



City of Chico
NOTICE OF CANCELLATION
of
January 2, 2014
Planning Commission Meeting

NOTICE IS HEREBY GIVEN that the January 2, 2014 regular meeting of the Planning Commission of the City of Chico is cancelled.

The Planning Commission will meet on Thursday, December 5, 2013 for a adjourned regular meeting at 6:30 p.m. in the City Council Chamber located at 421 Main Street.

By: Michelle Pease, Administrative Assistant
Dated: December 20, 2013

Distribution:

City Clerk/State Mandated

Post: Council Chambers

Post: Website

Via Email

Commissioners

City Council

CM Nakamura

ACM Orme

PSD Wolfe

ACA Wilson

SDE Johnson

Agenda E-Subscribers

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING OF
January 16, 2014**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Matt Juhl-Darlington, Chair
 Ken Rensink, Vice Chair
 Eleanor Anderson
 John Merz
 Mike O'Donnell
 Toni Scott
 Margaret Worley

Commissioners Absent: None

Staff Members Present: Mark Wolfe, AICP, Community Development Director
 Brendan Vieg, Principal Planner
 Bob Summerville, Senior Planner
 Matt Johnson, Senior Development Engineer
 Roger Wilson, Assistant City Attorney

1. ROLL CALL

Chair Juhl-Darlington called the meeting to order at 6:30 pm. Commission members and staff were present as noted.

2. EX PARTE COMMUNICATION

Commissioners disclosed that they visited the project site.

3. CONSENT AGENDA

There were no items for the Consent Agenda.

4. PUBLIC HEARING ITEMS

4.1 Use Permit 13-21 (Tochterman) - Southwest Corner of 1st and Main Streets, APNs 004-071-002, 003, and 004 (Noticed 12/31/13) - A proposal to construct a private parking lot for lease of spaces. The site is located on land designated Commercial Mixed Use on the General Plan diagram and in the DN-L-COS zoning district (Downtown North with Landmark and Corridor Opportunity Site overlay). The project has been determined to be

categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15311(b) (Accessory Structures). (**Staff Report: Senior Planner Bob Summerville**).

Senior Planner Summerville provided a project overview.

Commissioner Merz inquired about the Chico Chamber of Commerce position on the proposed project.

Commissioner Worley inquired about pedestrian access to the lot.

Chair Juhl-Darlington opened the public hearing at 6:42 pm. Addressing the Commission in the following order were:

Applicant's architect, David Rodgers, provided an overview of the proposed project, specifically site design, fence style, and pedestrian access.

Chair Juhl-Darlington inquired about the reason for a parking lot.

Mr. Rodgers explained that it is mostly about demand for parking.

Commissioner Scott inquired about utilizing the parking for the public.

Mr. Rodgers explained that it has not yet been determined, but that the primary goal is to lease the space to private parties.

David Halimi, Downtown property owner, spoke in support of the project because it will enhance the appearance of Downtown and provide needed parking.

Dale Bennett, DCBA member, spoke in support of the project because there is a need for private parking Downtown.

Chair Juhl-Darlington closed the public hearing at 6:48 pm.

Staff and the Commission discussed traffic, meter rates, parking in private lots vs. public lots, and site lighting.

Commissioner O'Donnell spoke about the interim aspect of the project and the beneficial aesthetic improvement.

Commissioner Scott believes that the ARHPB should pay special attention to the site's lighting to ensure the lot is safe.

Commissioner Rensink highlighted that the financial value of the site and the low return on parking lot revenue will ensure that the site will eventually be developed with a building.

Commissioner Merz inquired about stormwater drainage and tree shading requirements, and recommends that a tree be planted at the northeast corner, behind the decorative fence feature.

Commissioner Rensink moved that the Planning Commission adopt Resolution 14-01, approving Use Permit 13-21 (Tochterman), subject to the conditions of approval contained therein. Commissioner Worley seconded the motion, which passed (7-0).

5. REGULAR AGENDA

None.

6. BUSINESS FROM THE FLOOR

Mike Trollinder discussed Downtown parking and its relation to retail.

7. REPORTS & COMMUNICATIONS

None.

7.1 Planning Update

CDD Wolfe informed the Commission that an effort is underway to catch up on past meeting minutes.

8. ADJOURNMENT

There being no further business from the Commission, the meeting adjourned at 7:20 pm to the **Regular Meeting of Thursday, February 20, 2014.**

12/17/15
Date Approved



Mark Wolfe, AICP
Community Development
Director /
Planning Commission Secretary



City of Chico
NOTICE OF CANCELLATION
of
February 6, 2014
Planning Commission Meeting

NOTICE IS HEREBY GIVEN that the February 6, 2014 regular meeting of the Planning Commission of the City of Chico is cancelled.

The Planning Commission will meet on Thursday, February 20, 2014 for a adjourned regular meeting at 6:30 p.m. in the City Council Chamber located at 421 Main Street.

By: Michelle Pease, Administrative Assistant
Dated: January 29, 2014

Distribution:

Post: Council Chambers

Post: Website

Via Email

Commissioners

City Council

CM Nakamura

ACM Orme

PSD Wolfe

ACA Wilson

SDE Johnson

Agenda E-Subscribers



City of Chico
NOTICE OF CANCELLATION
of
February 20, 2014
Planning Commission Meeting

NOTICE IS HEREBY GIVEN that the February 20, 2014 adjourned regular meeting of the Planning Commission of the City of Chico is cancelled.

The Planning Commission will meet on Thursday, March 6, 2014 for a regular meeting at 6:30 p.m. in the City Council Chamber located at 421 Main Street.

By: Michelle Pease, Administrative Assistant
Dated: February 11, 2014

Distribution:

Post: Council Chambers

Post: Website

Via Email

Commissioners

City Council

CM Nakamura

ACM Orme

PSD Wolfe

ACA Wilson

SDE Johnson

Agenda E-Subscribers

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING OF
March 6, 2014**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Matt Juhl-Darlington, Chair
 Ken Rensink, Vice Chair
 Eleanor Anderson
 John Merz
 Mike O'Donnell
 Toni Scott
 Margaret Worley

Commissioners Absent: None

Staff Members Present: Mark Wolfe, AICP, Community Development Director
 Brendan Vieg, Principal Planner
 Greg Redeker, AICP, Associate Planner
 Kirk Trostle, Police Chief
 Matt Johnson, Senior Development Engineer
 Roger Wilson, Assistant City Attorney

1. ROLL CALL

Chair Juhl-Darlington called the meeting to order at 6:30 pm. Commission members and staff were present as noted.

2. ELECTION OF OFFICERS

Commissioner Juhl-Darlington nominated Ken Rensink for Commission Chair. Vote carried 6-1. Commissioner Merz nominated Toni Scott for Commission Vice-Chair. Vote carried 7-0.

3. EX PARTE COMMUNICATION

There were e-mail exchanges for several commissioners with Doug Roberts.

4. CONSENT AGENDA

The Commission unanimously approved the consent agenda, which included meeting minutes from the August 4, 2011 and September 11, 2011 Commission meetings.

5. PUBLIC HEARING ITEMS

5.1 Consideration of Potential Amendments to Title 19 of the Chico Municipal Code Regarding the Regulation of Businesses Selling Alcohol (City of Chico) - A public hearing to discuss options, receive public input, and provide direction to Planning staff regarding potential amendments to City regulations affecting businesses which sell alcohol. As directed by the City Council on 11/19/13, the Commission will consider ideas for amending the City's Land Use and Development Regulations to provide greater local control over the location and operating characteristics of those businesses which sell alcohol. Specific ideas the Commission is directed to explore include establishing a use permit requirement for new businesses selling alcohol, and adopting a "deemed approved" ordinance to establish operating standards for existing businesses. The Commission will make a formal recommendation to the City Council at a future noticed meeting. No formal action will be taken at this meeting. **(Staff Report: Associate Planner Greg Redeker)**

Associate Planner Redeker provided background on the purpose of the meeting, and an overview of options for amending Title 19 and adopting a deemed approved ordinance. He concluded with a recommendation that the Commission review the agenda report, accept input from the public, and then provide direction to staff regarding amendments to Title 19 related to the regulation of businesses selling alcohol.

Commissioner Merz inquired about the term "close proximity" regarding nuisances — is there some standard distance?

Commissioner Juhl-Darlington asked for clarification regarding the background of the alcohol issue and why it is before the Commission.

Community Development Director Wolfe provided a brief background and Council direction to staff and the Commission.

Commissioner Anderson asked for more data regarding alcohol-related problems in the Downtown. Chief Trostle provided an overview of the number of calls for police and the number of recent deaths related to alcohol. He provided a brief background on tools to address those problems.

Commissioner Juhl-Darlington requested data regarding police calls at private residences versus public establishments.

Commissioner Merz wants to know how we have gotten to a point of such over-saturation of alcoholic beverage establishments per ABC standards in Chico. Also

wants to know the economic benefits of the sale of alcohol in Chico and economic impact of regulating alcoholic beverage establishments.

Commissioner Worley echoed concern regarding over-saturation of alcoholic beverage establishments --- how did we get here as a community?

Chair Rensink expressed concern regarding having two different standards for similar businesses.

Chair Rensink opened the public hearing at 7:11 pm.

Katie Simmons, Chico Chamber of Commerce, commented on the impacts of house parties, and shared her support for a peer review.

Will Brady, Downtown liquor license owner, spoke to the importance of communication for addressing alcohol-related problems Downtown.

Commissioner Juhl-Darlington asked Will Brady about a “deemed approved” ordinance. He is not in support of it, and is concerned it might allow the City to shut-down businesses.

Robert Mallory, Downtown liquor license owner, pointed to “morphing” as a cause of the problem, and stated that the SLO ordinance addressed new businesses. He does not support the “deemed approved” ordinance.

Amanda Montgomery, Butte County Department of Behavioral Health, supported the Commission’s investigation of Title 19 amendments and a “deemed approved” ordinance to address alcohol-related issues. She also pointed out that ABC’s resources are limited and inconsistent, and that clarity and consistency to address alcohol-related issues need to be addressed at the local level.

Tricia Seestrup, Chico State, thinks that the tools the Commission is considering could improve the environment where alcohol is consumed and purchased.

Doug Roberts, Downtown bar owner, stated that if a “deemed approved” ordinance was done correctly, it could be effective, but is concerned it won’t happen that way. He believes that more officers working with licensees on compliance with ABC requirements and focused on Downtown problems would better solve alcohol-related problems.

Chair Rensink closed the public hearing at 8:02 pm.

Commissioner Juhl-Darlington stated that the example of the Police Department’s conditions for ABC licenses (found in Attachment B of the staff report) are broad, ambiguous, and burdensome.

Commissioner Scott would like to see the proposed review process specified at the Commission's next meeting.

Commissioner Anderson would like to see more data regarding alcohol-related impacts associated with on-site and off-site businesses.

Commissioner O'Donnell also wants more data regarding the problem that the Commission is attempting to address.

Community Development Director Wolfe thanked the Commission and shared that staff may not be back with more information until May.

6. REGULAR AGENDA

None.

7. BUSINESS FROM THE FLOOR

None.

8. REPORTS & COMMUNICATIONS

None.

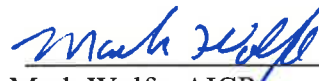
8.1 Planning Update

None.

9. ADJOURNMENT

There being no further business from the Commission, the meeting adjourned at 8:20 pm to the **Regular Meeting of Thursday, April 3, 2014.**

12/17/15
Date Approved


Mark Wolfe, AICP
Community Development Director /
Planning Commission Secretary



City of Chico
NOTICE OF CANCELLATION
of
March 20, 2014
Planning Commission Meeting

NOTICE IS HEREBY GIVEN that the March 20, 2014 adjourned regular meeting of the Planning Commission of the City of Chico is cancelled.

The Planning Commission will meet on Thursday, April 3, 2014 for a regular meeting at 6:30 p.m. in the City Council Chamber located at 421 Main Street.

By: Michelle Pease, Administrative Assistant
Dated: March 12, 2014

Distribution:

Post: Council Chambers

Post: Website

Via Email

Commissioners

City Council

CM Nakamura

ACM Orme

PSD Wolfe

ACA Wilson

SDE Johnson

Agenda E-Subscribers

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING OF
April 3, 2014**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Ken Rensink, Chair
Toni Scott, Vice Chair
Matt Juhl-Darlington
John Merz
Mike O'Donnell
Margaret Worley

Commissioners Absent: Eleanor Anderson

Staff Members Present: Mark Wolfe, AICP, Community Development Director
Brendan Vieg, Principal Planner
Greg Redeker, AICP, Associate Planner
Matt Johnson, Senior Development Engineer
Roger Wilson, Assistant City Attorney

1. ROLL CALL

Chair Rensink called the meeting to order at 6:31 pm. Commission members and staff were present as noted.

2. EX PARTE COMMUNICATION

Several Commissioners acknowledged visiting the project site at 2443 Mariposa Avenue.

