. Varga provided a brief update on the status of the City's construction progress and schedule for the Manzanita Corridor project.

Senior Development Engineer, Matt Johnson, advised the Planning Commission that he had checked with the Traffic Division (as he was requested to do at a previous meeting) regarding the safety history of bicycle traffic in the area of the Manzanita Pointe project. There were no reported bicycle accidents in the area.

6. PLANNING UPDATE

Principal Planner Bishow distributed an updated Planning Commission schedule.

7. ADJOURNMENT - There being no further business from the Commission, the meeting was adjourned at 7:22 p.m. to the Adjourned Regular Meeting of August 17, 2006.

August 17, 2006
Date Approved

/s/
Kim Seidler
Planning Director

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE ADJOURNED REGULAR MEETING OF
AUGUST 17, 2006**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Irv Schiffman, Chair
Vic Alvistur
Mary Brownell
Dave Kelley
Jon Luvaas
Steve O'Bryan

Staff Members Present: Kim Seidler, Planning Director
Bob Summerville, Associate Planner
Matt Johnson, Senior Development Engineer
Lori Barker, Assistant City Attorney
Karen Masterson, Administrative Assistant

1. ROLL CALL

Chair Schiffman called the meeting to order at 6:30 p.m. Commission members and staff were present as noted. The Commission reviewed a memorandum distributed at the meeting which announced the resignation of Commissioner Kirk Monfort. Staff provided a brief overview of the reason for his resignation. Mr. Monfort is purchasing property located within a redevelopment area of the City which, according to state statute, constitutes a conflict of interest. It was noted that once the transaction is completed, it may be possible to reappoint Mr. Monfort to the Planning Commission.

2. APPROVAL OF MINUTES

*Commissioner Kelley moved, seconded by Commissioner O'Bryan,
approval of the minutes of August 3, 2006, as included in the
Agenda and without changes*

*Motion passed 5-0-1 (Vice Chair Alvistur abstained due to his absence from the
August 3, 2006 Meeting)*

3. DISCUSSION OF EX PARTE COMMUNICATIONS

Jon Luvaas stated he had spoken with Susan Mason regarding invasive plant species and with Randy Abbott and John Merz regarding the impact of the house planned for the middle of Lot 12 at Twin Creeks.

4. PUBLIC HEARING ITEMS

4.1 Twin Creeks Vesting Tentative Subdivision Map and Planned Development Permit (S/PDP 05-02) - Parcel 8 of Canyon Oaks Subdivision, south of the eastern terminus of Shadow Tree Lane, APN 018-500-107 The modification of a previously-approved Subdivision Map and Planned Development Permit (PDP) to allow the subdivision of a 68.06 acre parcel into 14 parcels consisting of 12 single-family residential lots, a 1.35 acre parcel for a private street, and a 3.78 acre parcel for public utility easement and open space. Approximately 30 acres of the total site area is proposed for residential lot development with the remaining 38 acres to be preserved as permanent open space. The previously-approved project (“The View at Canyon Oaks Subdivision”) allows for the creation of 9 single-family residential lots. If approved, the current proposal will supersede the previous approval. The site is designated Very Low Density Residential (0.2 to 2.0 dwelling units per gross acre) on the City of Chico General Plan Diagram, and is located in the RS-2 Suburban Residential-2 acre minimum parcel size and OS-1 Primary Open Space zoning districts.

An initial study for environmental review has been prepared for the project. Based upon the information within the initial study, the Planning Division is recommending that a mitigated negative declaration be adopted pursuant to the California Environmental Quality Act (CEQA). A mitigated negative declaration is a determination that a project will not have a significant impact on the environment, after the incorporation of specific mitigation measures.

Associate Planner Bob Summerville presented the Staff Report. This proposal for a total of 12 lots, if approved, would supercede the previously-approved project which was for a total of nine lots. Planning Staff characterized the new proposal as superior to the previous proposal, specifically with respect to environmental aspects. Questions from the Planning Commission were addressed regarding the grade, fire protection and utility easement. It was noted that Lot B would be deeded to the Homeowners’ Association and designated open space (no development zone).

Chair Schiffman opened the public hearing at 6:53 p.m. Addressing the Commission, in the following order, were:

- Amie Steel, Gilbert Engineering, representing the Applicant, spoke in favor
- Susan Mason, citizen, spoke in opposition
- Kevin Riley, Applicant, spoke in favor

There being no other speakers, the public hearing was closed at 7:15 p.m.

Vice Chair Alvistur moved, seconded by Commissioner Brownell, to recommend adoption of Resolution No. 06-35, adopting a mitigated negative declaration and approving Twin Creeks Vesting Tentative Subdivision Map and Planned Development Permit S/PDP 05-02, based on the required findings and subject to the conditions contained therein.

After some discussion, the Planning Commission expressed a desire to ask the Applicant further questions.

Chair Schiffman re-opened the public hearing at 7:55 p.m. Addressing the Commission was:

- Kevin Riley, Applicant, spoke in favor, and reiterated his desire to build his residence on Lot 12 of the development, which was approved with the previously approved subdivision map. He stated the addition of three additional lots was less important. A main concern of the Commission was the amount of grading (cuts into the hillside) necessary to construct the driveway on Lot 12. Mr. Riley mentioned fewer cuts would be needed if the driveway was on the opposite side of the hill, except that was a no-build zone.

There being no other speakers, the public hearing was closed at 8:00 p.m.

Further discussion amongst the Commission followed and concluded with the establishment of five additional conditions of approval for inclusion in the motion on the floor as follows:

1. Prior to the issuance of building permits for Lots 1 and 12, story pole plans for all structures shall be erected for review by Planning Division staff. Building heights may be restricted and structure colors specified subject to requirements of the Planning Division for the purpose of reducing potential viewshed impacts from Bidwell Park.

2. Tree replacements on all lots shall be at a ratio of 2:1 with native species approved by Planning Division staff. Tree replacement species shall be from the same genetic pool if possible.

3. Roof heights of all structures shall not exceed 25 feet.

4. A revised color palette for all structures shall be submitted for Planning Division approval. The revised color palette shall eliminate lighter tones such as pale yellows, pinks and blue tones in order to better blend with foothill viewsheds.

5. All structures and driveways for Lot 12 shall not be constructed at an elevation above 650 feet and shall be located outside of the central vegetative habitat area of Lot 12.

Motion passed 5-1-0 (Commissioner Luvaas opposed)

5. BUSINESS FROM THE FLOOR

None

6. PLANNING UPDATE

Planning Director Seidler updated the Commission on the outcome of the Wildwood Estates City Council hearing. The Council tabled the item temporarily to provide another opportunity for the Applicant to meet with area neighbors and pursue some compromise. The item will go back to the Council on October 3, 2006.

Planning Director Seidler reviewed staffing levels within the Planning Division following loss of three planners and the principal planner over a period of a few months. The Commission was respectfully asked to allow Planning staff to alter its method of providing staff reports in an effort to reduce staff time needed for their preparation. This may be discontinued once staffing returns to normal levels.

Planning Director Seidler reminded the Commission of his upcoming retirement at the beginning of November and mentioned a new planning director is expected to be on board sometime in the month of October.

- 7. ADJOURNMENT** - There being no further business from the Commission, the meeting was adjourned at 8:49 p.m. to the Regular Meeting of September 7, 2006.

September 7, 2006
Date Approved

_____/s/
Kim Seidler
Planning Director

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING OF
SEPTEMBER 7, 2006**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Irv Schiffman, Chair
Mary Brownell
Dave Kelley
Jon Luvaas
Steve O'Bryan

Commissioners Absent: Vic Alvistur, Vice Chair

Staff Members Present: Kim Seidler, Planning Director
Patrick Murphy, Senior Planner
Claudia Stuart, Senior Planner
Lori Barker, Assistant City Attorney
Karen Masterson, Administrative Assistant
Don Chase, Planning Intern

1. ROLL CALL

Chair Schiffman called the meeting to order at 6:30 p.m. Commission members and staff were present as noted.

2. APPROVAL OF MINUTES

Commissioner Brownell moved, seconded by Commissioner Kelley, approval of the minutes of August 17, 2006, with the following corrections requested.

- *Section 1. Roll Call - Remove the reference to "Municipal Code" and replace with "state statute,"and*
- *Remove references to Commissioner Monfort being "absent" with respect to attendance and where noted as absent following the voting summary for Public Hearing Item 4.1 ges.*

Motion passed 5-0-1 (Commissioner Alvistur absent)

3. DISCUSSION OF EX PARTE COMMUNICATIONS

None

4. PUBLIC HEARING ITEMS

- 4.1 Amendment to Chapter 2.74 of the Chico Municipal Code to provide for the concurrent processing of development applications (CA 06-01; City of Chico)**
Proposed amendment to Title 2, Development Application Procedures, of the Chico Municipal Code to modify the City's permit processing procedures to require a project that involves the processing of multiple applications, one or more of which require City Council approval, to be processed concurrently with final action on the applications being taken by the City Council. Currently, land use applications requiring multiple entitlements (e.g., an application involving a legislative act such as a General Plan amendment and rezone, together with an adjudicatory act such as a subdivision or planned development permit) are processed separately with the legislative act being acted upon by the City Council and the adjudicatory act being acted upon by the Planning Commission. Under the proposed ordinance amendment, the Planning Commission would forward a recommendation on the applications to the City Council, with the City Council taking the final action.

Pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines, the project is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. As there is no possibility that the project may have a significant effect on the environment, as proposed changes will not result in any physical impact on the environment or change allowable uses, densities or any other development regulations, the project is not subject to CEQA.

Senior Planner, Patrick Murphy, provided the Staff Report, recapping the previous discussion of the issue and presenting the additional information requested by the Commission, such as flow charts demonstrating the effect of the amendment on application processing procedures. Staff then responded to questions from the Commissioners and provided clarification where needed as to the intent and effect of the proposed amendment.

Chair Schiffman opened the public hearing at 7:00 p.m. Addressing the Commission, in the following order, were:

- Dustin Carter, student, asked an unrelated question
- Elizabeth Daniels, citizen, commented on an unrelated issue

There being no other speakers, the public hearing was closed at 7:02 p.m.

Commissioner Kelley moved, seconded by Commissioner Brownell, that the Planning Commission adopt Resolution No. 06-34 recommending that the City Council adopt an amendment to Chapter 2.74 of the Chico Municipal Code to provide for the concurrent processing of multiple development applications.

Motion failed 0-5-1 (Commissioner Alvistur absent)

The Commission therefore recommends that the Council not approve the proposed amendment. Although appreciative of Staff's desire to help streamline the land use application review process, the Commission ultimately expressed its desire to retain final decision-making authority over non-legislative land use applications. In providing its recommendation, the Commission expressed its support for Staff to administratively require (without changing the code) that multiple permit applications be processed concurrently, essentially utilizing the same steps as the "alternate process" described in the Planning Commission's Staff Report.

5. REGULAR AGENDA

5.1 Discussion of Opportunities for Passive Heating and Cooling in Project Design

In response to Planning Commission interest in the future of energy efficient development, Planning Division staff have prepared an informational report providing an overview of opportunities for passive heating and cooling within development projects for Commission review and discussion.

Commissioner Luvaas will coordinate the Commission's research, discussion and informal recommendations on this topic. Introductory and general discussion will begin at tonight's meeting and continue to a future meeting at which outside experts in the field could participate and a more in-depth review could take place.

A written report prepared by Staff was provided to the Commission on the subject. It was noted that the research was not exhaustive, but was based on readily available literature. The report provided an excellent foundation for on-going discussions. Commissioner Luvaas also provided an informational hand-out.

Chair Schiffman opened discussion to the public at 7:30 p.m. Addressing the Commission, in the following order, were:

- Commissioner Luvaas provided a brief background for the citizens in attendance
- Elizabeth Devereaux, past participant on the General Plan task force, spoke in favor

- Scott Wolf, citizen and realtor, spoke in favor
- Stuart King, citizen, spoke in favor
- Karen Laslo, citizen, spoke in favor
- Kasey Merrill, citizen, spoke in favor
- Elizabeth Daniels, citizen, spoke in favor

It was mentioned that CSU will be hosting a Sustainability Conference on November 2, 2006

There being no other speakers, the public discussion was closed at 8:00 p.m.

6. BUSINESS FROM THE FLOOR

None

7. PLANNING UPDATE

Planning Director Seidler provided a Planning update, advising the Commission that the division's professional staff is down by four positions, operating with a professional staff of seven, exclusive of administrative staff and two interns. Project loads per planner are far beyond a reasonable level. Heavy development application activity is being experienced; in addition, numerous appeals, which take an inordinate amount of staff time, have been received.

8. ADJOURNMENT

There being no further business from the Commission, the meeting was adjourned at 8:49 p.m. to the Adjourned Regular Meeting of September 21, 2006

Date Approved

/s/
Steve Peterson
Planning Director



City of Chico
NOTICE OF CANCELLATION
of
Planning Commission
September 21, 2006 Meeting

NOTICE IS HEREBY GIVEN that the September 21, 2006 adjourned regular meeting of the Planning Commission of the City of Chico has been canceled.

The Planning Commission will meet Thursday, October 5, 2006 for a regular meeting at 6:30 p.m. in the City Council Chambers, Chico Municipal Center, 421 Main Street.

By: Karen Masterson, Administrative Assistant

Dated: September 11, 2006

Distribution:

Council (7)
City Manager
City Clerk
CSD Baptiste
ACSD Sellers
PLD Seidler
ACA Barker
SDE Johnson
CSD PM Wood
PLD Staff

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING OF
OCTOBER 5, 2006**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Irv Schiffman, Chair
Vic Alvistur, Vice Chair
Mary Brownell
Dave Kelley
Jon Luvaas
Kirk Monfort
Steve O'Bryan

Staff Members Present: Patrick Murphy, Interim Principal Planner
Bob Summerville, Senior Planner
Brendan Vieg, Senior Planner
Mike Sawley, Associate Planner
Greg Redeker, Assistant Planner
Lori Barker, Assistant City Attorney
Tom Varga, Assistant Director of Engineering
Amie Steel, Development Engineer
Karen Masterson, Administrative Assistant

1. ROLL CALL

Chair Schiffman called the meeting to order at 6:30 p.m. Commission members and staff were present as noted.

2. APPROVAL OF MINUTES

Commissioner Luvaas moved, seconded by Commissioner Brownell, that the minutes of September 7, 2006 be approved, as included in the agenda, and without changes

Motion passed 5-0-0-2 (Commissioners Alvistur and Monfort abstained)

3. DISCUSSION OF EX PARTE COMMUNICATIONS

None

4. PUBLIC HEARING ITEMS

4.1 Use Permit 06-22 (Clearwire) 1298 Nord Avenue, APN 043-200-005

A request to authorize co-location of an additional antenna array on an existing 140 foot telecommunications tower, including installation of associated ground-mounted equipment. This project has been determined to be categorically exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15303(e), New Construction or Conversion of Small Structures.

Associate Planner Sawley presented the staff report, explaining that a use permit was required because this would be the seventh antenna to be located on the tower. Both noise and radio frequency emission studies were completed, enabling staff to determine that there would be no significant impacts. If, after installation, the appearance of the antenna differs significantly from the visual simulation provided by the applicant, staff may require that the antenna be painted to match the tower.

Chair Schiffman opened the public hearing at 6:40 p.m. Addressing the Commission in the following order, were:

- Dave Wiltsee, Epic Wireless, Folsom, representing the Applicant, spoke in favor.

There being no other speakers, the public hearing was closed at 6:47 p.m.

Vice Chair Alvistur moved, seconded by Commissioner Monfort, that the Planning Commission adopt Resolution No. 06-37, approving Use Permit 06-22 (Clearwire, LLC), based on the findings and subject to the conditions of approval contained therein.

Motion passed 7-0-0

4.2 Tanelli Vesting Tentative Subdivision Map S 05-20 (Denney) 2203, 2203½, 2211, and 2211½ Floral Avenue - A request to subdivide four existing parcels to create a total of 12 lots for single-family residential development, accessed by a new public street. One existing home will be retained; three other homes and various accessory structures will be removed. The site has a gross area of 2.89 acres, with a proposed project density of 4.15 units per acre. The project site is identified as Assessor's Parcel Nos. 015-370-044, -045, -056, and -057, is designated Low Density Residential on the City of Chico General Plan Diagram, and is located in an R1 Low Density Residential zoning district. The property is also located in Compatibility Zone C for the Chico Municipal Airport, as designated in the 2000 Butte County Airport Land Use Compatibility Plan. A mitigated negative declaration is proposed pursuant to the California Environmental Quality Act (CEQA).

Assistant Planner Redeker presented the staff report and answered initial questions from the

Commission related to the number of existing 2-story homes in the area, the depth of the rear yard setbacks and existing trees and tree maintenance responsibility.

Chair Schiffman opened the public hearing at 6:58 p.m. Addressing the Commission in the following order were:

- Herb Votaw, Rolls, Anderson & Rolls, Architect, representing the applicant, spoke in favor
- Rick Denney, applicant, spoke in favor
- George Walker, neighbor, expressed concern with 2-story home construction
- Don Kidd, owner of project property, spoke in favor
- Allen Darby, neighbor, expressed concern with 2-story home construction
- Allison Finkle, neighbor, expressed concern with 2-story home construction
- Tom Marks, neighbor, expressed concern with the current fence line
- Rick Denney, applicant, spoke in answer to neighbors concerns

There being no other speakers, the public hearing was closed at 7:20 p.m.

Commissioner Monfort moved, seconded by Commissioner O'Bryan, that the Planning Commission adopt Resolution No. 06-41, adopting a mitigated negative declaration and approving Tanelli Vesting Tentative Subdivision Map S 05-20 (Denney), based on the required findings and subject to the conditions contained therein.

Further discussion by the Planning Commission concluded with the establishment of four additional conditions of approval for inclusion in the motion on the floor as follows:

17. The applicant shall place a note on the final map stating that any new home constructed on Lots 1 through 6 shall be limited to single-story construction.

18. The applicant shall place a note on the final map stating that any second story constructed on lots 7 through 12 shall have a setback of 30 feet from the start of the second story.

19. The applicant shall place a note on the final map stating that the rear windows on any second story shall be constructed in a manner to preserve the privacy of existing adjacent property owners.

