

CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING OF
May 5, 2016

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Toni Scott, Chair
 John Howlett, Vice Chair
 Cynthia Arregui
 Dale Bennett
 Bob Evans
 Ken Rensink
 Margaret Worley

Commissioners Absent: None

Staff Members Present: Brendan Vieg, Principal Planner
 Mike Sawley, AICP, Associate Planner
 Matt Johnson, Senior Development Engineer
 Andrew Jared, Assistant City Attorney
 Stina Cooley, Administrative Assistant

1. ROLL CALL

Chair Scott called the meeting to order at 6:30 PM. Commission members and staff were present as noted.

2. EX PARTE COMMUNICATION

Several Commissioners stated they had driven by the Estates at Lindo Channel project site.

3. CONSENT AGENDA

March 17, 2016 Minutes

April 7, 2016 Minutes

Commissioner Evans moved to approve the minutes, Commissioner Rensink seconded the motion which passed (7-0-0)

4. PUBLIC HEARING ITEMS

4.1 S/PDP 15-04, GPA 15-04, and RZ 15-03 (Estates at Lindo Channel) A request that the Planning Commission forward a recommendation of approval to the City Council for final consideration of a General Plan Amendment, Rezone, Subdivision and Planned Development Permit, including final architectural design. This project has been reviewed by the Architectural Review and Historic Preservation Board which recommended approval of the project subject to conditions. A Mitigated Negative Declaration (MND) has been prepared for the project pursuant to the California Environmental Quality Act (CEQA).

Associate Planner Mike Sawley provided a project overview.

Staff responded to questions regarding the number of trees to be preserved, the length and width of the road into the cul-de-sac, fire access, relocation of the mailboxes, side yard setbacks with regards to ADA access, decreases in density associated with the rezone, and flood and fire potential. Staff also provided examples of other areas with similar situations.

Senior Development Engineer Matt Johnson provided an overview of traffic issues and concerns in the area. Mr. Johnson stated that a full traffic study is only conducted when a project is estimated to produce 75 or more peak hour trips. This project will create significantly less than 75. He pointed out that the neighborhood meetings brought to light some of the traffic issues in the general area and the Public Works Department has experienced similar issues in other areas around town and they are working on addressing those issues. Mr. Johnson stated that while a bike path had been suggested in the area, the streets are not wide enough to have the bike path in addition to street parking.

Chair Scott opened the public hearing at 7:13 PM

Wes Gilbert, project engineer, addressed the Commission for the applicant. Mr. Gilbert thanked the Commission for their time and consideration of the project. He stated that the conditions of approval in the staff report were acceptable to the developer. Mr. Gilbert clarified that the side set-backs would be 3 feet on one side and 4 feet on the other side specifically to address accessibility issues. Mr. Gilbert addressed concerns regarding the flood plain. He stated that the Lindo Channel is a controlled flow area and there is a maximum flow that is allowed downstream and the overflow is diverted. Mr. Gilbert stated that the houses at the end of the cul-de-sac are the only houses that are close to the flood plain. He stated that they are not in the flood plain but will be built 2 feet above the required elevation as a precautionary measure. Mr. Gilbert stated that a lot of care had been taken in making the project density compatible with adjacent neighborhoods. Mr.

Gilbert addressed concerns regarding the trees to be preserved. He stated it is a balancing act between the necessary improvements and grading requirements. He stated that a significant number of the trees are non-natives. Mr. Gilbert stated the reason the proposed project includes a rezone from R2 to R1 is to keep the homes single story. He said to meet the density requirements for R2, they would need to build up and they wanted to honor the neighbor requests to keep the buildings single story.

Brian Firth, Landscape Architect for the project, addressed concerns regarding tree preservation and mitigation of tree removal. He stated that he had proposed native plant species due to the proximity to the channel. Mr. Firth also stated that there is no lawn in the landscape plan, which meets AB 1881 standards.

Pete Hollingsworth, Martha Wilson, William Funke, Martha Gore, Anita Fitzgerald, David Kelsey, Lee Wadsworth, Kelly Crocket, and Karen Goodwin, residents from the surrounding neighborhood, addressed the Commission with concerns regarding the proposed subdivision. Many stated they were in favor of the mailbox relocation and the low level "dark sky" lighting. There were many concerns expressed regarding the traffic impacts in the area and existing traffic issues. The neighbors also expressed concern regarding the fire lane and access to the channel. A suggestion was made to relocate the fire lane to the east side of the cul-de-sac rather than the west side. There was also a request for clarification on the rear yard set-back exception.

Mr. Gilbert stated that the west side was selected for the fire lane due to the slope of the grade, but the applicant was open to relocating it the east side if feasible.

Chair Scott closed the public hearing at 7:52 PM.

Associate Planner Sawley clarified that in a small lot subdivision the rear set-backs must be a minimum of 10 ft., if the design includes a larger front porch. The project meets the size standard for the front porch and is proposing 10 ft. set-backs for all the yards. There are two lots (19 & 20) that do not meet the porch requirement and therefore an exemption is requested for those two lots. Associate Planner Sawley also clarified the necessity for the fire access road. He stated that the maps were sent for review to the Fire Marshall and two comments were received, the need for the additional sprinkler system and the request for the fire access road due to concerns of fire in the channel.

Discussion continued with the Commissioners.

Senior Development Engineer Johnson stated that the Public Works Department is reviewing traffic issues all over the city and they are addressing traffic concerns in neighborhoods a section at a time.

Commissioner Rensink moved that the Planning Commission adopt Resolution No. 16-06, recommending that the City Council adopt the mitigated negative declaration and approve the General Plan amendment, rezone, Subdivision and Planned Development Permit for the Estates at Lindo Channel project, subject to the attached conditions and that a Condition be added which would read #21 “Relocate the fire access road to the easterly side of the cul-de-sac, if determined to be feasible by the Fire Department.” Commissioner Bennett seconded the motion. Commissioner Scott requested a friendly amendment to modify Condition # 18 to specify a minimum of 20 trees be retained. The amendment was accepted.

Discussion continued with Commissioners.

Chair Scott called for the vote. The motion passed (5-2-0, Howlett & Worley opposed).

5. **REGULAR AGENDA**

None.

6. **BUSINESS FROM THE FLOOR**

None.

7. **REPORTS & COMMUNICATIONS**

7.1 **Planning Update**

Principal Planner Vieg reported that Community Development Director Wolfe is currently working on the 2016/2017 budget proposal and is requesting an increase in the allocation for training funds for staff and commissioners. The Cal APA conference is in October and it may be an opportunity for the Commissioners and staff to attend.

Chair Scott asked for clarification regarding the process of selection of a new chair and the Bi-Annual Work Plan. Principal Planner Vieg stated that the request for a work plan generally comes from the City Council and there has not been a request

at this time. He added that he would review the process for the selection of a new chair and report back to the Commission.

Commissioner Evans requested an update on the Sustainability Task Force Work Plan and their accomplishments in the past year. Principal Planner Vieg stated the Sustainability Task Force had prepared and presented an update to the City Council recently and he would request the Sustainability Task Force present the update to the Planning Commissioner as well.

Principal Planner Vieg reported that there were no items scheduled for May 19, 2016 so the meeting would be canceled.

8. ADJOURNMENT

There being no further business from the Commission, the meeting adjourned at 8:13 PM to the **Regular Meeting of Thursday, June 2, 2016.**

Date Approved

Mark Wolfe, AICP
Community Development Director /
Planning Commission Secretary