3. CONSENT AGENDA

Community Development Director Wolfe pulled the December 1, 2011 minutes. The Commission approved the consent agenda on a vote of 4-0-2 (Merz and Rensink abstained), which included the meeting minutes from the September 1, 2011 Commission meeting.

4. PUBLIC HEARING ITEMS

Vesting Tentative Subdivision Map S 13-02 (Mariposa Glen) 2443 Mariposa Avenue; APN 015-430-013 - (Noticed 3-22-14) A request to subdivide a 0.76 acre lot into six small lots and a private street for future single-family residential development pursuant to Chico's small lot subdivision standards. An existing dilapidated residence will be removed. The

property is designated Medium Density Residential on the General Plan Diagram, and is located in the R2-AOC zoning district (Medium Density Residential with Airport Traffic Pattern overlay). Due to the site's R2 zoning, the property must be developed at a density greater than 7 units per acre. This project is categorically exempt from environmental review pursuant to Section 15332 of the California Environmental Quality Act Guidelines (Infill Development Projects). **(Staff Report: Associate Planner Greg Redeker)**

Associate Planner Redeker provided a project overview.

Commissioner Merz inquired about the proposed street trees and the tree replacement requirements.

Commissioner Worley inquired about the proposed street width.

Commissioner Merz inquired about the number of stories proposed for the homes.

Chair Rensink opened the public hearing at 6:47 pm.

Wes Gilbert, the project engineer, supports the project and the proposed conditions.

Commissioner Merz and Mr. Gilbert discussed the number and types of trees that are proposed for removal.

Commissioner Juhl-Darlington inquired about the timing of the proposed development.

Chair Rensink closed the public hearing at 6:50 pm.

Commissioner Merz asked about the timing of the raptor nest survey and the plans for connecting to the City's storm drain facilities.

Commissioner Juhl-Darlington moved that the Planning Commission adopt Resolution 14-03, approving Mariposa Glen Vesting Tentative Subdivision Map (S 13-02), based on the required findings and subject to the conditions contained therein.. Commissioner Scott seconded the motion, which passed (6-0).

5. REGULAR AGENDA

None.

6. BUSINESS FROM THE FLOOR

None.

7. REPORTS & COMMUNICATIONS

None.

8. Planning Update


Principal Planner Vieg shared with the Commission that the Sustainability Task Force has requested having a joint meeting with the Commission in late May to receive the General Plan Annual Report and Sustainability Indicators Report. Because of the number of private development projects that will likely be before the Commission in May, staff is recommending a special meeting to be held on May 22nd, which would also include the Commission's consideration of the Housing Element Update.

Commissioner Merz asked to agendaize appointing a commissioner as an alternate to the ARHPB.

9. ADJOURNMENT

There being no further business from the Commission, the meeting adjourned at 7:14 pm to the **Regular Meeting of Thursday, May 1, 2014.**

12/17/15
Date Approved


Mark Wolfe, AICP
Community Development Director /
Planning Commission Secretary



City of Chico
NOTICE OF CANCELLATION
of
April 17, 2014
Planning Commission Meeting

NOTICE IS HEREBY GIVEN that the April 17, 2014 adjourned regular meeting of the Planning Commission of the City of Chico is cancelled.

The Planning Commission will meet on Thursday, May 1, 2014 for a regular meeting at 6:30 p.m. in the City Council Chamber located at 421 Main Street.

By: Michelle Pease, Administrative Assistant
Dated: April 4, 2014

Distribution:

Post: Council Chambers

Post: Website

Via Email

Commissioners

City Council

CM Nakamura

ACM Orme

PSD Wolfe

ACA Wilson

SDE Johnson

Agenda E-Subscribers

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING OF
May 1, 2014**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Toni Scott, Vice Chair
Eleanor Anderson
Matt Juhl-Darlington
John Merz
Mike O'Donnell
Margaret Worley

Commissioners Absent: Ken Rensink, Chair

Staff Members Present: Brendan Vieg, Principal Planner
Greg Redeker, AICP, Associate Planner
Matt Johnson, Senior Development Engineer
Andrew L. Jared, Assistant City Attorney

1. ROLL CALL

Vice 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 acknowledged visiting the project sites and/or speaking with an applicant or their representative.

3. SELECTION OF PLANNING COMMISSIONER AS AN ALTERNATE TO THE ARCHITECTURAL REVIEW AND HISTORIC PRESERVATION BOARD

Commissioner O'Donnell nominated Commissioner Merz to serve as an alternate to the Architectural Review and Historic Preservation Board. Vote carried 6-0.

4. CONSENT AGENDA

There were no items on the consent agenda.

5. PUBLIC HEARING ITEMS

5.1 Parcel Map 13-04 (ASR Enterprises) - 2208 Normal Avenue - APN 005-273-002 - (Noticed 4-19-14) A request to subdivide a vacant 0.50-acre site located at the corner of West 22nd Street and Normal Avenue into three lots for future residential development, with one lot possibly being developed with a duplex. All vehicular access will be taken from Normal Avenue via a shared driveway. No changes are proposed within the Ivy Street right-of-way adjacent to the project. The site is zoned R1-SD-8 (Low Density Residential with Special Design Considerations Area #8 [Southwest Chico Neighborhood] overlay) and is designated Low Density Residential on the General Plan Diagram. This project is categorically exempt from environmental review pursuant to Section 15332 of the California Environmental Quality Act Guidelines (Infill Development Projects). **(Staff Report: Associate Planner Greg Redeker)**

Associate Planner Redeker provided a project overview.

Commissioner Worley inquired about the fence and whether there would be any trees or vegetation planted.

Commissioner Anderson inquired about the proximity of the project to the Basik Recycling facility.

Commissioner Merz asked why certain trees are being removed, how many on-street parking spaces are being added, and how the bulb-outs will function.

Commissioner Juhl-Darlington asked about the age of the trees that are slated for removal.

Vice-Chair Scott opened the public hearing at 6:51 pm.

Mike Bird, the project engineer, spoke in favor of the project and is supportive of the conditions of approval.

The Commission and Development Engineer Johnson discussed the Ivy Street right-of-way.

Hillary Herman, a representative of the Barber Neighborhood Association, requested additions to the project approval - 1) instead of a wood fence incorporate a sound barrier between the project site and the adjacent industrial site area; 2) instead of fees being paid for tree removal, require that trees are planted on site; and 3) treat the swale near the site as simply a muddy area as opposed to a real swale for drainage.

Commissioner Merz followed up regarding the location and final disposition of the swale, or ditch; and pointed out that the industrial building itself serves a sound barrier.

Tim Surminsky, a representative for the applicant, explained that the project applicant owns both the proposed project site and the adjacent industrial site, and acknowledged that the owner would prefer to plant the replacement trees on-site to the extent feasible.

Development Engineer Johnson shared with the Commission that he will work with the applicant's engineer to retain TR-1 (one of the trees identified for removal).

Vice-Chair Scott closed the public hearing at 7:28 pm.

Commissioner Merz asked for clarification on the conditions of approval.

Commissioner Worley moved that the Planning Commission adopt Resolution 14-04, approving Vesting Tentative Parcel Map S14-04 (ASR Enterprises), based on the required findings and subject to the conditions contained therein, with the inclusion of a new condition to require a deed notification be required for the Parcel letting future homeowners know that they are purchasing a home that is adjacent to an industrial use. The Commission also directed staff to work with the project applicant to retain the tree identified as TR-1. Commissioner Juhl-Darlington seconded the motion, which passed (6-0).

5.2 Use Permit 13-22 (AT&T Mobility) - 1492 East Avenue; APN

16-070-022 - (Noticed 4-19-14) A request to authorize additional height for a new 56-foot steeple at the front of the sanctuary of the Christian Life Center on East Avenue. The steeple will be designed to accommodate a wireless telecommunications facility for AT&T Mobility to improve wireless service in this area of Chico, to be authorized under a separate Wireless Telecommunications Facility permit. The site is designated Office Mixed Use and Low Density Residential on the General Plan diagram, and is located in the OR-AOC and R1-AOC zoning districts (Office Residential and Low Density Residential with Airport Traffic Pattern overlay). The project is categorically exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities). **(Staff Report: Associate Planner Greg Redeker)**

Associate Planner Redeker provided a project overview.

Commissioner Worley asked about the height of other steeples in the community.

Commissioner Merz asked about other infrastructure that is contemplated for the project site, and who the real applicant is – the church or AT&T.

Commissioner Juhl-Darlington asked for clarification between the use permit requirement for a height exception and use of the steeple as a wireless telecommunication facility.

Vice-Chair Scott opened the public hearing at 7:50 pm.

Ryan Cockrell, a representative for the applicant, spoke in favor of the project.

Preston Dickinson, a consultant to AT&T, shared concerns regarding reduced coverage in the area, and highlighted the innovative design of the steeple.

Commissioner Merz and the applicant's representative discussed the potential use of the steeple for co-location of WTF for other providers.

Jeff Young, a pastor at the church, expressed his support for the project.

Vice-Chair Scott closed the public hearing at 7:58 pm.

Commissioner Juhl-Darlington inquired again about the difference between a steeple and a WTF tower.

Commissioner Anderson moved that the Planning Commission adopt Resolution 14-05, approving Use Permit 13-22 (AT&T Mobility), based on the required findings and subject to the conditions contained therein. Commissioner O'Donnell seconded the motion, which passed (5-1; Juhl-Darlington opposed).

6. REGULAR AGENDA

None.

7. BUSINESS FROM THE FLOOR

None.

8. REPORTS & COMMUNICATIONS

None.


8.1. Planning Update

Principal Planner Vieg shared a memo with the Commission from Associate Planner Mike Sawley regarding the City's procedures for processing annexations.

9. ADJOURNMENT

There being no further business from the Commission, the meeting adjourned at 8:12 pm to the **Adjourned Regular Meeting of Thursday, May 15, 2014.**

12/17/15
Date Approved



Mark Wolfe, AICP
Community Development Director /
Planning Commission Secretary

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR ADJOURNED MEETING OF
May 15, 2014**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Ken Rensink, Chair
Toni Scott, Vice Chair
Eleanor Anderson
John Merz
Mike O'Donnell
Margaret Worley

Commissioners Absent: Matt Juhl-Darlington

Staff Members Present: Mark Wolfe, AICP, Community Development Director
Brendan Vieg, Principal Planner
Marie Demers, Housing Manager
Matt Johnson, Senior Development Engineer
Andrew L. Jared, Assistant City Attorney
James Coles, Housing Tools, Consultant

1. ROLL CALL

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

2. EX PARTE COMMUNICATION

None.

3. CONSENT AGENDA

Staff requested that the Commission approve the following Meeting Minutes:

- Regular Meeting of December 1, 2011
- Adjourned Regular Meeting of September 20, 2012
- Regular Meeting of October 4, 2012
- Adjourned Regular Meeting of October 18, 2012

The Commission approved the meeting minutes on a vote of 5-0-1 with a correction to the spelling of Suellen Rowilson's name in the 9/20/12 and 10/18/12 meeting minutes (Worley abstained).

4. REGULAR AGENDA

4.1 Sustainability Task Force Roll Call

The following STF members were present: Mark Stemen (Chair), Mike Rubio (Vice-Chair), Cheri Chastain, Dave Donnan, Ryne Johnson, William Loker, and Lucas Ross Merz.

4.2 General Plan Annual Report and Sustainability Indicators Report - (Noticed 05/03/14) As required by the City's General Plan and State Government Code, the Planning Commission and Sustainability Task Force will review the General Plan Annual Report and Sustainability Indicators Report and provide comments to staff. **(Staff Report: Principal Planner Brendan Vieg).**

Principal Planner Vieg provided an overview of the two reports.

Commissioner Merz pointed out the AMO has not been approved by the Butte County Board of Supervisors. He also asked about housing affordability conclusions, and how population numbers are derived.

Commissioner Worley asked about housing affordability and vacancy rates.

STF member Donnan inquired where the report's average housing price numbers come from.

Commissioner Anderson pointed out that the User Fee Study will increase fees and the Housing Element highlights that increased fees are an impediment to development.

Chair Stemen asked about the City's draft Sustainability website, and amendments to the Code that allow deviations to setbacks and height requirements for solar infrastructure.

Commissioner Scott asked about whether the Downtown Couplet project really increased parking.

STF member Loker asked about the status of a City energy audit effort and whether any fixes were undertaken that resulted in energy efficiencies. He also inquired about a City RFP for solar generation on City property.

STF member Donnan asked about City efforts to reuse water from the City's wastewater treatment facility.

Chair Rensink asked about the use of chip mulch in planter medians and how it can cause storm drainage problems during storm events.

STF Chastain asked about the status of the sustainability training material for the community, incorporation of passive solar guidelines for the Design Guidelines update, availability of an updated bikeway map, and the constructing a bike bridge over Little Chico Creek that were referenced in the status of the General Plan actions.