20. The applicant shall install solid wood fencing on the property line around the perimeter of the project where it does not currently exist.

Motion passed 5-2-0 (Commissioners Monfort and O'Bryan opposed)

- 4.3 Amendment to Chapter 19.52 Overlay Zones of Title 19 of the Chico Municipal Code (A-C-ST-36A; City of Chico)** - Amendment to Chapter 19.52 Overlay Zones of Title 19 of the Chico Municipal Code (A-C-ST-36A; City of Chico) - Proposed amendment to Title 19 of the Chico Municipal Code to require the amortization, or termination by a specified period of time, of nonconforming commercial and industrial uses in the SD-6 Chapman/Mulberry Neighborhood Special Design Consideration Overlay Zone. Under the ordinance, requests for an extension of time for continuing a nonconforming use will be considered by the Planning Commission pending a show of good cause based upon a series factors (i.e., depreciated value of property, remaining useful life of improvements, cost of relocating, etc.). The amortization language will be added to Section 19.52.070 of the Municipal Code. The proposed ordinance represents an implementation component of the Chapman/Mulberry Neighborhood Plan (the Neighborhood Plan), and would not result in any new environmental impacts not previously identified as part of the environmental review prepared for the Neighborhood Plan. Therefore, pursuant to Section 15162 of the California Environmental Quality Act (CEQA), no further environmental review is required.

Senior Planner Vieg presented the staff report, explaining that the proposed ordinance fulfills two of the key implementation policies of the Chapman/Mulberry Neighborhood Plan which was adopted by the City of Chico in October 2004. The policies relate to land use and the promotion of economic revitalization.

Chair Schiffman opened the public hearing at 7:48 p.m. Addressing the Commission in the following order were:

- Bilal Yasin, owner of Chinca's Market, located in the neighborhood, expressed concern that the ordinance would affect the continued operation of Chinca's Market (Staff reassured Mr. Yasin that the City supports its continued operation and it could do so upon obtaining a use permit prior to the end of the amortization period.)
- Jackie Whitchurch, owner of a trucking business in the neighborhood, inquired as to the possibility of financial assistance for relocation of her business.
- Mark Hooper, citizen, generally supported the proposed ordinance but suggested some locations might be appropriate for some types of commercial activity.

There being no other speakers, the public hearing was closed at 7:56 p.m.

Commissioner O'Bryan motioned, seconded by Commissioner

Kelley, that the Planning Commission adopt Resolution No. 06-38 recommending City Council adoption of an ordinance amending Title 19 of the Chico Municipal Code to require the amortization of nonconforming commercial and industrial uses in the SD-6 Chapman/Mulberry Neighborhood Overlay Zone.

Motion passed 7-0-0

The Planning Commission recessed for a 10 minute break at 8:03 p.m. The meeting was reconvened at 8:13 p.m. and all members of the Commission were present.

4.4. Demolition of the existing Costco warehouse retail store located at 2100 Whitman Avenue, APNs 005-560-004 and 005-490-016 and construction of an expanded Costco store. The store will be expanded from 122,976 square feet to 160,320 square feet and will be located west of the existing store. An expanded parking lot will be located on the site of the existing store. The site is located on land designated Community Commercial and Manufacturing and Warehousing on the General Plan diagram and in the CC Community Commercial and ML Light Manufacturing/Industrial zoning districts. The project involves the following development applications:

General Plan Amendment/Rezone 04-11: To amend the General Plan designation for a 6.74-acre portion of the site from Manufacturing and Warehousing to Community Commercial and to rezone this area from ML Light Manufacturing/Industrial to CC Community Commercial to provide consistent zoning for the entire project site.

Parcel Map 05-04: To shift the west property line of the parcel containing the existing Costco Store in a westerly direction by approximately 418 feet to increase the site area from 10.33 acres to 15.7 acres (Parcel 1) and to create a 1.1-acre parcel (Parcel 2) along Whitman Avenue for future commercial development.

Use Permit 04-59: To allow a warehouse retail store (Costco) greater than 100,000 square feet in the CC zoning district and to allow a 16-pump gas station at the northwest corner of Whitman Avenue and Silver Dollar Way.

Architectural Review 04-37: To provide final approval of the project's architectural design including building, site, and landscape design. The Architectural Review Board (ARB) conceptually approved the project at its January 4, 2006 meeting.

A Draft Environmental Impact Report (DEIR) was prepared and circulated for a 45-day public review period from June 6, 2006, to July 20, 2006 pursuant to the provisions of the California Environmental Quality Act (CEQA). The DEIR identified potential environmental impacts associated with the project and mitigation measures to reduce potential impacts to a less than significant level. The Final Environmental Impact Report responds to comments received on the DEIR and makes revisions to the DEIR as necessary in response to these comments.

Senior Planner Summerville presented the staff report, explaining the various development applications related to the project. The first item before the Commission is certification of the Environmental Impact Report (EIR); second, a proposal to recommend that the City Council approve the general plan amendment and rezone (to allow for expansion of the site); third, approval of a parcel map (to shift the property line, increase the acreage and create a 1.1 acre parcel for future development); fourth, approval of a use permit (to allow a retail warehouse over 100,000 square feet in a community commercial district and allow for construction of a 16-pump gas station); and fifth, approval of the architectural review of the project. It was noted that a conceptual review, contingent upon 20 recommended changes, was completed by the Architectural Review Board (ARB). The revised design before the Commission tonight reflects the majority of those 20 recommended changes. Senior Planner Summerville introduced members of the Costco development team and the City's environmental consultants in attendance.

Chair Schiffman opened the public hearing at 9:35 p.m. Addressing the Commission in the following order were:

- David Rogers, Director of Northstate Development, Costco, Issaquah, WA, representing the applicant, spoke in favor
- David Babcock, Babcock & Associates Architecture & Planning, Lafayette, CA, representing the applicant, spoke in favor
- Roger Cole, citizen, expressed concern about the viability of trees planted in single planter boxes, especially given the soil in the area (hard clay, heavily cobbled)
- Mark Hooper, citizen, asked if the project would interfere with the section of street to be renamed Martin Luther King Parkway. Staff confirmed it would not.
- LaDona Knigge, citizen, new to Chico, provided comments unrelated to the project

There being no other speakers, the public hearing was closed at 9:55 p.m.

Comission Monfort moved, seconded by Vice Chair Alvistur, that the Planning Commission adopt Resolution No. 06-36 certifying the Final Environmental Impact Report and its associated Mitigation Monitoring Program prepared for Costco expansion.

Commissioner Luvaas expressed concern regarding the economic impact, increased energy usage and the 3.1% increase in traffic. Chris Stanley of Green Light Transportation explained

to the Commission how the traffic study was prepared.

Motion passed 6-1-0 (Luvaas opposed)

Commissioner Monfort moved, seconded by Commissioner O'Bryan, that the Planning Commission adopt Resolution No. 06-39 recommending that the City Council approve General Plan Amendment/Rezone 04-11.

Motion passed 7-0-0

Commissioner Monfort moved, seconded by Vice Chair Alvistur, that the Planning Commission adopt Resolution No. 06-40 approving a parcel map, use permit and architectural review, contingent upon the City Council's approval of General Plan Amendment/Rezone 04-11.

Considerable discussion by the Planning Commission ensued, with the primary focus of their concerns being related to architectural aspects of the project. The motion on the floor did not proceed to a vote. The Planning Commission directed the applicant to make certain revisions to the project design and Resolution No. 06-40 will be placed on a future Planning Commission agenda for reconsideration. The Planning Commission's recommended design changes and areas of concern they would like to see addressed are as follows:

- 1. Add a second pedestrian walkway to the parking area with shrubs 2-3 feet tall along either side; Planning Division staff shall work with the architect to achieve the desired shrub height.*
- 2. Create shared planter strips for trees, rather than single planters*
- 3. Add a condition to the Parcel Map that specifies any building on the undeveloped pad site on proposed Parcel 1 shall be built close to the street*
- 4. Trees on the west property line shall be the shade variety as opposed to decorative only*
- 5. Reduce the west parking aisle from 30 feet to 24 feet; increase the resulting landscape buffer*
- 6. Adhere to the loading dock hours of operation and hours of delivery (store and gas station) as stated in the EIR*

7. Rework the architectural style of the building to add articulation

8. Incorporate sidewalk along Whitman and Silver Dollar with a width of 5 feet and a 6 foot wide parkway strip

9. Implement design elements suggested by Roger Cole where feasible

5. BUSINESS FROM THE FLOOR

None

6. PLANNING UPDATE

Interim Principal Planner Murphy provided an update on the matters recently voted on by the City Council. The ordinance for multiple permit processing was approved. The City Manager would like to have the Planning Commission revisit this in 12 months and provide feedback on implementation results to the Council. No decision was made on the Wildwood Estates appeal; rather, the City Council is sending this item back to the Planning Commission for handling. The Tuscan Village development General Plan Amendment and Rezone was rejected by City Council.

The next step to take with respect to the Planning Commission's request to look at energy efficiency in development planning was discussed. Planning staff recommend a 2-hour session to be held prior to a regular meeting of the Planning Commission and the Commission seemed receptive to this idea. A date for this was not determined.

7. ADJOURNMENT

There being no further business to come before the Commission, the meeting was adjourned at 11:15 p.m. to the Adjourned Regular Meeting of October 19, 2006.

