CITY OF CHICO PLANNING COMMISSION

MINUTES OF THE REGULAR MEETING OF

October 6, 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:	Mark Wolfe, AICP, Community Development Director Brendan Vieg, Principal Planner Matt Johnson, Senior Development Engineer Mike Sawley, AICP, Associate Planner Noel Tapia, Assistant City Attorney Stina Cooley, Administrative Assistant

1. ROLL CALL

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

2. EX PARTE COMMUNICATION

Several Commissioners stated they had driven by the site, some had discussed the project with staff and Chair Scott stated she had an email exchange with a private citizen.

3. CONSENT AGENDA

Commissioner Worley moved to approve the minutes from August 4, 2016 and September 1, 2016, Commissioner Rensink seconded the motion, which passed, 7-0.

4. PUBLIC HEARING ITEMS

4.1 Chico Walmart Expansion Project (PM 15-02, AR 15-16, UP 15-10 and UP 15-12) 2044 Forest Avenue, AP Nos. 002-370-055, 002-370-057 and 002-170-004

A proposed parcel map, design review and use permits that would facilitate the following development: (1) expansion of the existing Walmart store by up to 66,500 square feet; (2) development of an eight-pump fuel station (16 vehicle fueling

positions) with a 1,500-square-foot kiosk; and (3) creation of two out-parcels with a combined development potential of 52,000 square feet of commercial uses (retail or restaurant). Following the land division, the Walmart store/fuel station parcel (Parcel 1) would total 21.88 acres, Parcel 2 would be 2.63 acres, and Parcel 3 would be 2.57 acres. The parcel map includes relocation of several public utility and public access easements and associated improvements (sanitary sewer, storm drainage, water, utilities, and public bicycle path). The site is designated Regional Commercial on the General Plan Land Use Diagram and is located within the CR (Regional Commercial) zoning district. The site is also located within Regional Center Opportunity Site #10 (East 20th Street), as established by the General Plan. In accordance with the California Environmental Quality Act (CEQA), an Environmental Impact Report (EIR) was prepared by the City to consider potential impacts associated with implementation of the project, and to provide mitigation measures that would reduce impacts to less than significant levels. The Draft EIR (State Clearinghouse Number 2015102017) was released for a 45-day public review period beginning on June 17, 2016 and ending on August 1, 2016. During the review period a public meeting was held to receive oral comments on the adequacy of the Draft EIR. A Final EIR was released on September 9, 2016, which included all comments received during the public review period, City responses to issues raised regarding adequacy of the Draft EIR, and minor edits to the Draft EIR.

Associate Planner Sawley provided the staff report. Grant Gruber, the City's Environmental Impact Report consultant from FirstCarbon Solutions provided an overview of the Environmental Impact Report prepared for the project.

Commissioner Bennett complimented Associate Planner Sawley and staff on the completeness and level of detail in the report and thanked them for their hard work to bring the project before the Commission.

Commissioners asked for clarification regarding mitigation measures, urban decay, and tree surveys/inventory and replacement. Commissioners also inquired about the placement of power lines and why it was considered "infeasible" to put them underground. Associate Planner Sawley explained that they are high voltage lines that have special requirements to place them underground, which makes that task cost prohibitive.

Commissioners asked for clarification regarding the City's jurisdiction over Business Lane and Baney Lane. Associate Planner Sawley stated that those streets are both private and that the Planning Commission and City do not have jurisdiction over those streets. Assistant City Attorney Tapia clarified that the Commission cannot require mitigation to address issues on private property

not entitled in the project. Those issues would need to be negotiated by the private parties involved.

Associate Planner Sawley clarified that for the purpose of the environmental review, the traffic study assumes full build out of the General Plan Diagram by 2035.

Commissioners inquired if Cal Trans had any plans to improve Highway 99 through Chico. Public Works Engineering Director Brendan Ottoboni stated that those types of projects fall under the City's development fees to help mitigate impacts. These will be City projects on Cal Trans facilities.

Commissioners asked for further clarification regarding traffic mitigations at the East 20th Street and Forest Avenue intersection and air quality mitigations on-site and off-site. Staff stated that the short term mitigation will address traffic now but long term there are capital improvement projects slated for that area.

Commissioner Scott verified that architectural review was part of the approval process.

Chair Scott opened the public hearing at 7:25 PM.

The public comments began with Amelia McLear and Tiffany Wilson presenting and answering questions from the Commission on behalf of the applicant. Commissioners inquired about the drive thru personal shopper service that is proposed with the project. They also inquired about the late amendment to the map that would direct truck traffic to Wittmeier lane for unloading, and the number of truck deliveries expected with the expansion. Commissioners inquired about the number of employees and the ratio of part-time to full-time employees.

Chair Scott called for a recess at 7:50 PM.

Chair Scott reconvened the meeting at 8:00 PM

The following members of the public addressed the Commission: Joan Gulla, Wyatt Barris, Janice Revilak, Maureen Welch, John Revilak, Marjorie Williams, Lisa Roehling, Kim Turner, Katie Simmons, Dan Everhart, Robin Cook, Tom Nickell, Seth Derish, Ben Perle, Aaron McKinney, Roger Beadle, Martin Schwabe, Woody Elliot, Russ Erickson, Shane Mortensen, Mah Love, Blake, Coreen Curtis, Mercedes Macias, Tanya Cranmer, Angela Casler, and Alex Merritt.

Public comments included support for the project and the opportunities the expansion would bring to the area. Public comments in opposition of the project included concerns for the increase in traffic, air quality, possible loss of jobs, parking lot trees, and general discontent with Walmart as a company.

Chair Scott closed the public hearing at 9:10 PM.

Discussion continued among the Commissioners regarding the proposed land use entitlements and environmental impacts.

Commissioner Evans moved that the Planning Commission adopt Resolution No. 16-11, certifying the adequacy of the Final EIR. Commissioner Bennett seconded the motion which passed 5-2 (Howlett & Worley opposed).

Commissioner Evans moved that the Planning Commission adopt Resolution No. 16-12, making certain findings regarding environmental effects and mitigation measures, adopting a Statement of Overriding Considerations, and adopting the Mitigation Monitoring Program. Commissioner Bennett seconded the motion which passed 5-2 (Howlett & Worley opposed).

Commissioner Evans moved that the Planning Commission adopt Resolution No. 16-13, conditionally approving the revised Parcel Map 15-02, Use Permit 15-10, Use Permit 15-12, and Site Design and Architectural Review 15-16. Commissioner Rensink seconded the motion which passed 5-2 (Howlett & Worley opposed).

5. REGULAR AGENDA

None.

6. BUSINESS FROM THE FLOOR

None.

7. REPORTS & COMMUNICATIONS

7.1 Planning Update

Principal Planner Vieg stated staff has been working on the 5-Year General Plan Review. He hopes to have the report out and available for community review in mid-November so there is adequate time for review. The target date is December 15th for the 5-Year Review to come before the Planning Commission. Principal Planner Vieg stated that the report will include recommended changes to Title 19, General Plan rezones, and General Plan text amendments. The report will also contain the Sustainability Indicators Report. He expressed his goal is to have the proposed changes in a format that is easy to review and understand.

8. ADJOURNMENT

There being no further business from the Commission, the meeting adjourned at 9:51 PM to the **Regular Meeting of Thursday, November 3, 2016**.

10/27/16
Date Approved

Mark Wolfe
Mark Wolfe, AICP
Community Development Director /
Planning Commission Secretary