STF member Merz and Commissioner Anderson commented that delivery trucks make deliveries Downtown at the worst times for traffic flow and safety. They would like to see progress made on the General Plan Actions that call for reducing Downtown travel lanes and limitations on truck delivery times.

STF member Merz asked about City policies and regulations that require connectivity between neighborhoods.

Chair Rensink opened the public hearing at 7:24 pm for the General Plan Annual Report

There was no public comment.

Chair Rensink closed the public hearing at 7:24 pm for the General Plan Annual Report

Commissioner Worley asked about the status of Town/Gown meetings.

STF member Merz pointed out that there are places throughout the community that are ideal to enhance bicycle safety through infrastructure, signage, and lighting.

STF member Chastain asked if Actions included in the General Plan related to GHG emission reductions are supposed to be included in the Climate Action Plan.

There was a discussion among STF members and the Commission regarding the health of the City's urban forest.

Commissioner Merz moved that the Planning Commission and Sustainability Task Force accept the 2014 General Plan Annual Report and forward it to the City Council. Commissioner Worley seconded the motion, which passed (13-0).

With regard to the review of the Sustainability Indicators Report, Commissioner Merz suggested going page by page to ensure an orderly discussion.

The STF and Commission inquired about the status of the Urban Forester and the health of the urban forest, and specifically what the criteria is for tree removal and tree plantings.

STF member Chastain asked about the extent and source of the Climate Change indicators used in the report.

The Commission and the STF discussed the Climate Change indicators, and concluded that more information is likely needed for the STF's work.

Staff shared that moving forward the hope is to have a single GHG emission number to compare against the 2005 base year.

The STF discussed the need for more data broken down in different ways to help guide its efforts to implement the CAP. Staff reminded the Commission and STF that the requests

for additional information are valid, but that the purpose of the Sustainability Indicators Report is to provide a broad brush stroke of an issue on a single page.

Commissioner Scott suggested including additional quantified and/or qualified information regarding the issue of Local Ag because there is much more to highlight regarding Chico's Ag success.

STF member Merz believes that another good indicator for Local Ag would be the growth of community gardens, and also opined that the Saturday Farmer's Market potentially being moved makes him question the rating for Local Ag of "Clear Progress". Staff reminded the Commission and STF that the indicators used in the report were previously vetted with the Council and Commission, and that unless there is a very compelling reason there is no intent to add additional indicators to the report.

STF member Chastain queried how a city-owned property could have a funding program for maintenance, but not have a management plan.

The STF, Commission, and staff discussed barriers to getting citizens hooked-up to the City sewer system, which has been extended as part of the Nitrate Compliance program.

STF members and Commissioners agreed there is still significant room for reducing water use throughout the community. Staff informed the STF and Commission that the impetus behind those efforts would most likely be Cal Water.

STF member Loker emphasized the importance of investigating strategies for adapting to climate change, and believes that the STF would be the appropriate body for that effort.

Commissioner Merz identified a typo on the Housing page regarding the Housing Trust Fund.

STF member Merz provided a summary of a meeting he had with BCAG staff regarding strides they are making to improve transit ridership, and highlighted that improving alternative modes of circulation is the most important path to addressing GHG emissions.

STF member Donnan would like to see an additional graph regarding recycling for the Waste Reduction & Recycling indicator. Commissioner Merz agrees. Staff again reminded the Commission and STF that the indicators used in the report were previously vetted with the Council and Commission, and that unless there is a very compelling reason there is no intent to add additional indicators to the report. Staff also stated that if more information is desired that it can be pursued by Commissioners and STF members individually.

STF member Johnson shared his view that the City should participate in a material recovery facility and anaerobic digester program being developed in Glenn County, and sought a Commission recommendation to Council that it be pursued. The Commission concluded that making a specific recommendation on this topic was not within its purview based on its general discussion of the Sustainability Indicators Report.

Commissioner Scott suggested that the report should compare employment numbers from the same month in different years, not different months.

STF member Loker stated that he was unable to understand the Public Safety indicator comparing police officer staff ratios and service calls. Commissioner Anderson also had difficulty understanding the figure.

STF member Loker would prefer a Public Safety indicator directly related to crime rates.

STF member Donnan wanted to know what the response times were for fire-related calls as opposed to emergency-related calls.

Commissioner Merz believes that despite the loss of the Arts Coordinator and City-funded art programs, that because there's been so much effort by the community to step up and improve the art scene, that the Arts & Culture rating of "Needs Improvement" should be changed to "Moderate Performance". The Commission and STF discussed the issue and took a straw poll vote to recommend that the report be changed to "Moderate Performance". The straw poll vote passed 10-3.

Chair Rensink opened the public hearing at 9:00 pm for the Sustainability Indicators Report

John Anderson commented that there is a lot to do to implement the General Plan, but clearly not a lot of funding is available.

Chair Rensink closed the public hearing at 9:02 pm for the Sustainability Indicators Report

STF Chair Stemen provided the Commission on background information on how the STF has been moving forward with its charge from Council. In particular, he wanted to know how far the Commission was willing to go to address reducing GHG emissions as part of the Phase II actions in the CAP. In many cases, the Phase II actions will require greater City regulation.

Several commissioners suggested they would need more information developed by the STF to support any recommendations for greater regulation. Commissioners believe that education and incentives are the best way to meet the City's GHG emission reduction goals, but that when the STF has prioritized its recommendations that the Commission will consider them and provide its recommendation.

Staff also shared that the STF should prioritize its recommendations based on its research and process, that the Commission will consider those recommendations and provide its own recommendation to Council, and that Council will ultimately decide if new regulations should be pursued.

Commissioner Merz moved that the Planning Commission and Sustainability Task Force accept the Sustainability Indicators Report and forward it to the City Council with a change to the Arts & Culture rating from Improvement Area to Moderate Performance. Commissioner Worley seconded the motion, which passed (12-1, Johnson opposed).

5. PUBLIC HEARING ITEMS

5.1 2014 Housing Element - According to state law, each jurisdiction must update its Housing Element every five to eight years, with specific deadlines established by the State. The City of Chico is required to submit its updated and adopted Housing Element to the State for certification. At a Council meeting on March 4, 2014, staff presented the Draft 2014 Housing Element, received direction for revisions, and was given authorization to submit the Element to the State Department of Housing and Community Development (HCD) for review and comment. On April 16, 2014, HCD notified the City that the Element needed minor revisions in order to fully comply with statutory requirements. Staff coordinated revisions to the Element with HCD and received acknowledgment that the revised Housing Element would comply with State Law upon adoption by the City and final review by HCD. Pursuant to the California Environmental Quality Act, an Initial Study was prepared for the draft Housing Element, which concluded that the proposed project could not have a significant effect on the environment and that a Negative Declaration should be prepared. **(Staff Report: Housing Manager Marie Demers and Principal Planner Brendan Vieg).**

Housing Manager Demers provided a project overview.

Commissioner Merz asked a series of questions regarding the Goals, Policies, and Action in the Draft Housing Element, specifically regarding the Housing Trust Fund, the “Drop and Dash” program, and the land trust program at Meriam Park.

Commissioner Worley asked about the SRO program.

Commissioner Anderson commented about the need to promote aging in place support, and having impact fees tiered to promote housing that is desired.

Chair Rensink opened the public hearing at 9:57 pm.

John Anderson commented on the limitations of implementing the Housing Element based on existing City staff and financial resources.

Chair Rensink closed the public hearing at 10:01 pm.

Commissioner Worley asked about how the City works to retain existing affordable housing.

By motion and second, the Commission agreed to extend the meeting to 10:30pm, if needed. Motion passed 6-0.

Commissioner Merz asked about the status of the Inclusionary Housing program included in the draft Housing Element.

Commissioner Anderson moved that the Planning Commission adopt Resolution 14-06, recommending City Council adoption of the Negative Declaration and the 2014 Housing Element (GPA 14-01). Commissioner Merz seconded the motion, which passed (6-0).

6. BUSINESS FROM THE FLOOR

None.

7. REPORTS & COMMUNICATIONS

7.1. Information Regarding Regulation of Businesses Selling Alcohol (City of Chico)

Planning staff has e-mailed the Commission a link to an information packet on the City's website with a number of maps, reports, and other documents regarding potential adoption of a Conditional Use Permit requirement and/or a Deemed Approved Ordinance for businesses selling alcohol. This information was previously provided to the City Council, and includes a number of Chico-specific maps and reports. Due to the volume of information, it is being distributed electronically in advance of the Commission's next hearing on the subject, which will likely be in June. A hard copy of the information packet is available for review at the Community Development Department, or it may be accessed at: www.ci.chico.ca.us/planning_services/OtherPlanningDocumentsandReports.asp.

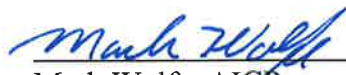
7.2. Planning Update

CCD Wolfe stated that there are sufficient projects for two meetings in June.

8. ADJOURNMENT

There being no further business from the Commission, the meeting adjourned at 10:15 pm to the **Regular Meeting of Thursday, June 5, 2014.**

12/17/15
Date Approved



Mark Wolfe, AICP
Community Development Director /
Planning Commission Secretary

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING OF
June 5, 2014**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Ken Rensink, Chair
Eleanor Anderson
John Merz
Margaret Worley

Commissioners Absent: Toni Scott, Vice Chair
Matt Juhl-Darlington
Mike O'Donnell

Staff Members Present: Mark Wolfe, AICP, Community Development Director
Brendan Vieg, Principal Planner
Mike Sawley, Assistant Planner
Greg Redeker, AICP, Associate Planner
Matt Johnson, Senior Development Engineer
Andrew L. Jared, Assistant City Attorney

1. ROLL CALL

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

2. EX PARTE COMMUNICATION

Commissioners disclosed that they visited the project sites, and spoke to neighbors and project applicants regarding the different projects.

3. CONSENT AGENDA

Staff requested that the Commission approve the following Meeting Minutes:

- Adjourned Regular Meeting of August 16, 2012
- Adjourned Regular Meeting of November 15, 2012

The Commission approved the meeting minutes on a vote of 3-0-1 (Worley abstained) with changes as identified by Commissioner John Merz

4. PUBLIC HEARING ITEMS

4.1 Meriam Park Development Agreement No. 4 (DA 05-02), APNs Various - (Noticed 05-24-14) A proposal to amend the Development Agreement between the City of Chico and Meriam Park, LLC, to replace a planned roundabout with a traffic signal at the intersection of East 20th Street and Concord Avenue, as well as other minor modifications regarding reimbursements and timing for street facility improvements. Located between East 20th Street and Humboldt Road, west of Bruce Road, the Meriam Park site is designated Special Mixed-Use (7.0 to 35.0 units per gross acre) on the General Plan diagram and zoned TND Traditional Neighborhood Development. Per the California Environmental Quality Act (CEQA), the proposed amendments fall within the scope of the certified Final Environmental Impact Report (FEIR) prepared for the Meriam Park project. The Planning Commission will conduct a public hearing and make a recommendation to the City Council. **(Staff Report: Associate Planner Mike Sawley)**

Associate Planner Sawley provided a brief summary of the proposal, and shared that the applicant has requested an extension of the project to the June 19, 2014 Commission meeting.

Chair Rensink opened the public hearing at 7:36 pm.

Addressing the Commission in the following order were:

The applicant's representative, Mark Adams from Northstar Engineering, shared that the applicant has requested an extension to work with staff on specific items to be brought back to the June provided a brief overview of the project, and

Commissioner Anderson recused herself from the item due to a conflict.

Chair Rensink closed the public hearing at 7:38 pm

Due to a lack of quorum, the item was de facto continued to the June 19, 2014 meeting date.

4.2 Use Permit 13-04 and Conditional Noise Permit (California Water Service Co.) 515 Olive Street; APN 004-186-001 - (Noticed 05-03-14) A proposed new domestic water well and associated structures at an existing Cal Water site located at the southwesterly corner of East 5th Street and Olive Street. The proposal includes a request for a conditional noise permit to authorize overnight construction operations for one night. The site is designated Low Density Residential on the General Plan diagram and is located in an R1 (Low Density Residential) zoning district. An initial study for environmental review has been prepared for the project. Based upon the information within the initial study, Community Development staff is recommending that a Mitigated Negative Declaration (MND) be adopted for the project pursuant to the California Environmental Quality Act (CEQA). MND is a determination that a project will not have a significant impact on the environment with the incorporation of mitigation measures. **(Staff Report:**

Associate Planner Mike Sawley)

Community Development Director Wolfe informed the Commission that additional environmental considerations arose relating to the proposed Mitigated Negative Declaration/Initial Study, and that staff will be addressing those considerations and bringing the item back to Commission likely in July.