October 19, 2006
Date Approved

/s/
Kim Seidler
Planning Director

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE ADJOURNED REGULAR MEETING OF
OCTOBER 19, 2006**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Irv Schiffman, Chair
Vic Alvistur, Vice Chair
Mary Brownell
Dave Kelley
Kirk Monfort
Steve O'Bryan

Commissioners Absent: Jon Luvaas

Staff Members Present: Kim Seidler, Director, Planning Division (Retiring)
Steve Peterson, Director, Planning Division (New Hire)
Patrick Murphy, Interim Principal Planner
Matt Johnson, Senior Development Engineer
Lori Barker, Assistant City Attorney
Karen Masterson, Administrative Assistant

1. ROLL CALL

Chair Schiffman called the meeting to order at 6:30 p.m. Commission members and staff were present as noted.

2. APPROVAL OF MINUTES

Commissioner Alvistur moved, seconded by Commissioner O'Bryan, that the minutes of October 5, 2006 be approved, as included in the Agenda and with two corrections: 1) Add Amie Steel, Development Engineer to list of staff in attendance and, 2) Clarify Item #18 on page 3 of 8 to read: "Any second story constructed on Lots 7 through 12 shall have a setback of 30 feet from the start of the second story."

Motion Passed 6-0-1 (Luvaas Absent)

Kim Seidler announced that a new Director for the Planning Division had been hired and

introduced Steve Peterson to the Commission. Tonight will be Kim Seidler's last meeting. On behalf of the Planning Commission, Chair Schiffman commended Kim Seidler for his service to the City of Chico. In turn, Kim Seidler thanked the Commission for their hard work on very complex issues.

3. DISCUSSION OF EX PARTE COMMUNICATIONS

None

4. PUBLIC HEARING ITEMS

4.1 Manzanita Pointe Vesting Tentative Subdivision Map and Planned Development Permit (S/PDP 06-03) located at the northeast, southeast and southwest corners of Cactus and East Avenues (Rockin' M, Inc.) - A proposed subdivision and planned development permit to divide 4.48 acres (gross) into 29 lots that includes 19 lots for single-family residential uses and 11 lots for duplex units (40 total units). An application has also been submitted for a General Plan Amendment to change the land use designation from Low Density Residential to Medium Density Residential; a rezone to change the zoning of the subject parcels from R1 Low Density Residential to R2 Medium Density Residential has also been submitted. The five project parcels are identified as APNs 015-500-008, 015-500-015, 015-500-019, 016-160-012, and 016-160-014. *Due to proposed design changes to the project, staff recommends that this item be continued to the November 2, 2006 Planning Commission meeting. (Staff Report: Senior Planner Patrick Murphy)*

4.2. Conceptual Review of Park Forest Vesting Tentative Subdivision Map and Planned Development Permit S/PDP 05-18 (Park Forest, LLC) on E. 8th Street Conceptual review of a proposed 36-lot residential subdivision and planned development permit (PDP) on a 7.0-acre site located on the south side of E. 8th Street, between Forest Avenue and Kern Street (Assessor's Parcel Numbers 002-050-043 & 216). Proposed lot sizes range from 2,068 square feet (s.f.) to 7,716 s.f. A public street would provide access through the site and a connection between Forest Avenue and E. 8th Street. Through the accompanying PDP application, the applicant is requesting various modifications to City subdivision and design standards, including a request to allow reduced lot sizes and building setbacks and allow modified street standards. The subject property is designated Low Density Residential on the City of Chico General Plan Land Use Diagram, with a zoning classification of R1 Low Density Residential. *Staff recommends that the Planning Commission provide direction to the applicant and City staff as to the appropriateness of the requested application; no action to approve or deny the project will be taken at this meeting. (Staff Report presented by Senior Planner Patrick Murphy)*

Chair Schiffman opened the public hearing at 7:03 p.m. Addressing the Commission in the following order were:

- Jim Stevens, NorthStar Engineering, representing the Applicant, spoke in favor
- Ann Bykerh-Kauffman, Wild Oak Lane Resident, expressed concerns
- Karen Van Ness, Bidwell Development, Project Design Team, spoke in favor
- Terryl Murphy, Forest Avenue Resident, thanked developer, asked questions
- Jain Redmond, Wild Oak Lane Resident, expressed concerns
- Ray Schimmel, Isaac James Avenue Resident, asked a question
- Bill Travers and son, Jasper Travers, Wild Oak Lane Residents, expressed concerns
- Ellen Gallena, Wild Oak Lane Resident, spoke in favor and expressed a concern
- Don Miller, Wild Oak Lane Resident, expressed concerns
- Forest Harlan, Wild Oak Lane Resident, expressed concerns
- Jay Goldberg, Wild Oak Land Resident, expressed concern
- Tom Haithcock, Chico Creek Nature Center, offered suggestions
- Bruce McCrea, Bidwell Development, Project Design Team, responded to concerns
- Michael Goloff, Wild Oak Lane Resident, thanked the developer, expressed concerns
- Jim Stevens, NorthStar Engineering, representing the Applicant, responded to questions and concerns expressed by the speakers

There being no further speakers, Chair Schiffman closed the public hearing at 8:18 p.m.

The Planning Commission recessed for a 10 minute break at 8:19 p.m. The meeting was reconvened at 8:29 p.m. and all members of the Commission were present.

The Planning Commission supported conditions 1 through 8 as outlined in the Staff Report and noted the following additional proposed conditions:

- 9. Lift cottages off grade a bit***
- 10. Construction of a pedestrian bike path between Lots 25 and 26***
- 11. Review for possibility of saving some of the trees backing up to the perimeter***
- 12. To provide for shielding of vehicle headlights, fencing should be 6-feet high (minimum)***
- 13. Any lights on the project would be oriented downward***
- 14. For the conservation easement along E. 8th Street, consider native plant species and those that can provide buffering***
- 15. Preserve access for neighbors to the south (Murphy's)***
- 16. Eliminate hydrants on the north side of "A"***
- 17. Provide details of fencing (material, height, design, etc.) and the specific vegetation type(s) planned for around fencing.***
- 18. Provide details of overall home design in order to clarify how the new homes will***

interact with existing neighbors' homes

19. *Provide a detailed parking diagram showing the location of the Murphy's new garage and where their access will be*
20. *Provide tree detail including mapping, tree sizes , etc.*
21. *Obtain a second arborist's opinion to confirm utility trenching will not adversely affect the trees (Second arborist to be secured by City)*
22. *Consider a pathway or other means of integrating this project into the existing neighborhood.*

5. **BUSINESS FROM THE FLOOR**

None

6. **PLANNING UPDATE**

7. **ADJOURNMENT**

There being no further business to come before the Commission, the meeting was adjourned at 8:55 p.m. to the Regular Meeting of September 7, 2006

June 7, 2007
Date Approved

/s/
Steve Peterson
Planning Director

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING OF
NOVEMBER 2, 2006**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Irv Schiffman, Chair
 Vic Alvistur, Vice Chair
 Mary Brownell
 Dave Kelley
 Jon Luvaas
 Kirk Monfort
 Steve O'Bryan

Staff Members Present: Steve Peterson, Planning Director
 Patrick Murphy, Interim Principal Planner
 Claudia Stuart, Senior Planner
 Greg Redeker, Assistant Planner
 Lori Barker, Assistant City Attorney
 Hilary Herman, Building Official
 Matt Johnson, Senior Development Engineer
 Karen Masterson, Administrative Assistant

Prior to the Regular Meeting of the Planning Commission, a public workshop on the topic of Energy Efficiency was held in the Council Chambers beginning at 5:00 p.m. The purpose of the workshop was to explore opportunities for passive heating and cooling in project design. Citizens were given an opportunity to provide their input on energy efficiency. Addressing the Commission, in the following order, were:

- Grace Marvin, Sierra Club, Yahi Group Chair
- Tom Barrett
- Scott Wolf, Realtor
- Mike Jensen
- Nani Teres
- Susan Mason
- Karen Laslo

The public testimony portion of the workshop concluded at 6:15 p.m., after which the Commission discussed the many ideas presented and provided further input on the subject. The workshop concluded at 6:45 p.m. A brief recess preceded the Regular Meeting.

1. ROLL CALL

Chair Schiffman called the meeting to order at 6:54 p.m. Commissioners and staff were present as noted.

2. DISCUSSION OF EX PARTE COMMUNICATIONS

Jon Luvaas stated he had spoken with Tony Symmes, very briefly, but not regarding any project details

3 PUBLIC HEARING ITEMS

3.1 Use Permit 05-76 (Nextel), 1705 Manzanita Avenue, APN 043-200-005 - A request to construct a 125-foot stealth monopine telecommunications tower (a tower which has been modified to look like a pine tree), including installation of associated ground-mounted equipment, adjacent to an existing softball field at the rear of the Elks Lodge property located at 1705 Manzanita Avenue. This project was originally considered by the Planning Commission on April 20, 2006, at which meeting the Planning Commission directed that a third-party review be conducted for the project. As a result of the now-completed third-party review, staff is recommending minor changes to the conditions of approval for the project. The site is identified as Assessor's Parcel Nos. 015-520-051 and -062, is designated Public Facilities and Services on the City of Chico General Plan Diagram, and is located in a PQ Public/Quasi-Public zoning district. A mitigated negative declaration is proposed for this project, for which a 20-day public review period was conducted from March 31, 2006, through April 19, 2006.