4.3 Use Permit 13-01 (Basik Recycling) 2264 Park Avenue; APN 039-430-189 - (Noticed 05-05-14) A request to operate a "Recycling - Scrap and Dismantling Yard", which includes both indoor and outdoor components. The site is designated Manufacturing and Warehousing on the General Plan diagram, and is located in the ML (Light Manufacturing/Industrial) zoning district. An initial study for environmental review has been prepared for the project. Based upon the information within the initial study, Community Development staff is recommending that a Mitigated Negative Declaration (MND) be adopted for the project pursuant to the California Environmental Quality Act (CEQA). MND is a determination that a project will not have a significant impact on the environment with the incorporation of mitigation measures. **(Staff Report: Associate Planner Greg Redeker)**

Associate Planner Redeker provided a project history and overview.

Commissioner Worley asked about other uses that are allowed in the ML zoning district, and previous uses on the project site in and in the project vicinity.

Commissioner Merz asked about the status of the enforcement action against the applicant.

ACA Jared shared that the goal of code enforcement is to seek compliance.

Commissioner Merz suggested the City should have environmental review comment periods end well before the date of Commission's consideration of the environmental document and project.

Commissioner Anderson questioned whether the City has adequate resources to monitor the project and to bring code enforcement action if necessary.

Commissioner Worley asked if the applicant would need to come back to the City if they changed their operations. Planner Redeker informed the Commission that the applicant would need to operate consistent with the conditions and mitigation placed on the project.

Chair Rensink opened the public hearing at 7:04 pm.

Addressing the Commission in the following order were:

Dylan McFann, President of Basik Recycling and project applicant, stated that he has read the conditions and the proposed mitigation and is comfortable implementing them.

Commissioner Anderson asked the applicant about the handling of hazardous waste.

Scott Quam, neighbor, spoke against the project with particular concern regarding the ability of the City to enforce conditions and mitigation.

Guy Hathorn, neighbor, spoke against the project, citing concern that the mitigation measures are unclear and ambiguous and impossible to enforce.

Commissioner Worley asked the speaker about the difference in the noise levels between current operations and the previous activities of KW Wrecking.

Linda Hathorn, neighbor, spoke against the project, and doesn't believe the applicant can comply with the mitigation measures.

John Hardy, neighbor, spoke against the project, and explained that he had to do his own research of the City's Municipal Code in order to convince the City that the activities that were taking place were inconsistent with the Code. Mr. Hardy also doesn't believe that the applicant can implement the mitigation.

John Hasle, neighbor, spoke against the project, and explained that the neighborhood, which was improving, is deteriorating due to the excessive noise associated with the project's activities. He also doesn't believe that the mitigation is clear and can be implemented.

Hilary Herman, representing the Barber Neighborhood Association, spoke to the rejuvenation of the 22nd Street corridor, and the need to support recycling, but not adjacent to residential neighborhoods.

Janet Ellner, representing the Barber Neighborhood Association, shared that their organization has worked tirelessly on a neighborhood plan, on the General Plan, and other planning documents, and that this project is counter to the principles in those documents. She further stated that due process was not followed, and that the project should not be permitted.

Neighbor Adam Fedelli, neighbor, and also representing the Barber Neighborhood Association, stated that the mitigation measures can't be enforced given the City's limited staff resources.

Ken Fleming, citizen, stated his support for the Barber neighbors and also doesn't believe that the mitigation can be enforced. He thinks that there needs to be a simple rule book, and the rules need to be followed. He stated that a home is a place you spend all of your

time, not just after business hours.

Susan Bertozzi, neighbor, spoke against the project, and stated that the noise is overwhelming and that the project should be located somewhere more appropriate.

Sienna Orlando-Lalaguna, neighbor, spoke against the project, and stated that the noise and vibration are like a constant construction project. She also stated that the dust has been a constant problem, and that the applicant has been operating outside of posted hours.

Scott Quam, neighbor, was allowed to speak again, and discussed noise, ground-shaking, and dust.

Bob Aranguren, property owner, related that the previous KW Wrecking operations was an extremely loud operation that operated all the way up to the fence line. He supports the continued use of the recycling operation, and noted that some of the noise and dust may be coming from Williams Tank Lines, located on the adjacent property.

Dylan McFann, applicant, stated that he will follow the mitigation measures and conditions, and that his business practices have changed and he wants to be a good neighbor. He indicated his belief stated that his operations can be mitigated.

Commissioner Anderson asked the applicant about his investment in the project site.

The applicant stated that the cost of moving would likely put him out of business.

John Hardy, neighbor, was allowed to speak again, and suggested that the applicant should not have continued to invest in his business over the last 3 years while he was under a code enforcement action.

Chair Rensink closed the public hearing at 8:10 pm

Staff and the Commission discussed the previous jurisdiction of the area, previous zoning, and previous use of the property.

Commissioner Merz asked for information clarifying that the design guidelines contained in the Neighborhood Plan were not adopted by Council.

Commissioner Merz moved that the Commission adopt a motion of intent to deny the project because it doesn't meet the findings of necessary for a use permit. Commissioner Anderson seconded the motion.

Commissioner Worley stated that she will support the motion because the use is incompatible. She pointed out that the noise issue is unacceptable because of the randomness of the noise.

Chair Rensink stated that he will also support the motion because of the randomness of the noise.

The motion passed 4-0-3 (Scott, Juhl-Darlington, and O'Donnell absent).

5. REGULAR AGENDA

None.

6. BUSINESS FROM THE FLOOR

None.

7. REPORTS & COMMUNICATIONS

None.


7.1 Planning Update

CDD Wolfe informed the Commission that there will be a second meeting in June. The Commission also agreed to cancel the first meeting in July.

8. ADJOURNMENT

There being no further business from the Commission, the meeting adjourned at 8:25 pm to the **Adjourned Regular Meeting of Thursday, June 19, 2014.**

12/17/15
Date Approved



Mark Wolfe, AICP
Community Development Director /
Planning Commission Secretary

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR ADJOURNED MEETING OF
June 19, 2014**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Ken Rensink, Chair
Toni Scott, Vice Chair
Eleanor Anderson
Matt Juhl-Darlington
John Merz
Mike O'Donnell

Commissioners Absent: Margaret Worley

Staff Members Present: Mark Wolfe, AICP, Community Development Director
Brendan Vieg, Principal Planner
Mike Sawley, Associate Planner
Ruben Martinez, Public Works Director
Matt Johnson, Senior Development Engineer
Andrew L. Jared, Assistant City Attorney

1. ROLL CALL

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

2. EX PARTE COMMUNICATION

Commissioner Scott stated that she had reviewed the DVD recording of the 06/05/14 Commission meeting, reviewed the staff report and all public correspondence, and that she will be voting on Consent Agenda Item 3.1.

3. CONSENT AGENDA

3.1 Use Permit 13-01 (Basik Recycling) 2264 Park Avenue; APN 039-430-189 - On June 5, 2014, the Planning Commission conducted a public hearing, and directed staff to prepare a resolution denying the proposed Use Permit. (**Staff Presentation: Community Development Director Mark Wolfe**).

This item was pulled off the consent agenda at the request of Jeff Carter.

Jeff Carter, serving as legal counsel for the project applicant, Dylan McFann, requested that the Planning Commission reconsider Use Permit 13-01. He further stated the applicant has identified additional measures that would address noise and dust concerns raised by neighbors and that he would like an opportunity to share the additional measures with the Commission.

Commissioner Juhl-Darlington asked why the Commission would reconsider its previous direction.

ACA Jared stated that the Commission may reconsider the item, but that it is unusual.

CDD Wolfe suggested that the Commission proceed with its denial of the Use Permit, and allow the applicant to appeal the Commission's decision to Council. He stated that would be the most expedient way to arrive at a final decision for the project applicant.

Commissioner Merz moved that the Planning Commission approve the Consent Agenda, which included adoption of Resolution 14-08, denying Use Permit 13-01 (Basik Recycling), based on the findings contained therein. Commissioner Anderson seconded the motion, which passed (4-0-1-2, Worley absent, O'Donnell and Juhl-Darlington abstained).

4. PUBLIC HEARING ITEMS

4.1 Meriam Park Development Agreement No. 4 (DA 05-02), APNs Various - Continued from June 5, 2014 Planning Commission meeting (Noticed 05-24-14)

A proposal to amend the Development Agreement between the City of Chico and Meriam Park, LLC, to replace a planned roundabout with a traffic signal at the intersection of East 20th Street and Concord Avenue, as well as other minor modifications regarding reimbursements and timing for street facility improvements. Located between East 20th Street and Humboldt Road, west of Bruce Road, the Meriam Park site is designated Special Mixed-Use (7.0 to 35.0 units per gross acre) on the General Plan diagram and zoned TND Traditional Neighborhood Development. Per the California Environmental Quality Act (CEQA), the proposed amendments fall within the scope of the certified Final Environmental Impact Report (FEIR) prepared for the Meriam Park project. The Planning Commission will conduct a public hearing and make a recommendation to the City Council. **(Staff Report: Associate Planner Mike Sawley)**

Commissioner Anderson recused herself from the proceedings due to a conflict.

Associate Planner Sawley provided a project overview.

Commissioner Merz asked what issue in the Development Agreement resulted in a disagreement between the applicant and City staff.

Associate Planner Sawley stated it related to proposed changes in the roadway improvement reimbursement language in the Development Agreement.

Commissioner Merz stated that he is uncomfortable voting on a project that is not fully ready for the Commission consideration.

Chair Rensink opened the public hearing at 6:56 pm

The project applicant's representative, Jim Stevens, Northstar Engineering, spoke first to the reasons for switching to a standard stop light intersection instead of a roundabout, and then to the issue of the fee credit reimbursement and how it was intended to be a benefit to the applicant in return for the quality development anticipated at the Meriam Park site (e.g., mixed-use, new urbanist development).

Staff and the Commission discussed how to proceed with the resolution and still leave open an opportunity to continue discussions between the applicant and City staff regarding an appropriate percentage for the fee credit reimbursement arrangement. There was also discussion regarding whether the Commission could make a separate recommendation on only the issue of the proposed intersection change.

Tom DiGiovanni, project applicant, spoke to the magnitude of the infrastructure improvements required for the Meriam Park project, and explained that is why it is important to allow a fee credit reimbursement structure, which will support build-out of the project.

Commissioner Merz inquired about the current and future disposition of Concord Avenue.

Chair Rensink closed the public hearing at 7:19 pm

Commission and staff discussed how to proceed with the resolution and still allow the applicant and staff to discuss the fee credit reimbursement structure. CDD Wolfe shared with the Commission that it could emphasize to Council that there is credence to the applicant's arguments for why they should be treated differently.

Commissioner Scott expressed concern that the applicant asked to make a minor change to the Development Agreement, and in return the City had added a lot of significant changes to the agreement.

There was more discussion between staff and the Commission about how to share with Council the dialogue that the Commission had at its meeting.

Commissioner Merz moved that the Planning Commission adopt Resolution 14-02, recommending that the City Council amend Development Agreement 05-02, based on the required findings and subject to the conditions contained therein. Commissioner Juhl-Darlington seconded the motion, which passed (4-1-0, Scott opposed, Anderson recused).

5. REGULAR AGENDA

None.

6. BUSINESS FROM THE FLOOR

None.

7. REPORTS & COMMUNICATIONS


7.1 Planning Update

CDD Wolfe provided an update on Planning Division activity.

8. ADJOURNMENT

There being no further business from the Commission, the meeting adjourned at 7:45 pm to the **Adjourned Regular Meeting of Thursday, July 17, 2014.**

12/17/15
Date Approved


Mark Wolfe, AICP
Community Development Director /
Planning Commission Secretary



City of Chico
NOTICE OF CANCELLATION
of
July 3, 2014
Planning Commission Meeting

NOTICE IS HEREBY GIVEN that the July 3, 2014 regular meeting of the Planning Commission of the City of Chico is cancelled.

The Planning Commission will meet on Thursday, July 17, 2014 for an adjourned regular meeting at 6:30 p.m. in the City Council Chamber located at 421 Main Street.

By: Michelle Pease, Administrative Assistant
Dated: June 23, 2014

Distribution:

Post: Council Chambers

Post: Website

Via Email

Commissioners

City Council

CM Nakamura

ACM Orme

PSD Wolfe

ACA Wilson

SDE Johnson

Agenda E-Subscribers

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR ADJOURNED MEETING OF
July 17, 2014**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Ken Rensink, Chair
Toni Scott, Vice Chair
Matt Juhl-Darlington
John Merz
Mike O'Donnell
Margaret Worley

Commissioners Absent: None

Staff Members Present: Mark Wolfe, AICP, Community Development Director
Brendan Vieg, Principal Planner
Greg Redeker, AICP, Associate Planner
Vincent Ewing, City Attorney
Mike O'Brien, Lieutenant, Chico Police Department

1. ROLL CALL

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

2. EX PARTE COMMUNICATION

A number of Commissioners acknowledged having conversations with different Downtown bar and restaurant owners.

3. CONSENT AGENDA

There were no items on the Consent Agenda.