Assistant Planner Greg Redeker presented the staff report. A handout was distributed that provided a side-by-side comparison of the Elks Lodge site vs. the Mountain Union site. Assistant City Attorney Barker explained the FCC rule that effectively states the City shall provide a spot for the facility or it would be considered as denying cellular service. Associate Planner Redeker advised the Planning Commission that the permit cannot be denied on the basis of health or safety.

Chair Schiffman opened the public hearing at 7:12 p.m. Addressing the Commission in the following order were:

- Frank Schabaum, Applicant
- Gary Lutt, citizen
- Alan Gair, citizen
- Leanne Lutt, citizen

- Wendy Smith, citizen
- Karen Kite Montana, citizen
- Rick Fortier, citizen
- Linnea Hanson, citizen
- Carol Wright, citizen
- JoAnne Starnes, citizen
- Harold Carlson, citizen
- Wade Thorpe, citizen
- Jason Kindopp, citizen
- Francine Gair, citizen

There being no further speakers, the public hearing was closed at 8:20 p.m.

The Commissioners discussed the tower location, its height and other areas of concern.

Commissioner Monfort moved, seconded by Commissioner Alvistur, that the Commission adopt Resolution No. 06-30, adopting a mitigated negative declaration and approving Use Permit 05-76 (Nextel), based on the findings and subject to the conditions of approval contained therein. The Commission added the following condition of approval:

1) The height of the tower shall be reduced from 125 feet to 84 feet.

Motion passed 4-3; Commissioners Brownell, Luvaas and O'Bryan opposed

The Planning Commission recessed at 8:25 p.m. The meeting was reconvened at 8:35 p.m. All Staff and Commission members were present.

3.2 Appeal of Wireless Telecommunications Facility Permit 06-03 (Clearwire) - An appeal of the Planning Director's approval of a request to install an additional antenna to an existing 220-foot lattice tower, and install associated ground mounted equipment for the provision of wireless Internet service. The tower is located immediately east of the Union Pacific Rail Road tracks, adjacent to the Barber Yard (formerly Diamond Match) property. Cumulative radio frequency emissions of the entire tower with the new antenna array installed will be less than one percent of the applicable Federal standard at any location accessible to the general public. The property is identified as Assessor's Parcel No. 039-400-011, is designated Low Density Residential on the City of Chico General Plan diagram, and is located in a PMU (Planned Mixed Use) zoning district. This project is statutorily exempt from

environmental review pursuant to Section 15268 of the California Environmental Quality Act Guidelines (Ministerial Projects). Because wireless telecommunications facility permits are ministerial in nature, the Planning Director's decision to issue the permit may be reversed or modified on appeal only if the Planning Commission determines that the Planning Director erroneously determined that the requirements for the issuance of the permit were met.

Assistant Planner Greg Redeker presented the staff report.

Chair Schiffman opened the public hearing at 8:38 p.m. Addressing the Commission in the following order were:

- Anna Caul, spoke in opposition
- Chris Nelson, spoke in opposition
- Karen Kite Montaña, spoke in opposition

The Applicant declined to respond to the issue of possible toxic material in the dirt around the proposed tower.

There being no further speakers, the public hearing was closed at 9:03 p.m.

The public hearing was re-opened at 9:07 p.m. to allow the Applicant to respond to comments regarding possible toxic material in the soil where excavation may occur.

- Dave Wiltsee, Clearwire, advised that an alternative method of installation may be possible, therefore trenching may not be necessary.

The public hearing was closed at 9:09 p.m.

It was motioned (Luvaas) and seconded (Alvistur) to continue the hearing to a future agenda in order for Planning staff to research answers to certain technical issues raised.

Motion passed 7-0

- 3.3 Manzanita Pointe Vesting Tentative Subdivision Map and Planned Development Permit (S/PDP 06-03) located at the northeast, southeast and southwest corners of Cactus and East Avenues (Rockin' M, Inc.)** Proposed subdivision and planned development permit to divide 4.48 acres (gross) into 33 lots that includes 26 lots for single-family residential uses and 7 lots for duplex units (40 total units). An application has also been submitted for a General Plan Amendment to change the land use designation from Low Density Residential to Medium Density Residential; a rezone to change the zoning of the subject parcels from R1 Low

Density Residential to R2 Medium Density Residential has also been submitted. The five project parcels are identified as APNs 015-500-008, 015-500-015, 015-0500-019, 016-160-012, and 016-160-014.

Senior Planner Patrick Murphy presented the staff report.

Chair Schiffman opened the public hearing at 9:39 p.m. Addressing the Commission in the following order were:

- Tony Symmes, Applicant, spoke in favor
- Mark Hook, spoke in favor and suggested a 25mph speed limit around East/Cactus
- Jerry Olio, spoke in favor

There being no further speakers, the public hearing was closed at 9:53 p.m.

It was motioned (Monfort) and seconded (Alvistur) to (1) recommend that the City Council approve the pending General Plan Amendment (GPA)/Rezone application, and (2) approve the Manzanita Pointe subdivision and planned development permit, subject to approval of the pending GPA/Rezone by City Council, the conditions of approval as contained in the Staff Report, and subject to the following additional conditions of approval:

- 1. The Planned Development Plan is amended to allow the homes on Lots 1 and 8 to be “flipped” such that the garages of the units will face the short entry street off Cactus Avenue. With the “flipping” of these homes, the length of Street “A” can either be shortened at its southernmost end or a recreation feature added (e.g., basketball court).*
- 2. Lot 25 (shown as a duplex lot on the subdivision map) can be replaced with two single-family residential lots on the Final Map. The homes on the two lots shall be oriented towards East Avenue, similar to Lots 26-31.*
- 3. Lots 4 and 5 shall be moved to the north and Lot 3 shall be moved between Lots 5 and 6 so that a wider lot (Lot 3) is situated at the end of the short entry street of Cactus Avenue.*
- 4. Condition No. 8 is modified to require that fencing for Lots 1 and 8 along the Cactus Avenue frontage be 4-foot high, wrought iron fencing.*
- 5. Staff shall work with the applicant to seek to provide landscaping along the private streets and/or on private lots to provide more attractive streetscape and shading.*

- 6. Provide landscaping (e.g. shrubs and/or vines) along the fence line (west side) of Street "C".*

Motion passed 5-2 (Brownell and O'Bryan opposed)

4. BUSINESS FROM THE FLOOR

There was no business from the floor

5. PLANNING UPDATE

Planning Director Peterson provided an brief update of Planning Division matters and tentative upcoming meeting schedule.

6. ADJOURNMENT

Chair Schiffman advised he will not attend the next meeting; Vice Chair Alvistur will serve as Chair. The meeting was adjourned at 10:25 p.m. to the Adjourned Regular Meeting of November 16, 2006.

August 2, 2007
Date Approved

/s/
Stephen Peterson
Planning Director

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE ADJOURNED REGULAR MEETING OF
NOVEMBER 16, 2006**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Vic Alvistur, Vice Chair
Mary Brownell
Dave Kelley
Jon Luvaas
Kirk Monfort

Commissioners Absent: Irv Schiffman, Chair
Steve O'Bryan

Staff Members Present: Patrick Murphy, Interim Principal Planner
Bob Summerville, Senior Planner
Mike Sawley, Associate Planner
Greg Redeker, Assistant Planner
Lori Barker, Assistant City Attorney
Karen Masterson, Administrative Assistant

1. ROLL CALL

Vice Chair Alvistur called the meeting to order at 6:30 p.m. Commission members and staff were present as noted.

2. EX PARTE COMMUNICATION

None

3. PUBLIC HEARING ITEMS

3.1 Schill Vesting Tentative Subdivision Map S 06-02 (Webb Homes), APNs 006-680-006 and 009 - A request to subdivide 60 acres comprised of two adjacent parcels to create 154 single-family residential lots on 41.7 acres, two lots for future multi-family residential uses on 16.5 acres, and one lot on 1.5 acres for future neighborhood commercial uses. The project site is located at the southwest corner of the Esplanade and Nord Highway and is within the Northwest Chico Specific Plan (Specific Plan) area for which an environmental impact report (EIR) was certified by the City Council on December 16, 2005. The EIR included a project specific

analysis of the proposed Schill Subdivision. Pursuant to section 15162 of the California Environmental Quality Act (CEQA) Guidelines, no further environmental review is needed because this project is consistent with the EIR certified for the Specific Plan. ***Staff recommends adoption of Resolution No. 06-44, approving the Schill Vesting Tentative Subdivision Map (S 06-02) based on the findings and subject to the conditions of approval contained therein.***

Senior Planner Bob Summerville presented the Staff Report. Vice Chair Alvistur opened the public hearing at 6:50 p.m. Addressing the Commission, in the following order, were:

- Greg Webb, Webb Homes, Applicant, spoke in favor

There being no other speakers, the public hearing was closed at 6:58 p.m.

Commissioner Monfort moved, seconded by Commissioner Kelley, that the Planning Commission adopt Resolution No. 06-44 approving the Schill Vesting Tentative Subdivision Map (S06-02) based on the findings, subject to the conditions contained therein and modified to include the following additional conditions:

- 1. Project improvement drawings shall illustrate six-foot sidewalks along the Nord Highway frontage***
- 2. Bulbing will be added to the intersection at Nord***

In order to recall the Applicant, Vice-Chair Alvistur re-opened the public hearing at 7:16 p.m. Addressing the Commission in the following order were:

- Jim Mann, Rural Consulting Associates, representing the Applicant, spoke regarding connectivity and reconsideration of the bike path

There being no other speakers, the public hearing was closed at 7:20 p.m.

The motion on the floor was amended to add two additional conditions of approval:

- 3. Project improvement drawings shall illustrate a 12-foot wide bicycle/pedestrian path extending to the south from the south side of Street "D" and constructed between Lots 53 and 54.***
- 4. A notice shall be provided for the sale of all resulting lots, when applicable, notifying the purchaser(s) of the adjacent R3 Medium-High Residential zoning district.***

Motion passed 4-1-2 (Commissioner Luvaas opposed; Commissioner O'Bryan and Chair Schiffman absent)

The Planning Commission recessed for a 10 minute break at 8:00 p.m. The meeting was reconvened at 8:10 p.m. and members of the Commission were present as noted.

3.2 Infill Residential Flag Lot Regulations Workshop - At the City Council meeting of June 20, 2006, the Council considered proposed infill flag lot standards, after giving previous direction to the Planning staff at a workshop on March 28, 2006. At the conclusion of that meeting, the Council directed staff to bring the proposed infill flag lot standards before the Planning Commission for consideration and a formal recommendation to the City Council. This report includes proposed standards for new infill flag lot subdivisions and parcel maps that would be included in an amendment to Title 19 of the Chico Municipal Code. *Staff recommends that the Planning Commission review the proposed standards and provide direction to staff. A resolution incorporating the Commission’s direction will be provided at a future noticed public hearing for a formal recommendation to the City Council.*

Assistant Planner Greg Redeker presented the Staff Report, including language for a proposed Code Amendment.

The Commission discussed the proposed Code Amendment language provided by Planning staff and offered additional guidance as follows:

- 1. Prohibit two-story home construction*
- 2. Provide for a 25' height limit on single-story homes with a restriction that the pitch not exceed that of the neighboring homes*
- 3. Lot size shall be no smaller than the smallest conforming lot within a specified number of feet; a suggestion of 300 feet was offered (in lieu of a percentage threshold)*
- 4. If a percentage threshold is applied, consider greater than 5%; possibly 10%, within radius of 300 feet*
- 5. Encourage the “front-loading” process, e.g. applicant meeting with the City’s Development Review Committee (DRC) prior to submission of application; applicant meeting with City staff; holding neighborhood meetings; and, noticing*
- 6. Provide for a three-foot minimum landscaped buffer between the paved portion of the accessory and adjacent residential lots, and encourage the planting of shade trees within that buffer*

7. *Minimize the existence of grade differentials*
8. *Encourage the use of drive strips or other permeable paving materials.*
9. *Drainage shall be dealt with onsite.*

Assistant Planner Greg Redeker will proceed with development of a final code amendment based on the input of the Planning Commission. The proposed Code Amendment will be presented to the Commission, for a final recommendation to the City Council at a future Planning Commission Meeting.

4. **BUSINESS FROM THE FLOOR**

Bruce McCrea thanked the Planning Commission for their efforts.

5. **PLANNING UPDATE**

Planning Services Director Steve Peterson provided a brief report on the recent Avenues Neighborhood meeting

6. **ADJOURNMENT**

There being no further business to come before the Commission, the meeting was adjourned at 9:45 p.m. to the Regular Meeting of December 7, 2006.

September 6, 2007
Date Approved

/s/
Stephen Peterson
Planning Services Director

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING OF
DECEMBER 7, 2006**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Irv Schiffman, Chair
Vic Alvistur, Vice Chair
Mary Brownell
Dave Kelley
Jon Luvaas
Kirk Monfort
Steve O'Bryan

Staff Members Present: Steve Peterson, Director, Planning Services Department
Patrick Murphy, Interim Principal Planner
Bob Summerville, Senior Planner
Greg Redeker, Associate Planner
Mike Sawley, Associate Planner
Matt Johnson, Senior Development Engineer
Lori Barker, Assistant City Attorney
Karen Masterson, Administrative Assistant

1. ROLL CALL

Chair Schiffman called the meeting to order at 6:30 p.m. Commission members and staff were present as noted.

2. APPROVAL OF MINUTES

*Commissioner Alvistur moved, seconded by Commissioner Monfort,
that the minutes of October 19, 2006 be approved, as included in
the Agenda, without corrections.*

Motion Passed 7-0

3. EX PARTE COMMUNICATIONS

None

4. PUBLIC HEARING ITEMS

- 4.1 Appeal of Wireless Telecommunications Facility Permit 06-03 (Clearwire), APN 039-400-011** (*Originally heard on November 2, 2006*) - An appeal of the Planning Director's approval of a request to install an additional antenna to an existing 220-foot lattice tower, and install associated ground mounted equipment for the provision of wireless Internet service. The tower is located immediately east of the Union Pacific Rail Road tracks, adjacent to the Barber Yard (formerly Diamond Match) property. This project is statutorily exempt from environmental review pursuant to Section 15268 of the California Environmental Quality Act Guidelines (Ministerial Projects). Because wireless telecommunications facility permits are ministerial in nature, the Planning Director's decision to issue the permit may be reversed or modified on appeal only if the Planning Commission determines that the Planning Director erroneously determined that the requirements for the issuance of the permit were met. This appeal was originally considered by the Planning Commission on November 2, 2006, and was continued so that staff could research answers to certain technical issues raised at the previous meeting. ***Staff recommend affirmation of the Planning Director's approval of the wireless telecommunications facilities permit and denial of the appeal.***

Associate Planner Greg Redeker presented the Staff Report. Chair Schiffman opened the public hearing at 6:38 p.m. Addressing the Commission, in the following order, were:

- Chris Nelson, opposed
- Anna Caul, opposed
- Stephen Swenson, opposed
- Charlotte Costa, representing Clearwire, in favor
- Susan Baldwin, opposed
- John McDonough, Clearwire Corporate Counsel, in favor
- Chris Nelson, opposed
- Anna Caul, opposed
- Stephen Swenson, opposed

There being no further speakers, the public hearing was closed at 7:02 p.m. Chair Schiffman asked Assistant City Attorney (ACA) Barker to confirm the scope of the action before the Planning Commission. ACA Barker stated that the City of Chico does not have jurisdiction over the soil-related issue; this is under the jurisdiction of the Department of Toxic Substance Control.

It was moved (Alvistur) and seconded (Monfort) that the Planning Commission affirm the Planning Director's approval of the Clearwire wireless telecommunications facilities permit and deny the appeal, subject to additional conditions of approval as follows:

1. *The contractor shall follow dust abatement procedures during all ground-disturbing activities, including application of a dust palliative; and*
2. *72-hour notice of intent to begin construction shall be provided to property owners and occupants within a 1000-foot radius of the proposed construction.*

Motion passed 4-3 (Kelley, Luvaas and O'Bryan opposed)

- 4.2 **Hawes Tentative Subdivision Map S 06-06 (Thomas-Hawes/Starr) 2926 and 2936 Cohasset Road, APNs 015-120-033 and 034** - A request to subdivide two existing parcels located on the east side of Cohasset Road, north of Lupin Avenue, to create 22 lots for single-family residential development, and 3 lots for future office-residential development, accessed by a new double-loaded public street. All existing homes and structures will be removed. The project has a gross area of 4.66 acres, with a proposed residential density of 5.36 units per acre. The front (western) 140 feet of each parcel (adjacent to Cohasset Road) is designated Office on the General Plan Diagram and is located in an OR Office Residential zoning district. The remaining (eastern) portion of each parcel is designated Low Density Residential on the General Plan Diagram and is located in an R1 Low Density Residential zoning district. *Staff recommend approval of the tentative subdivision map.*

Associate Planner Greg Redeker presented the Staff Report. Chair Schiffman opened the public hearing at 7:25 p.m. Addressing the Commission, in the following order, were:

- James Renfro, The Engineering Group, representing the applicant, in favor
- Carol Sinatra, opposed

There being no further speakers, the public hearing was closed at 7:38 p.m.