4. PUBLIC HEARING ITEMS

4.1 Consideration of Potential Amendments to Title 19 of the Chico Municipal Code Regarding the Regulation of Businesses Selling Alcohol (City of Chico) - A public hearing to discuss options, receive public input, and provide direction to Planning staff regarding potential amendments to City land use regulations affecting businesses which sell alcohol. This hearing is a follow-up meeting to the Commission's previous consideration of this topic on March 6, 2014. Additional information was also provided to the Commission on May 15, 2014. Specific topics to be considered include establishing a use permit requirement for all new businesses selling alcohol, and adopting a "deemed approved" ordinance to establish operating standards for existing businesses. The Commission will

make a formal recommendation to the City Council at a future noticed meeting. No formal action will be taken at this meeting. **(Staff Report: Associate Planner Greg Redeker)**

Associate Planner Redeker provided a project overview.

Commissioner Merz asked about the Commission's role in context of the larger "A Call to Community Action".

CDD Wolfe explained that the Commission's role is focused on Council's direction to review the City's land use regulations to see if there were opportunities to make amendments or additions to the Code to address irresponsible use of alcohol. Per the City's Code, changes to Title 19 are initiated with a Commission recommendation.

Commissioner Juhl-Darlington inquired where the proposed land use definitions and the draft conditions in the deemed approved ordinance came from.

Associate Planner Redeker acknowledged receipt of three letters from Downtown bar/restaurant owners opposed to new regulations or restrictions.

Chair Rensink opened the public hearing at 6:48 pm

Doug Roberts, owner of Duffy's Tavern, shared general concerns regarding new regulations, and highlighted the need to be cautious in adopting any changes to the City's existing land use framework for establishments that sell alcohol.

David Raymond, retired ABC agent and current ABC consultant, explained that ABC has existing definitions for "restaurants" with a requirement that gross sales of food be greater than gross sales of alcohol. He does not believe that there is a need for additional definitions for restaurants as identified in the agenda report.

Commissioners asked Mr. Raymond a number of questions regarding the potential amendments in the agenda report.

John Merrill, resident, expressed a desire that the regulatory playing field be kept level for existing businesses and new businesses.

Will Brady, Downtown restaurant owner, wants the City to create a commission to share with potential Downtown businesses what to expect from a regulatory standpoint when pursuing an ABC license prior to investment. He absolutely does not support any new regulations for alcoholic beverage establishments. He believes that investors will leave if there is additional regulatory burden.

Katie Simmons, Chamber of Commerce, wants the Commission to think about the future of Downtown. She highlighted a number of fronts where efforts are underway by the City and the community to address Downtown issues, and that pushing forward with any new

regulations at this time is premature and may have a negative impact on Downtown investment.

Commissioners asked Ms. Simmons a number of questions regarding the potential amendments to Title 19.

Lt. Mike O'Brien shared the perspective of the Chico Police Department regarding the potential amendments, and highlighted the Police Department's belief that local control of regulations and issues is the best way to address a clear local problem. He stated that the Police Department is looking for responsible management by alcohol serving and selling establishments.

City Attorney Vincent Ewing provided an overview of the issue of double jeopardy and the mechanism by which local communities have taken authority of areas that fall within the jurisdiction of the ABC by focusing on land use issues.

Amanda Montgomery, Butte County Public Health Department, highlighted that youth-related alcohol problems persist in the community. She shared that implementing the concepts spelled out in the potential amendments identified in the agenda report have been shown to reduce alcohol related problems.

Rob Rasner, owner of the Winchester Goose, shared his experience obtaining an ABC license, specifically regarding agreeing to limitations on his operations under duress after significant investment in opening his business. He is finding that the limitations he agreed to are making it difficult for him to compete on a level playing field with other establishments that have different operational requirements. He generally does not support additional City regulations. He believes that the City's efforts are counter intuitive to a thriving Downtown.

Travis Baker, Manager at Argus, highlighted that due to the fact that Argus obtained its ABC license more recently that they have operational constraints requiring that they kick customers out at a time earlier than other bars and restaurants, and in turn they lose that revenue. He believes that the playing field is currently not level, and further regulations will worsen the situation.

Brian Buckley, owner of Crazy Horse, wants to know who will decide how CUPs and the DOA will be enforced.

Chair Rensink closed the public hearing at 8:25 pm

Chair Rensink laid out a plan for providing feedback to staff, including 1) request any additional information Commission, 2) consider new definitions or the requirement for a use permit, and 3) look at the parameters of a DOA.

Commissioner Merz asked Katie Simmons, Chamber of Commerce, to provide some additional context for addressing Downtown alcohol-related issues.

Katie Simmons provided additional background for the Commission.

CDD Wolfe shared with the Commission that the reason they are considering this issue is clear. He stated that Council requested that the Commission review Title 19 to see if there are opportunities to amend Title 19 to address alcohol-related issues. He stated that staff is seeking direction from the Commission so that staff can prepare an ordinance.

Commissioner Worley asked about the breakdown of the sales tax Downtown between retail and food/alcohol sales.

Commissioner Merz requested that the Commission be provided an overview of the existing regulatory process that an establishment wishing to serve alcohol must go through to receive an ABC license.

Commissioner Juhl-Darlington made the following recommendations or request: 1) the police should have a greater presence Downtown, especially on weekend; 2) a Commission sub-committee should meet with interested parties in order to have a more open discussion of key issues; 3) a Downtown committee or lead staff should be identified to help business owners understand the process and operational limitations that may be placed upon them as part of an ABC license before they make their investment in a business; and 4) what problem(s) will the potential new regulations ultimately solve. He also believes that new business owners who have more recently received ABC licenses shouldn't have different operational requirements for their licenses as it results in an unfair playing field.

Commissioner Scott stated that it is difficult to provide direction to staff when she does not believe that any changes need to be made to the City's regulatory framework.

Chair Rensink believes that there should be a consistent set of regulations/requirements for all business owners.

Commissioner O'Donnell believes there are plenty of laws on the books already and that the problem has more to do with the lack of resources to enforce them. He doesn't believe that there is a need for any additional regulation.

Commissioner Scott stated that she believes that there is an alcohol problem, but that there is not a bar or restaurant problem. She appreciates the options provided by the Planning Division, but does not believe any changes are needed.

Commissioner Merz again asked for more context regarding what the Commission is attempting to address.

Commissioner Juhl-Darlington wants more information regarding Police staffing and budgetary constraints. He wants to better understand why there isn't currently a police presence Downtown.

Commissioner Merz recommends that staff develop more information regarding the regulatory context for alcohol sales, provide background information regarding the Police Department's concerns regarding the sale of alcohol, and provide draft ordinance language representing different levels of regulation for Commission's consideration. Commissioner Juhl-Darlington seconded the motion, which passed (6-0).

5. REGULAR AGENDA

None.

6. BUSINESS FROM THE FLOOR

None.

7. REPORTS & COMMUNICATIONS

7.1 Planning Update

CDD Wolfe stated that both meetings will occur in August.

8. ADJOURNMENT

There being no further business from the Commission, the meeting adjourned at 9:27 pm to the **Regular Meeting of Thursday, August 7, 2014.**

12/17/15
Date Approved

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

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING OF
August 7, 2014**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Ken Rensink, Chair
Toni Scott, Vice Chair
Matt Juhl-Darlington
John Merz
Mike O'Donnell

Commissioners Absent: Margaret Worley

Staff Members Present: Mark Wolfe, AICP, Community Development Director
Brendan Vieg, Principal Planner
Bob Summerville, ACIP, Senior Planner
Mike Sawley, Associate Planner
Matt Johnson, Senior Development Engineer
Vincent Ewing, City Attorney

1. ROLL CALL

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

2. EX PARTE COMMUNICATION

Commissioners disclosed that they visited the project sites.

3. CONSENT AGENDA

None.

4. PUBLIC HEARING ITEMS

**4.1 Use Permit 13-04 and Conditional Noise Permit (California Water Service Co.)
515 Olive Street; APN 004-186-001** - (Noticed 6/26/14) A proposed new water well and associated structures at an existing Cal Water site located at the southeasterly corner of East 5th and Olive Streets. The proposal includes a request for a conditional noise permit to authorize overnight construction operations for one night. The site is designated Low Density Residential on the General Plan diagram and is located in the R1 (Low Density Residential) zoning district. **(Staff Report: Associate Planner Mike Sawley)**

Associate Planner Sawley provided a project overview.

Chair Rensink opened the public hearing at 6:37 pm.

Addressing the Commission in the following order were:

Steve Scarborough, neighbor, spoke against the project, specifically that the project review focuses too narrowly on short-term impacts and doesn't address long-term impacts. He believes that staff has cut the neighbors out of the architectural review process and is doing a staff level architectural review "behind closed doors." He requests that conditions of approval be added to send the building to the ARHPB, that CalWater be required to maintain any fences between the project site and residential lots.

Chair Rensink closed the public hearing at 6:46 pm

Commission and staff discussed noise levels associated the permanent well pump.

Chair Rensink re-opened the public hearing at 6:50 pm.

Two applicant representatives, including Matt Meninga and Luis Zamudio, provided background on the need for the proposed well and responded to questions from Commissioner Merz regarding the well's role in Cal-Water's overall delivery system, how the well will be drilled (including the use of drilling fluids), how the Baker tanks are used to treat water, potential impacts associated with air quality due to construction equipment, and the provision of landscaping.

Chair Rensink closed the public hearing at 7:05 pm

Commissioner Merz inquired about the need to extend the City's storm drain to serve the project.

Chair Rensink inquired about the status of the wood fence located on the adjacent property.

Commissioner Merz shared his concerns regarding landscaping plans, air quality impacts, and impacts to the aquifer, and concluded that the environmental review is inadequate.

Commissioner O'Donnell moved that the Planning Commission adopt Resolution 14-07, adopting the mitigated negative declaration and approving Use Permit 13-04 and a conditional noise permit for the project, based on the findings and subject to the conditions of approval contained therein. A friendly amendment from Chair Rensink was accepted to extend the neighborhood noticing area required by Mitigation Measure J.4 from 250' to 500'. Commissioner Juhl-Darlington seconded the motion, which passed

(4-1-1, Merz opposed, Worley absent)

4.2 Village Green Vesting Tentative Subdivision Map and Planned Development Permit S/PDP 14-01 (S.G. Investment Group, Inc.) - Southeast corner of Sierra Sunrise Terrace and Idyllwild Circle, APN 018-360-002 - (Noticed 7/7/14) A proposal to subdivide a 5.76 acre parcel into 46 lots for the development of single-family homes, creating a gross density of 7.1 dwelling units per gross acre. A Planned Development Permit is proposed in conjunction with the tentative map to authorize architectural concepts and modifications to development standards on some lots including reduced rear and front yard setbacks. The site is designated Medium Density Residential on the General Plan diagram and is located in the R2 (Medium Density Residential) zoning district. **(Staff Report: Senior Planner Bob Summerville)**

Senior Planner Summerville provided a project overview.

Staff provided the Commission with general responses to a 08/06/14 letter received from a law firm opposing the project.

Staff and the Commission discussed transit stops and their locations in proximity to the project.

Commissioner Merz asked about the timing of the comment period for the mitigated negative declaration, inquired why it is timed to end the same day that a project is to be considered by the Commission, and requested that more time be allowed in order that the Commission can digest the comments and staff has an opportunity to respond.

Commissioner Scott recused herself from the item due to a conflict of interest.

Chair Rensink opened the public hearing at 8:09 pm.

Addressing the Commission in the following order were:

BT Chapman, a neighbor, spoke against the project due to parking concerns, unaddressed stormwater issues, concerns with child safety, and ADA compliance. He commended the design of the homes to be "top drawer" (i.e., high quality).

Robb Brown, the project applicant, provided some project background, and explained the desire of the project team to create project compatibility with the existing neighborhood.

Senior Development Engineer Johnson shared with the Commission why he believes the project should provide 5' sidewalks throughout.

Mike Byrd, the project engineer, provided an overview of how storm drainage flow and treatment will be addressed.

Commissioner Merz asked Mr. Byrd a number of questions regarding storm water detention and treatment.

Gary Salberg, a neighbor, spoke against the project because of concerns with unkept promises by City staff, project developers, and the neighborhood association. He is also concerned with compatibility of the project with the neighborhood.

David Rodgers, the project architect, spoke in favor of the project and highlighted the quality design of the project and residences. He also pointed to the efforts that were taken to respect the privacy of adjacent residences.

Brian Firth, the project landscape architect, shared the positive attributes of the proposed landscaping plan both internal and external to the project site.

Commissioner Merz asked if the street tree species are designated by the City and how to ensure the trees are properly maintained.

Andrew McClure, attorney for the California Park Homeowner's Association, spoke against the project and highlighted that the Commission needs additional time to review public comments before it can make a determination as whether the environmental review is adequate. He stated that there are unmitigated impacts that need to be further studied to determine if additional mitigation needs to be developed, and that it is possible that an Environmental Impact Report needs to be prepared.

William Sheridan, president of the Cal Park Homeowner's Association, spoke against the project and believes that the Association needs to be included in the project planning, and that the City should have provided a more timely response to the Association's public records request.