It was moved (Kelley) and seconded (Alvistur) to approve the Hawes tentative subdivision map, based on the findings, subject to the conditions of approval contained therein and subject to the following additional conditions of approval:

1. *The eastern portion of Street A shall be narrowed to reflect a 7-foot parking land and a 5-foot sidewalk, beginning in front of Lots 2 and 23;*
2. *All rear second story windows shall have translucent glazing, raised sills, or similar treatments approved by Planning staff to protect the privacy of adjacent residences;*

3. *Structures built on Lots 1 and 25 shall be oriented toward Cohasset Road, with parking to the side or rear; no fences or walls shall be built adjacent to Cohasset Road;*
4. *The joint access driveways serving Lots 10-11 and 14-15 shall be modified to include an irrigated planter strip with a minimum width of 3 feet along the west side of each driveway, adjacent to Lots 9 and 16; and,*
5. *The minimum side yard setback on the south side of Lot 10 shall be 10 feet.*

Motion passed 6-1 (Luvaas opposed)

- 4.3 Godman Ranch Vesting Tentative Subdivision Map S 06-07 (Godman Ranch Investors) 3094 and 3122 Godman Avenue** - A proposal to subdivide a 7.70 acre site comprised of four existing parcels to create 44 single-family residential lots with an average lot size of 5,940 square feet. The project creates a gross density of approximately 5.7 units per acre. The site is designated Low Density Residential (2.01 to 6.0 units per gross acre) on the General Plan Diagram and rezoned R1 Low Density Residential. Annexation of the subject property into the City limits is also proposed. *Staff recommend adoption of Resolution No. 06-45, adopting the Mitigated Negative Declaration and approving the Godman Ranch Vesting Tentative Subdivision Map (S 06-07) based on the required findings and subject to the conditions contained therein.*

Associate Planner Mike Sawley presented the Staff Report. Chair Schiffman opened the public hearing at 8:02 p.m. Addressing the Commission in the following order were:

- Herb Votaw, Rolls Anderson and Rolls, representing the applicant, in favor
- Mary Andrews, commented on west-facing homes

There being no further speakers, the public hearing was closed at 8:10 p.m.

It was moved (Brownell) and seconded (O'Bryan) that the Planning Commission recommend adoption of a Mitigated Negative Declaration pursuant to the California Environmental Quality Act and recommend approval of the Godman Ranch vesting tentative subdivision map, based on the findings, subject to the conditions of approval contained therein, and subject to the following additional conditions of approval:

1. *Homes constructed on Lots 1, 2, 3, 41, 42, 43, and 44 shall be oriented to face Godman Avenue; and,*

2. Homes constructed on Lots 33 and 34 shall be oriented to face Lots 14 and 16.

Motion passed 7-0.

The Planning Commission recessed at 8:17 p.m. and reconvened at 8:27 p.m. Commissioners and Staff were present as noted.

4.4 The Landmark Tentative Subdivision Map S 06-13 (Ritchie Investors) 3259 Esplanade, APN 006-690-030 - A request to subdivide a 4.93-acre commercial site to create 8 parcels, including 1 parcel that would be a shared common area for parking, ingress/egress, and pedestrian movement. Buildings on the site are being constructed pursuant to previous Site Design and Architectural Review approval (File No: ARB 05-28). The proposed subdivision will merely create individual parcels for each of the building and, therefore, will not result in any additional construction. The site is designated MUNC (Mixed-Use Neighborhood Core) on the General Plan Diagram and zoned CN Neighborhood Commercial. *Staff recommend adoption of Resolution No. 60-45, approving The Landmark Tentative Subdivision Map (S 06-13), based on the required findings and subject to the conditions contained therein.*

Commissioner Kelley indicated he would abstain from participating in discussion/action for this item as his firm has been involved with this project. Associate Planner Mike Sawley presented the Staff Report. Chair Schiffman opened the public hearing at 8:35 p.m. Addressing the Commission in the following order were:

- Jim Mann, Rural Consulting Associates, representing the applicant, in favor

It was moved (Monfort) and seconded (O'Bryan) that the Planning Commission approve The Landmark vesting tentative subdivision map, based on the findings and subject to the conditions of approval contained therein.

Motion passed 5-1-0-1 (Luvaas opposed; Kelley abstained)

4.5 Montecito Place Vesting Tentative Small-Lot Subdivision Map S 06-05 (Forecast Land Investment, LLC), APNs 006-690-011 and 012 - A request to subdivide a 14.46-acre site comprised of two adjacent parcels to create 103 single-family residential lots in accordance with the City's small-lot subdivision standards. The project site is located at the southwest corner of the Esplanade and Nord Highway and is within the Northwest Chico Specific Plan (specific Plan) area for which an environmental impact report (EIR) was certified by the City Council on

December 16, 2005. The EIR included a project specific analysis of the proposed Montecito Subdivision. Pursuant to section 15162 of the California Environmental Quality Act (CEQA) Guidelines, no further environmental review is needed because this project is consistent with the EIR certified for the Specific Plan. *Staff recommend adoption of Resolution No. 06-47 (Attachment A), approving the Montecito Place Vesting Tentative Small-Lot Subdivision Map S 06-05 (Forecast Land Investment, LLC) based on the finds contained therein and subject to the attached conditions of approval.*

Senior Planner Bob Summerville presented the Staff Report. Chair Schiffman opened the public hearing at 9:00 p.m. Addressing the Commission in the following order were:

- Jim Mann, Rural Consulting Associates, representing the applicant, in favor
- John Curry, Discovery Builders, representing the applicant, in favor

There being no further speakers, the public hearing was closed at 9:07 p.m.

It was moved (Monfort) and seconded (Kelley) that the Planning Commission approve the Montecito Place vesting tentative small-lot subdivision map, based on the findings and subject to the conditions of approval contained therein.

The public hearing was re-opened at 9:13 p.m. in order for the applicant's representative to address the Commission. The public hearing was closed at 9:14 p.m.

The motion was modified to add the following additional condition of approval:

- 1. The shoulders along the paved surfaces of all bicycle paths shall be landscaped. All landscaping shall be approved by the City's Urban Forester.*

Motion passed 7-0

5. BUSINESS FROM THE FLOOR

None

6. PLANNING UPDATE

Planning Director Steve Peterson acknowledged the Planning Commission's commitment to the development of energy efficiency guidelines. Other announcements: City Boards and Commissions will be putting together work plans for the upcoming year. There is a good possibility that the January 4, 2007 meeting of the Planning Commission may be canceled.

Commissioner Luvaas expressed his concern over the mining operation that will come before the Butte County Planning Commission.

7. ADJOURNMENT

There being no further business to come before the Commission, the meeting was adjourned at 9:25 p.m. to the adjourned regular meeting of December 21, 2007.

September 6, 2007
Date Approved

/s/
Stephen Peterson
Planning Services Director

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING OF
DECEMBER 21, 2006**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Irv Schiffman, Chair
Vic Alvistur, Vice Chair
Mary Brownell
Dave Kelley
Jon Luvaas
Kirk Monfort
Steve O'Bryan

Staff Members Present: Steve Peterson, Director, Planning Services Department
Patrick Murphy, Interim Principal Planner
Bob Summerville, Senior Planner
Matt Johnson, Senior Development Engineer
David Frank, City Attorney
Karen Masterson, Administrative Assistant

1. ROLL CALL

Chair Schiffman called the meeting to order at 6:30 p.m. Commission members and staff were present as noted.

2. EX PARTE COMMUNICATIONS

Commissioner Luvaas spoke with Tony Symmes and John Merz regarding Wildwood Estates. Commissioner Kelley spoke with Tony Symmes regarding Wildwood Estates.

3. REGULAR AGENDA

3.1 Recognition of Service of Planning Commission Chair Irv Schiffman - Planning Services Director Steve Peterson recognized Chair Schiffman for his many years of dedicated service to the City of Chico. Chair Schiffman will complete his current term as Commissioner at the end of 2006 and will not be seeking reappointment. Fellow commissioners and staff acknowledged Chair Schiffman's many contributions throughout his tenure.

- 3.2 Creation of Ad Hoc Committee for Field Trip to City of Hercules: “A Special Work Session to Observe and Discuss a Form-Based Code at Work”** - Staff requests that the Commission identify up to three members of the Commission to join select City Council and Architectural Review Board Members, City staff, the Meriam Park applicant, and interested members of the public for a full day visit to the City of Hercules to view and discuss form-based development on the ground.

It was agreed to address this regular agenda item at the conclusion of the Public Hearing.

4. PUBLIC HEARING ITEMS

- 4.1 Use Permit 06-04 and Architectural Review 06-19 (Peitz/Piacentine) 3045 Esplanade, APN 006-270-016** - Due to unanticipated work items, Planning staff was unable to complete the report for this item in time for this meeting and recommends that the hearing for this project be continued to the Planning Commission meeting of January 18, 2007 (**Associate Planner Greg Redeker**)
- 4.2 Use Permit 05-77, Planned Development Permit 06-03, and Architectural Review 06-14 (Baker/Orr/Hanson) 1885 E. 8th Street, APN 002-360-056** - Due to unanticipated work items, Planning staff was unable to complete the report for this item in time for this meeting, and has also requested additional clarification on certain aspects of the project from the Applicant. Staff recommends that the hearing for this item be continued to the Planning Commission meeting of January 18, 2007. (**Associate Planner Greg Redeker**)
- 4.3 Parcel Map 06-06, Northwest Chico Specific Plan (NWCSP) Developers Group** - Planning staff has determined that the proposed parcel map would create a split-zoned parcel which is not allowed by Title 19 of the Chico Municipal Code. Therefore, the proposal will be resubmitted as a subdivision map to create five parcels and a remainder (rather than four parcels and a remainder) and will be rescheduled for review by the Planning Commission at its January 18, 2007 meeting. (**Senior Planner Bob Summerville**)

Public Hearing agenda items 4.1, 4.2, and 4.3 were continued to date certain and will be placed on the January 18, 2007 Planning Commission agenda.