Commissioner Merz inquired about the relationship of the Homeowner's Association to the project.

Gary Taylor from Hignell & Associates, the contracted management agent for the California Park Homeowners Association, believes there should be an additional meeting to continue to discuss the project, and shared concerns regarding the project's proposed parking.

Mark Stemen spoke about the need to integrate public transit into the project consistent with General Plan policies. He also believes that the project needs to integrate concepts from the City's adopted Climate Action Plan, and the project applicant needs to coordinate with

BCAG staff.

Chair Rensink closed the public hearing at 9:31 pm

Staff and Commission discussed whether the Commission should take action tonight or let the opposing parties and staff continue to discuss the issues and return to the Commission for another meeting.

Commissioner Merz reiterated his concern that the environmental review comment period concluded the day of the Commission's meeting.

Commissioner Merz moved that the Planning Commission proceed with a two-part project review process with tonight's meeting being a conceptual review and a future meeting being Commission's final consideration of the project. Chair Rensink seconded the motion, which failed (2-2-1-0, O'Donnell and Juhl-Darlington opposed, Scott recused, Worley absent)

Chair Rensink moved that the Planning Commission approve the project with the addition of three new conditions, including 1) a requirement for five foot sidewalks throughout the project, 2) providing screening for the utility boxes on Idyllwild Drive, and 3) providing an additional covered transit stop. The motion failed due to a lack of second.

Chair Rensink invited the applicant to address the Commission at 9:42 pm.

Robb Brown, project applicant, provided responses to earlier questions raised by the Commission and stated that he was surprised that the California Park Homeowners Association was concerned with the project because of previous conversations the applicant had with the Association.

Chair Rensink re-opened the public hearing at 9:46 pm.

Gary Taylor from Hignell & Associates, the contracted management agent for California Park Homeowners Association, stated that he was perplexed that the applicant believes there has been coordination with the two homeowners associations.

William Sheridan, president of the Cal Park Homeowner's Association, stated that he wished there had been better coordination between the City and the Association.

Chair Rensink closed the public hearing at 9:50 pm.

Commission and staff discussed what role the California Park CC&Rs have on the City's decision on the project.

Commissioner Juhl-Darlington moved that the Planning Commission adopt Resolution No. 14-09 approving the Village Green Vesting Tentative Subdivision Map and Planned Development Permit S/PDP 14-01, based on the required findings and subject to the conditions of approval contained therein, with the addition of condition to add an additional covered transit stop. Commissioner O'Donnell seconded the motion, which failed (2-2-1-0, Rensink and Merz opposed, Scott recused, Worley absent)

Commissioner Juhl-Darlington moved that the Planning Commission table Item 4.2 to the Commission's next meeting on August 21, 2014. Commissioner O'Donnell seconded the motion, which passed (4-0-1-1, Scott recused, Worley absent)

5. REGULAR AGENDA

None.

6. BUSINESS FROM THE FLOOR

None.

7. REPORTS & COMMUNICATIONS

None.


7.1 Planning Update

None.

8. ADJOURNMENT

There being no further business from the Commission, the meeting adjourned at 10:05 pm to the **Adjourned Regular Meeting of Thursday, August 21, 2014.**

12/17/15
Date Approved



Mark Wolfe, AICP
Community Development Director /
Planning Commission Secretary

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR ADJOURNED MEETING OF
August 21, 2014**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Ken Rensink, Chair
Toni Scott, Vice Chair
John Howlett
Matt Juhl-Darlington
John Merz
Mike O'Donnell
Margaret Worley

Commissioners Absent: None

Staff Members Present: Mark Wolfe, AICP, Community Development Director
Bob Summerville, AICP, Senior Planner
Matt Johnson, Senior Development Engineer
Andrew L. Jared, Assistant City Attorney

1. ROLL CALL

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

2. EX PARTE COMMUNICATION

A number of Commissioners acknowledged having conversations with various residents and driving by the project sites.

3. CONSENT AGENDA

There were no items on the Consent Agenda.

4. PUBLIC HEARING ITEMS

The Chair requested consensus to move the continued item 4.2 to be heard prior to item 4.1. There was not any objection so Chair proceeded with agenda item 4.2.

4.2 Village Green Vesting Tentative Subdivision Map and Planned Development Permit S/PDP 14-01 (S.G. Investment Group, Inc.) - Southeast corner of Sierra

Sunrise Terrace and Idyllwild Circle, APN 018-360-002 - (Noticed 7/7/14; Continued from the 8/7/14 Planning Commission meeting) A proposal to subdivide a 5.76 acre parcel into 46 lots for the development of single-family homes, creating a gross density of 7.1 dwelling units per gross acre. A Planned Development Permit is proposed in conjunction with the tentative map to authorize architectural concepts and modifications to

development standards on some lots including reduced rear and front yard setbacks. The site is designated Medium Density Residential on the General Plan diagram and is located in the R2 (Medium Density Residential) zoning district. **(Staff Report: Senior Planner Bob Summerville)**

Commissioner Scott recused herself from the item due to a conflict of interest.

Senior Planner Summerville provided a project overview.

Staff and the Commission discussed issues regarding the bus stop, screening of the utility boxes, sidewalk width, and driveway lengths.

Chair Rensink opened the public hearing at 6:54 pm.

Addressing the Commission in the following order were:

Robb Brown, spoke on behalf of the applicant. He provided an update on discussions with the Home Owner Associations that expressed concerns with the project. He stated that the developer and the two Associations had met several times and agreed on a Memorandum Of Understanding that addresses all of the concerns previously expressed.

BT Chapman, a neighbor, addressed the Commission, stating that the meetings Mr. Brown referred to have eased the concerns of the neighbors on Kestrel Court regarding the building elevations, however, there is still concern regarding the length of driveways on specified lots.

Mark Stemen spoke about the need to integrate public transit into the project consistent with General Plan policies.

Chair Rensink closed the public hearing at 7:19 pm.

Commission continued discussion on the project.

Commissioner Juhl-Darlington moved that the Planning Commission adopt Resolution No. 14-09, approving the Village Green Vesting Tentative Subdivision Map and Planned Development Permit S/PDP 14-01, based on the required findings and subject to the conditions of approval contained therein. Commissioner O'Donnell seconded the motion.

Further Discussion followed.

Commissioner Merz had more questions for the applicant and requested the hearing be re-opened.

Chair Rensink re-opened the hearing at 7:21 pm.

Commissioner Merz asked for clarification regarding the vegetative and structural screen for the utility boxes. Landscape architect Brian Firth addressed the Commission with the screening plan and stated that the proposed screen structure met City standards, had already been through the architectural review process, and was approved by the Architectural Review and Historic Preservation Board.

Chair Rensink closed the hearing at 7:24pm.

Question was called for the Motion on the floor. The motion passed (5-1-1, Merz opposed, Scott abstained).

4.1 Use Permit 14-03 (Fogarty/California Water Service Company) south side of State Highway Route 32, approximately 1,500 feet east of its intersection with Yosemite Drive, APN 018-500-164 – (Noticed 7/23/14) Proposed construction of a 750,000-gallon water storage tank for fire flow and domestic water supply primarily serving the Oak Valley Subdivision that is currently under construction. The proposal includes support structures and equipment including a one-half mile long compacted gravel access road, photovoltaic solar panels, a booster pump building, security lighting, gates, fencing, and landscaping. The site is designated Low Density Residential on the General Plan diagram and is located in the R1-SD2-FD (Low Density Residential-Special Design 2 Humboldt Road-Foothill overlay) zoning district. **(Staff Report: Senior Planner Bob Summerville)**

Senior Planner Summerville provided a project overview. He stated that there was one minor change in the mitigation regarding nesting birds. The new mitigation includes migratory birds and not just raptors.

Commissioner Juhl-Darlington requested clarification regarding the project scope. Staff clarified the only item for approval at this time is the Water Storage Facility.

Chair Rensink opened the public hearing at 7:42 pm

Addressing the Commission in the following order were:

Mark Adams with NorthStar Engineering, representing the project applicant, gave a brief overview of the project, and the reasoning behind the location of the storage facility.

Chair Rensink requested clarification of the power/solar panels. Mr. Adams stated that for this phase the sole source of power for the facility would be the solar panels installed on the tank. In the future, once development reached that location, it would then be tied into the power that is installed.

Commissioner Merz inquired if there was a plan to drill a new well. Mr. Adams stated there was no new well associated with this storage facility.

Brian Firth, landscape architect, presented the Commission with the planned landscape and screening treatments.

BT Chapman asked what the source of water would be for the planned development above the tank, and what type of lighting would be involved in the project.

Senior Planner Summerville stated that all lighting would be reviewed by staff and must meet all the City's standard requirements so as not to be disruptive to neighbors.

Chair Rensink closed the public hearing at 8:10 pm.

Commissioner Merz asked about the 60 foot easement on Highway 32 and who would be responsible for the landscaping of the easement and what type of species would be used. Staff stated that the same standards would apply to that section of Highway as with the previous phases of the development project.

Commissioner Merz inquired about the service road and the adequacy of the culverts in the event of a 10-year, 24 hour storm. Senior Development Engineer Johnson, stated that the standards as stated in the project would be sufficient to withstand such an event. He also pointed out that the base rock service road would only be for a short term, and that future development would include the paving of that road.

Commissioner Worley moved that the Planning Commission adopt Resolution No. 14-10, adopting a mitigated negative declaration and approving Use Permit 14-03, based on the findings and subject to the conditions of approval contained therein. Commissioner Scott seconded the motion, which passed (6-0-1, Merz abstained).

5. **REGULAR AGENDA**

None.

6. **BUSINESS FROM THE FLOOR**

None.

7. **REPORTS & COMMUNICATIONS**

7.1 Planning Update

CDD Wolfe stated that the next Commission meeting will occur on September 4, 2014.

8. **ADJOURNMENT**

There being no further business from the Commission, the meeting adjourned at 8:17 pm to the **Regular Meeting of Thursday, September 4, 2014.**

2/4/16
Date Approved

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



City of Chico
NOTICE OF CANCELLATION
of
September 4, 2014
Planning Commission Meeting

NOTICE IS HEREBY GIVEN that the September 4, 2014 regular meeting of the Planning Commission of the City of Chico is cancelled.

The Planning Commission will meet on Thursday, September 18, 2014 for an adjourned regular meeting at 6:30 p.m. in the City Council Chamber located at 421 Main Street.

By: Jessica Henry, Administrative Analyst
Dated: August 26, 2014

Distribution:

Post: Council Chambers

Post: Website

Via Email

Commissioners

City Council

CM Orme

ACM Constantin

PSD Wolfe

ACA Jared

SDE Johnson

Agenda E-Subscribers



City of Chico
NOTICE OF CANCELLATION
of
September 18, 2014
Planning Commission Meeting

NOTICE IS HEREBY GIVEN that the September 18, 2014 adjourned regular meeting of the Planning Commission of the City of Chico is cancelled.

The Planning Commission will meet on Thursday, October 2, 2014 for a regular meeting at 6:30 p.m. in the City Council Chamber located at 421 Main Street.

By: Michelle Pease, Administrative Assistant
Dated: September 10, 2014

Distribution:

Post: Council Chambers

Post: Website

Via Email

Commissioners

City Council

CM Orme

ACM Constantin

PSD Wolfe

ACA Jared

SDE Johnson

Agenda E-Subscribers



City of Chico
NOTICE OF CANCELLATION
of
October 2, 2014
Planning Commission Meeting

NOTICE IS HEREBY GIVEN that the October 2, 2014 regular meeting of the Planning Commission of the City of Chico is cancelled.

The Planning Commission will meet on Thursday, October 16, 2014 for an adjourned regular meeting at 6:30 p.m. in the City Council Chamber located at 421 Main Street.

By: Michelle Pease, Administrative Assistant
Dated: September 19, 2014

Distribution:

Post: Council Chambers

Post: Website

Via Email

Commissioners

City Council

CM Orme

ACM Constantin

PSD Wolfe

ACA Jared

SDE Johnson

Agenda E-Subscribers

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR ADJOURNED MEETING OF
October 16, 2014**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Ken Rensink, Chair
Toni Scott, Vice Chair
John Howlett
Matt Juhl-Darlington
Mike O'Donnell
Margaret Worley

Commissioners Absent: John Merz

Staff Members Present: Mark Wolfe, AICP, Community Development Director
Brendan Vieg, Principal Planner
Bob Summerville, AICP, Senior Planner
Greg Redeker, AICP, Associate Planner
Matt Johnson, Senior Development Engineer
Andrew L. Jared, Assistant City Attorney
Kirk Trostle, Chief, Chico Police Department
Mike O'Brien, Lieutenant, Chico Police Department

1. ROLL CALL

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

2. EX PARTE COMMUNICATION

A number of Commissioners acknowledged having conversations with different Downtown bar and restaurant owners, as well as Mr. Jon Scott and Ms. Alicia Rock, the applicant and his representative for the proposed code amendment to allow card rooms in the Downtown North zoning district subject to a use permit.

3. CONSENT AGENDA

There were no items on the Consent Agenda.

4. PUBLIC HEARING ITEMS

4.1 Amendments to Title 19 of the Chico Municipal Code Regarding the Regulation of Businesses Selling Alcohol (City of Chico) - (Noticed 10/6/14; Continued from the 3/6/14, 5/15/14 and 7/17/14 Planning Commission meetings) A public hearing to consider amendments to the City's land use and development regulations regarding businesses which sell alcohol. This hearing is a follow-up meeting to the Commission's previous consideration of this topic on March 6, 2014, and July 7, 2014. Additional information was also provided to the Commission at its May 15, 2014 meeting. The Commission will review proposed amendments to Title 19, including establishing a use permit requirement for certain types of businesses which sell alcohol and adoption of a deemed approved ordinance. The Commission will make a recommendation to the City Council, which will take final action on the proposed code amendments. **(Staff Report: Associate Planner Greg Redeker)**

Associate Planner Redeker provided a history and overview of the proposed Code amendments presented in the staff report.

Chair Rensink opened the public hearing at 6:44 pm -

Michael Thomas, owner of Tres Hombres, asked for clarity regarding the difference between ABC liquor licence types (e.g., Type 47) and the hours of operation identified in the proposed new land use types.

Doug Guillon, owner of Crush 201, is also interested in staying open past 12am. He also acknowledged the importance of the Chico Police Department coordinating with the University Police towards addressing a solution of late night problems in the Downtown and elsewhere in the community.

Christian Steinbach, owner of Christian Michael's, agrees that problems occur late at night, but wants to have the ability to stay open late consistent with his ABC license if there is a need. He has worked hard to build his business, and does not want to have constraints placed upon it with new regulations. He believes that ABC does an adequate job of policing alcohol-related problems.

Taylor Herren, a student Associated Student Body President at CSU Chico, shared that she has been involved from the beginning with the Call to Action, highlighted efforts that have taken place at Chico State to address alcohol related issues, and requested that the Commission move this effort forward to the City Council.

Commissioner Juhl-Darlington and the speaker discussed issues regarding student drinking habits and the need for more regulations on alcohol beverage establishments.

Trisha Seastrom, Program Manager for the Campus Alcohol and Drug Education Center at CSU, Chico, spoke to the clear need to address the negative drinking culture in Chico, and shared her support for the land use regulations proposed in the staff agenda report.

Will Brady, owner of The Banshee and B Street Public House, agreed that there is a drinking problem in Chico, but believes the key is to apply common sense solutions. He believes that all businesses that have the same liquor licenses should play by the same rules. Creating an un-level playing field hinders investment in the Downtown.

Commissioner Scott and the speaker discussed what form an advisory review board under the DAO should take, and what an acceptable DAO would look like.

Brian Buckley, owner of the Crazy Horse Saloon, shared that he is an entertainment venue that starts getting busy after the restaurants are slowing down. He believes that the City is changing the rule book on him, and does not support the DAO.

Amanda Montgomery, Butte County Public Health Department, shared her support for the proposed recommendations in the staff report and believes they support the multi-pronged approach outlined in the Call to Action.

The Commission and staff briefly discussed the issue of “grandfathering” existing businesses, and the effect of the proposed new land use categories on existing and new businesses.

Drew Calandrella, Vice President of Student Affairs at CSU, Chico, recommended that the Commission move the staff recommendations forward to the City Council for action. He believes that the DAO simply directs that business owners of establishments serving alcohol act responsibly.

Commissioner Juhl-Darlington and the speaker discussed the equality of different rules for existing businesses and new business.

Commissioner O'Donnell asked the speaker how the University handles students who are involved in illegal activity involving alcohol.

Rob Rasner, owner of the Winchester Goose, stated that he does not agree with the way the DAO is currently written. He believes that his business should be treated differently because his Type 42 ABC license and the way he operates is much different than the way a Type 48 license operate. He is finding that the limitations placed on ABC license regarding selling beer and wine are making it difficult for him to compete on a level playing field with other establishments that have different operational requirements. He wants to be able

to stay open until 2am, and would then agree that that if his operation results in alcohol-related problems then he should be punished.

Doug Guillon, a previous speaker, asserted that the real issue that should be addressed is accountability. He does not believe that there is a need for a new regulatory framework to address the unfortunate actions of a few.

Kellie Steinbach, Chico resident and co-owner of Christian Michael's, believes it is the responsibility of individuals to be responsible for their behavior, and that we do not need blanket regulations that will simply stifle Downtown investment.

Will Brady, a previous speaker, stated that the same rules should apply to his business that apply to others.

Chair Rensink closed the public hearing at 8:10 pm

Chair Rensink suggested that the Planning Commission bifurcate its discussion into 1) the new land use types and use permit requirements, and 2) the DAO ordinance.

Commission and staff discussed how the Commission would be involved in the process for a new business that requires a use permit under the proposed regulations; how the ABC license process currently works, including how ABC conditions are derived with input from the City; and, how existing businesses might be able to revisit their ABC license with adoption of the proposed new regulations.

Chair Rensink inquired how to address the un-level playing field that has been created between older ABC licenses and new ABC licenses.

Commissioner Juhl-Darlington stated that he remains unclear regarding the need for the new regulations, and questioned whether the Commission needed to provide a recommendation to Council for new regulations if they don't support the proposed regulations or believe the proposed regulations won't address a problem.

Commissioner Scott believes the proposed regulations are reasonable, but isn't sure if there is a need to recommend their approval for that reason alone.

Commissioner Worley thanked the representatives of CSU, Chico for attending and speaking to the issue.

The Commission and Assistant City Attorney Jared discussed the Commission's options for providing a recommendation to Council.

Commissioner Scott asked why the hearing board for the DAO ordinance is proposed to be the Planning Commission.

CDD Wolfe explained it was an effort to be expeditious, and allow an appeal to go directly to Council.

Commissioner O'Donnell expressed concern that new regulations are being proposed while existing regulations would likely address the alcohol-related concerns that exist.

Commissioner O'Donnell moved that the Planning Commission recommend that Council not adopt proposed code amendments related to businesses which sell alcohol as set forth in Exhibits A through G of the agenda staff report. Commissioner Juhl-Darlington seconded the motion, which passed (6-0-1, Merz absent).

CDD Wolfe asked the Commission to provide additional context for its recommendation to Council.

The Planning Commission provided the following feedback:

The existing alcohol related problems have more to do with social norms and illegal activity, which doesn't really fall within the purview of the Planning Commission.

Based on the evidence that was provided during the Commission's hearings on this item, it is unclear that these regulations would address a problem.

New business owners who have more recently received ABC licenses shouldn't have different operational requirements for their licenses as it results in an unfair playing field. These inequalities are a deterrent to investment and economic development in the community.

Council should look into why there aren't more police officers to address the areas where there are alcohol-related problems, and the City should use existing laws to address the problems.

The Commission expressed a desire to have more clarity of what the Council is seeking from the Commission.

The Commission believes that reduced Police and Planning staff has played a significant role in the problems that exist and that the proposed regulations would not address those problems.

The Commission believes that Planning Staff provided exemplary information for the Commission's consideration and should be commended.

4.2 Rezone 14-01/Use Permit 14-11 (Scott), 305 Main Street, APN 004-152-010 –
(Noticed 10/6/14) The applicant proposes to amend Title 19 (Land Use and Development Regulations) of the Chico Municipal Code to allow card rooms in the DN (Downtown North) zoning district subject to an approved use permit. The DN zoning regulations currently prohibit card rooms. The applicant has also submitted a use permit application to allow a cardroom in an existing building located at 305 Main Street on land designated Commercial Mixed Use on the General Plan diagram and in the DN-L-COS (Downtown North-Landmark-Corridor Opportunity Site) overlay zoning district. Planning Staff is not recommending the Planning Commission consider the use permit application at this time until direction on the proposed code amendment is provided by the Commission. Pursuant to Section 15270(a) of the California Environmental Quality Act (CEQA) Guidelines, CEQA does not apply to projects which a public agency rejects or disapproves. **(Staff Report: Senior Planner Bob Summerville)**

Senior Planner Summerville provided a project overview.

Chair Rensink opened the public hearing at 9:23 pm.

Addressing the Commission in the following order were:

Jon Scott, the project applicant, highlighted the current blight and empty businesses associated with the 300 block of Main Street and its negative impact on the entirety of Downtown, as well as the need for more police presence in the Downtown. He shared that his proposal will help address these problems by activating this part of Downtown and providing revenue for public safety. He stated that the cardroom use will create visitors who stay in hotels, eat at restaurants, and visit other Chico businesses, which ultimately is an important economic driver.

Chair Rensink asked why the applicant hasn't considered placing his business in one of the zoning districts that already allows card rooms.

Mr. Scott responded that he is looking to create a high-end experience for his clients that can only be found in Downtown, and that he wants to do something that gives back to the community that he lives and works in.

The Commission and the applicant discussed the stand alone aspect of the restaurant that would be affiliated with the proposed card room, and concluded that food and alcohol will only be provided to card room clientele when the restaurant is open.

Mike Trollinder, local retail consultant, doesn't believe that a card room on the ground floor in Downtown North, especially at the corners of blocks, is the best and highest use for Downtown. He suggested there is a lot of work going on to rejuvenate Downtown and that those efforts will help the 300 Block of Main Street rebound.

Melanie Bassett, Executive Director of the Downtown Chico Business Association, stated that the DCBA Board met and held a vote, and that the consensus was that the proposal to amend the Municipal Code to allow card rooms in the Downtown North is not the right use for Downtown. She also stated that she does not agree with the applicant's assertion that the proposal is consistent with the Downtown Element of the General Plan.

Tom DiGiovanni, a Downtown business and property owner, believes that the Downtown has been hit by a number of problems associated with the recession, but that is not a reason to support a proposal that is inconsistent with the City's vision for Downtown and that could ultimately hinder opportunities for positive, long-term investment.

Alicia Rock, attorney for the applicant, highlighted that a card room would provide real recreation as envisioned in the Downtown Element. She also highlighted that the use is not alcohol-related because alcohol service would only be allowed when the restaurant is open. She highlighted the benefits of the self-initiated tax offered by the applicant towards helping the community.

Chair Rensink closed the public hearing at 10:04 pm

The Commission agreed to continue the meeting an additional 20 minutes.

Chair Rensink asked about the card room that was previously located at the 300 Block of Main Street during the 1990s.

Lt. Michael O'Brien shared with the Commission that the Chico Police Department's comments are provided in the Commission's agenda packet.

The Commission and staff discussed the zoning districts that allow card rooms and the availability of space to support card rooms.

Chair Rensink re-opened the public hearing at 10:14 pm

Jon Scott, the project applicant, clarified for the Commission that the previous card room on the 300 Block of Main Street was a City-approved use.

Chair Rensink closed the public hearing at 10:16 pm

Senior Planner Summerville clarified that the permit that the applicant had was a City business license and a state gaming license to operate Casino Chico, but not a use permit. Card rooms were not a permitted use in the City's Central Commercial (Downtown) zoning district and Casino Chico operated only temporarily under a code enforcement action. The City allowed Casino Chico to operate at that location while it processed a zoning code amendment to allow card rooms with a use permit in the Central Commercial district, however, that proposal was ultimately denied by the City Council.

Commissioner O'Donnell moved that the Planning Commission adopt Resolution No. 14-11 recommending the City Council deny a request to amend Title 19 to allow card rooms in the DN (Downtown North) zoning district subject to use permit approval. Commissioner Worley seconded the motion, which passed (6-0-1, Merz absent).

5. REGULAR AGENDA

None.

6. BUSINESS FROM THE FLOOR

None.

7. REPORTS & COMMUNICATIONS

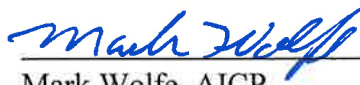
7.1 Planning Update

None.

8. ADJOURNMENT

There being no further business from the Commission, the meeting adjourned at 10:20 pm to the **Regular Meeting of Thursday, November 6, 2014.**

12/17/15
Date Approved



Mark Wolfe, AICP
Community Development Director /
Planning Commission Secretary

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING OF
November 6, 2014**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Ken Rensink, Chair
Toni Scott, Vice Chair
Matt Juhl-Darlington
John Howlett
John Merz (*recused himself from Item 4.1*)
Margaret Worley

Commissioners Absent: Mike O'Donnell

Staff Members Present: Brendan Vieg, Principal Planner
Greg Redeker, ACIP, Associate Planner
Matt Johnson, Senior Development Engineer
Andrew Jared, Assistant City Attorney

1. ROLL CALL

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

2. EX PARTE COMMUNICATION

Commissioners disclosed that they visited the project site.

3. CONSENT AGENDA

None.