- 4.4 Demolition of the existing Costco warehouse retail store located at 2100 Whitman Avenue, APNs 005-560-004 and 005-490-016 and construction of an expanded Costco store.** The store will be expanded from 122,976 square feet to 160,320 square feet and will be located west of the existing store. An expanded parking lot will be located on the site of the existing store. The site is located on land designated Community Commercial and Manufacturing and Warehousing

on the General Plan diagram and in the CC Community Commercial and ML Light Manufacturing/Industrial zoning districts. The project involves the following development applications:

General Plan Amendment/Rezone 04-11: To amend the General Plan designation for a 6.74-acre portion of the site from Manufacturing and Warehousing to Community Commercial and to rezone this area from ML Light Manufacturing/Industrial to CC Community Commercial to provide consistent zoning for the entire project site.

Parcel Map 05-04: To shift the west property line of the parcel containing the existing Costco Store in a westerly direction by approximately 418 feet to increase the site area from 10.33 acres to 15.7 acres (Parcel 1) and to create a 1.1-acre parcel (Parcel 2) along Whitman Avenue for future commercial development.

Use Permit 04-59: To allow a warehouse retail store (Costco) greater than 100,000 square feet in the CC zoning district and to allow a 16-pump gas station at the northwest corner of Whitman Avenue and Silver Dollar Way.

Architectural Review 04-37: To provide final approval of the project's architectural design including building, site, and landscape design. The Architectural Review Board conceptually approved the project at its January 4, 2006 meeting.

A Draft Environmental Impact Report (DEIR) was prepared and circulated for a 45-day public review period from June 6, 2006, to July 20, 2006 pursuant to the provisions of the California Environmental Quality Act (CEQA). The DEIR identified potential environmental impacts associated with the project and mitigation measures to reduce potential impacts to a less than significant level. The Final Environmental Impact Report responds to comments received on the DEIR and makes revisions to the DEIR as necessary in response to these comments.

Senior Planner Bob Summerville presented the staff report. At its regular meeting on October 5, 2006, the Planning Commission voted to adopt Resolution No. 06-36, certifying the Final Environmental Impact Report and its associated mitigation monitoring program, and adopted Resolution No. 06-39, recommending that the City Council approve the General Plan Amendment and Rezone (GPA/RZ 04-11). The Commission suspended taking action on Resolution No. 06-40 (Parcel Map PM 05-04; Use Permit UP 04-59 and Architectural Review AR 04-37) until the Applicant made certain revisions to the project design and adequately addressed the concerns of the

Commission. There were a total of nine (9) items and most have been addressed in the re-design. Senior Planner Summerville identified the changes that were not addressed and reasoning for same. Chair Schiffman opened the public hearing at 6:46 p.m. Addressing the Commission in the following order were:

- Allen Dauterman, representing the Applicant, in favor

There being no further speakers, the public hearing was closed at 7:05 p.m.

It was moved (Alvistur) and seconded (Monfort) that the Planning Commission adopt Resolution No. 06-40, approving Parcel Map 05-04, Use Permit 04-59, and Architectural Review 04-37 contingent upon the City Council's approval of the General Plan Amendment and Rezone.

Chair Schiffman re-opened the public hearing at 7:17 p.m. to allow the Applicant's representative to address the Commission. Addressing the Commission in the following order were:

- Allen Dauterman, representing the Applicant, responded to questions
- Dave Readler, representing the Applicant, responded to questions

The public hearing was closed at 7:20 p.m.

The motion on the floor was modified to add the following conditions of approval:

1. *The width of the drive aisle shall be 28 feet, and*
2. *The City's Urban Forester shall be involved in the tree selection and certification that 70 percent shading is achieved*

Motion passed 5-2 (Brownell, Luvaas opposed)

- 4.5 **Innsbrook Vesting Tentative Subdivision Map S 06-08 (Webb Homes); APNs 006-190-035, -036, -037, -038** - Subdivision of a 25-acre site to create 89 single-family residential lots with an overall density of 3.6 units per acre. The site is designated Low Density Residential on the General Plan diagram and is zoned R1 Low Density Residential. The project site is located along the west side of the Esplanade between Nord Highway and Eaton Road, just north of the existing Willoughby Glen subdivision. The project has been determined to be exempt from environmental review pursuant to Government Code Section 65447 (a) pertaining to Specific Plans. *Staff recommends adoption of a resolution approving the Innsbrook Vesting Tentative Subdivision Map S 06-08 (Webb Homes) based on the findings and subject to the conditions of approval contained therein.*

Senior Planner Patrick Murphy presented the staff report. Chair Schiffman opened the public hearing at 7:55 p.m. Addressing the Commission in the following order were:

- Greg Webb, Webb Homes, Applicant, in favor

There being no further speakers, the public hearing was closed at 8:11 p.m.

It was moved (Monfort) and seconded (Alvistur) to adopt Resolution No. 06-49, approving the Innsbrook Vesting Tentative Subdivision Map S 06-08 (Webb Homes) based on the findings, and subject to the conditions of approval contained therein.

The motion on the floor was amended to add the following additional conditions of approval:

- 1. The final map shall illustrate bulbed intersections as set forth in the NWCSP (including bulb-outs located at Lots 51, 52, and 53 and at Lots 40 and 89).*
- 2. A 12-foot wide bicycle/pedestrian path shall be constructed either between Lots 85 and 86 or Lots 86 and 87 to provide a connection to Innsbrook Way to the east.*
- 3. A 12-foot wide bicycle/pedestrian path (eight feet of paving with 2 feet of landscaping on each side) shall be constructed between Lots 59 and 60 and Lots 69 and 70 to provide a connection between Street "C" and Street "E"*

Motion passed 7-0

The Planning Commission recessed at 8:33 p.m. and reconvened at 8:43 p.m. Commissioners and Staff were present as noted.

- 4.6 Wildwood Estates Vesting Tentative Subdivision Map and Planned Development Permit (S/PDP 05-15) (Wildwood Investors) at 2812 Cactus Avenue; APNs 016-160-001, -002 and -003** - A proposed 171-lot residential subdivision and planned development permit on a 36.4 acre site located on the east side of Cactus Avenue. This revised subdivision design proposes 167 single-family lots and four duplex lots. A three-acre open space parcel (Lot "A") is proposed in the northeast corner of the site, with smaller open space parcels provided throughout the site. *Staff recommends adoption of a mitigated negative declaration pursuant to CEQA and approval of the Wildwood Estates Vesting Tentative Subdivision Map and Planned Development Permit (S/PDP 05-15), based on the findings and subject to the conditions of approval contained therein.*

Senior Planner Patrick Murphy presented the staff report. Chair Schiffman opened the public hearing at 9:00 p.m. Addressing the Commission in the following order were:

- Tony Symmes, Applicant, in favor
- Mark Streets, in favor
- Jerry Olio, opposed
- Stan Moser, opposed
- John Merz, opposed
- Liz Moser, opposed
- Tony Symmes, responded to comments

There being no further speakers, the public hearing was closed at 9:38 p.m.

It was moved (Monfort) and seconded (Alvistur) to adopt Resolution No. 06-50, approving the Wildwood Estates Vesting Tentative Subdivision Map and Planned Development Permit (S/PDP 05-15), based on the findings, and subject to the conditions of approval contained therein.

Chair Schiffman re-opened the public hearing at 10:20 p.m. Addressing the Commission in the following order were:

- Tony Symmes, Applicant, responded to further questions and comments.

There being no further speakers, the public hearing was closed at 10:21 p.m.

The motion on the floor was amended to add the following additional conditions of approval:

1. ***The Final Map shall show a connector street linking Cactus Avenue with Street "A" located between Lots 165 and 166 and Lots 121 and 122. A temporary barricade shall be added at the new connector road to restrict vehicular traffic from accessing Cactus Avenue until such time that all planned improvements to Cactus Avenue have been implemented. No access shall be allowed onto Cactus Avenue (including driveways) until such time that the planned Cactus Avenue improvements are implemented. The bicycle/pedestrian path located immediately south of Lot 162 and Lot 2 (Lot "E") shall also remain as part of the project.***
2. ***On corner lots, the narrow side of the lot shall be used for driveway access and the long side shall be used for the house frontage (entrance) to minimizing fencing along the long street side frontage, where feasible.***
3. ***As part of Condition #20, add "Compliance will be monitored by Planning Services Department staff as part of the review of the building permit plans for each lot.***
4. ***Condition #19 pertaining to street lighting shall be revised to require candycane-style, according to City standards, and shall be restricted only***

to street intersections, if possible, and the end of the Cactus Avenue cul-de-sac. Cut-off fixtures shall be utilized to minimize light glare.

Motion passed 5-2 (Brownell, Luvaas opposed)

5. BUSINESS FROM THE FLOOR

None

6. PLANNING UPDATE

Planning Director Steve Peterson acknowledged the Planning Commission's commitment to the development of energy efficiency guidelines. Other announcements: City Boards and Commissions will be putting together work plans for the upcoming year. The January 4, 2007 meeting of the Planning Commission will be canceled. Commissioner Luvaas expressed his concern over the mining operation that will come before the Butte County Planning Commission.

7. ADJOURNMENT

There being no further business to come before the Commission, the meeting was adjourned at 10:42 p.m. to the Adjourned Regular Meeting of January 18, 2007.

September 6, 2007
Date Approved

/s/
Stephen Peterson
Planning Services Director