4. PUBLIC HEARING ITEMS

4.1 Use Permit 14-12 (Tatreau) Oakdale Street between W. 17th and W. 18th Streets; APNs 005-232-006 & -007 - (Noticed 10/25/14) A request to reduce onsite parking and authorize ground-floor residential units for a 28-unit multi-family residential project in a commercial zoning district. The applicant proposes to convert the existing on-street parallel parking on Oakdale Street to angled parking spaces as part of the project. The design of the project will be considered by the Architectural Review and Historic Preservation Board at a future meeting. The site is designated Commercial Mixed Use on the General Plan diagram, and is located in the CC-COS zoning district (Community Commercial with Corridor Opportunity Site overlay). The project is categorically exempt from environmental review pursuant to California Environmental Quality Act (CEQA)

Guidelines Section 15332 (Infill Development Projects). (Staff Report: Associate Planner Greg Redeker)

Associate Planner Redeker provided a project overview, and shared with the Commission that the project proposes 26 units, not 28 as identified in the agenda report.

Commissioner Juhl-Darlington inquired if there are examples of other similar projects in the City.

Commissioner Scott asked about the potential loss of street trees.

Commissioner Howlett asked for clarification regarding the extent of the proposed angled parking and whether there is any commercial component to the project.

Chair Rensink opened the public hearing at 6:40 pm.

Addressing the Commission in the following order were:

Chuck Tatreau, project applicant, addressed the Commission and shared his support for the project. He clarified that the project would have 44 bedrooms.

Tim Vanderheiden, a neighbor, shared that he hasn't seen the final plans for the project.

Associate Planner Redeker shared that a final site plan will be available when the ARHPB considers the project.

Chair Rensink closed the public hearing at 6:45 pm

Commissioner Worley expressed concerns regarding the request for reduced parking, although she shared her support for the angled parking.

Commissioner Howlett also shared a concern regarding the proposed parking, and stated that it has the potential to impact single family housing in the neighborhood.

Commissioner Juhl-Darlington moved that the Planning Commission adopt Resolution No. 14-12, approving Use Permit 14-12 (Tatreau), subject to the conditions of approval contained therein. Commissioner Scott seconded the motion, which passed unanimously (5-0-1-1, Merz recused; O'Donnell absent)

5. REGULAR AGENDA

None.

6. BUSINESS FROM THE FLOOR

None.

7. REPORTS & COMMUNICATIONS

None.


7.1 Planning Update

Principal Planner Vieg shared that the Planning Commission would only have one meeting in January — January 15th.

8. ADJOURNMENT

There being no further business from the Commission, the meeting adjourned at 10:05 pm to the **Adjourned Regular Meeting of Thursday, November 19, 2014.**

12/17/15
Date Approved



Mark Wolfe, AICP
Community Development Director /
Planning Commission Secretary

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR ADJOURNED MEETING OF
November 20, 2014**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Ken Rensink, Chair
Toni Scott, Vice Chair
John Howlett
John Merz
Margaret Worley

Commissioners Absent: Matt Juhl-Darlington
Mike O'Donnell

Staff Members Present: Mark Wolfe, AICP, Community Development Director
Bob Summerville, AICP, Senior Planner
Matt Johnson, Senior Development Engineer
Andrew L. Jared, Assistant City Attorney

1. ROLL CALL

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

2. EX PARTE COMMUNICATION

Commissioners all stated they had driven past the project site. Commissioner Scott spoke with Scott Stoller, Manager of the Silver Dollar Fairgrounds.

3. CONSENT AGENDA

There were no items on the Consent Agenda.

4. PUBLIC HEARING ITEMS

4.1 Vesting Tentative Parcel Map 14-03 (Lamb/Souza) - 2345 Fair Street, APN 005-610-009 – (Noticed 11/7/14) A request to divide a 0.56 acre parcel into 4 lots for development of single-family residential uses. Three lots are proposed to take access from an extension of Yarrow Drive, and the fourth lot is proposed to be accessed from Fair Street. The project would create a gross density of 6.5 units per acre and be developed in accordance with the Chapman/Mulberry overlay zoning district standards. The site is located on the east side of Fair Street on land designated Low Density Residential on the General Plan Diagram and in the R1-SD6 (Low Density Residential-Chapman/Mulberry) overlay zoning district. This project has been determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332 (Infill Development Projects). **(Staff Report: Senior Planner Bob Summerville)**

Senior Planner Summerville provided the Commission with a project overview.

Commissioner Worley asked about the exemptions for the sidewalks, parkways and driveways. Senior Planner Summerville stated that the proposed project would be consistent with the City's small lot standards which allows for these modifications. The sidewalks will be consistent with the existing sidewalks.

Commissioner Merz asked for clarification regarding the lot currently under construction and why the project began prior to approval. Senior Planner Summerville explained that a previous application had been filed for the structure currently being built and a building permit issued. The Tentative Map application was filed later, and while the situation was not ideal, the developer currently holds a building permit for the first structure and is within their rights to construct it.

Commissioner Scott asked if there was a way for the Commission to address the potential noise nuisance issue as a condition to the permit. Senior Planner Summerville stated that it would be inappropriate to encumber the Tentative Map with that type of condition but it would be the responsibility of the seller to legally disclose such a situation.

Commissioner Merz inquired about the turn-around radius for fire-fighting access. Senior Planner Summerville responded that the Fire Department had approved the map. Senior Development Engineer Johnson, stated the requirement for the Fire Department is that the furthest point of the lot could not be further than 150 feet from the nearest fire hydrant. This project fulfills that requirement.

Chair Rensink Opened the Public Hearing at 6:50 pm.

On behalf of the applicant Fritz McKinley, from Gilbert Engineering, made himself available for questions. The Commission did not have any at that time.

Scott Stoller, Fair Manager for the Silver Dollar Fair addressed the Commission regarding the Fair's concerns with the project. He stated that the Fair was not opposed to the project, but had some concerns with activities during construction of the first unit. Mr. Stoller said the developer had removed the shared fence and was accessing the work site, sometimes without asking permission, through the fairgrounds parking lot, and utilizing the parking lot to stage equipment. He stated that while this isn't always an issue, it does cause significant impacts when there are events on the fairgrounds. He also stated there were some concerns for safety due to the schools on the grounds. He is asking that a condition of approval be included to replace the fence to avert trespassing by the developer.

Mr. Stoller also expressed his desire that new homeowners are notified that the fairgrounds can potentially cause a noise nuisance during events and they have the right to operate their business.

Mr. Stoller was also concerned that the Developer stated their intentions to access sewer and storm drains through the fairgrounds. He is aware there is an easement for the storm drains, however, he is uncertain they would allow additional digging to connect into the line.

Senior Development Engineer Johnson, clarified that the Storm Drain easement did allow for future connections, but that those would be coordinated through the City. He confirmed that the sewer connection would come from the street, not the fairgrounds.

Chair Rensink inquired of the developer if access through the fairgrounds parking lot was actually necessary. Jim Lamb, the applicant, acknowledged they had been remiss in their communications with the fairgrounds regarding access. While the access was available through other means he felt the parking lot was the safest method until the fence on Yarrow is removed. Mr. Lamb also stated they intend to replace the fence with a much nicer fence but first needed to build a retaining wall. Mr. Lamb expressed his intention to be more diligent in his communications with the fairgrounds.

Chair Rensink Closed the public hearing at 7:02 pm.

Commissioner Merz asked for clarification regarding the additional parking required for Lot Senior Planner Summerville explained it was part of the Code, and since there was not parking on the street for visitors, the lot must contain an additional parking spot.

Commissioner Merz asked for clarification regarding who will be responsible for the trees that will be planted in the yards. Senior Planner Summerville stated that the initial planting will be the responsibility of the developer, and maintenance will be up to the homeowner.

Commissioner Merz commented that there seemed to be an excessive amount of fill being brought in for the initial project and inquired as to why. Mr. McKinley, Gilbert Engineering, explained that the fill was to slope the lot to drain the water to front of the lot into the street and not onto the fairgrounds. This is also the reason for the retaining wall at the back of the lots.

Commissioner Scott inquired if there was anything the Commission could do to address the trespassing issue, and asked if a condition of approval was appropriate. Community Development Director Wolfe stated that it is out of the jurisdiction of the Planning Commission to enforce trespassing laws. If there is an issue between the two parties it would not fall under the purview of the Planning Commission but would be a legal issue.

Motion by Commissioner Worley to adopt Resolution No. 14-13, approving Vesting Tentative Parcel Map 14-03 (Lamb/Souza), based on the findings and subject to the conditions of approval contained therein. Seconded by Commissioner Howlett.

Commissioner Merz requested a friendly amendment to add condition # 7 requiring a six foot privacy fence. All Commissioners agree to the friendly amendment.

The motion passes (5-0-2-Juhl-Darlinton and O'Donnell absent).

5. **REGULAR AGENDA**

None

6. **BUSINESS FROM THE FLOOR**

None.

7. **REPORTS & COMMUNICATIONS**

7.1 Planning Update

Community Development Director Wolfe reported that there would not be any items for the agenda on December 18, 2014 and the next regularly scheduled meeting would occur on January 1, 2015, therefore, he suggests canceling both of those meetings.

Commissioner Merz requested that staff provide a report of building activity. Community Development Director Wolfe stated he had just made a presentation on that subject and would draft a memo to send to all the Commissioners to update them on the current activities.

8. **ADJOURNMENT**

There being no further business from the Commission, the meeting adjourned at 8:24 pm to the **Regular Meeting of Thursday, January 15, 2015.**

3/4/16

Date Approved



Mark Wolfe, AICP

Community Development Director /
Planning Commission Secretary



City of Chico
NOTICE OF CANCELLATION
of
December 4, 2014
Planning Commission Meeting

NOTICE IS HEREBY GIVEN that the December 4, 2014 regular meeting of the Planning Commission of the City of Chico is cancelled.

The Planning Commission will meet on Thursday, December 18, 2014 for an adjourned regular meeting at 6:30 p.m. in the City Council Chamber located at 421 Main Street.

By: Michelle Pease, Administrative Assistant
Dated: November 21, 2014

Distribution:

Post: Council Chambers

Post: Website

Via Email

Commissioners

City Council

CM Orme

ACM Constantin

PSD Wolfe

ACA Jared

SDE Johnson

Agenda E-Subscribers

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR ADJOURNED MEETING OF
December 18, 2014**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Ken Rensink, Chair
Toni Scott, Vice Chair
John Howlett
John Merz
Mike O'Donnell
Margaret Worley

Commissioners Absent: Matt Juhl-Darlington

Staff Members Present: Brendan Vieg, Principal Planner
Mike Sawley, Associate Planner
Greg Redeker, AICP, Associate Planner
Matt Johnson, Senior Development Engineer
Andrew L. Jared, Assistant City Attorney

1. ROLL CALL

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

2. EX PARTE COMMUNICATION

Commissioner Scott spoke with Jim Stevens, project engineer for Item #3, and several of the Commissioners acknowledged driving by the project sites and speaking with Planning staff.

3. CONSENT AGENDA

There were no items on the Consent Agenda.

4. PUBLIC HEARING ITEMS

4.1 General Plan Amendment and Rezone 14-01 (Tatreau) 1217 W. Sacramento Avenue; APN 043-260-004 - (Noticed 11/5/14) A proposal to amend the Chico General Plan Land Use Diagram to change the site's designation from Low Density Residential (2.1-7 du/ac) to Medium-High Density Residential (14.1-22 du/ac), and to amend the City's Zoning Map to change the pre-zoning of the site from R1 (Low Density Residential) to R3 (Medium-High Density Residential). Any future development of the site would be contingent upon annexation to the City, and subject to City design review and other requirements at a future date. **(Staff Report: Associate Planner Mike Sawley)**

Associate Planner Sawley provided a project overview.

Commissioner Merz asked about the proposed development on the project site, and the timing of the annexation process.

Associate Planner Sawley explained that the proposal before the Commission tonight is a GPA/Rezone, and that the annexation process and development proposal would likely follow.

Chair Rensink inquired about site access and screening between land uses.

Commissioner Worley asked about fire protection access.

The Commission and staff discussed a letter from LAFCO regarding the adequacy of the environmental review for the project, and the ongoing dialogue between the City Council and LAFCO regarding island annexations and the City's ability to provide adequate services.

Chair Rensink opened the public hearing at 6:48 pm

Addressing the Commission in the following order were:

Chuck Tatreau, project applicant, explained why a single-family product is not a good fit for the project site, and why a multi-family project is being pursued that has support from the neighborhood.

Chair Rensink asked about the density of adjacent properties.

Chair Rensink closed the public hearing at 6:54 pm

Commissioner Merz asked for clarification regarding allowed density ranges for R2 and R3 zoning, and the width of the project's access way.

The Commission and staff discussed a Caltrans letter regarding paying fair-share impact fees to address potential cumulative traffic impacts at Nord and W. Sacramento Avenue.

Commissioner O'Donnell moved that the Planning Commission adopt Resolution No. 14-14, recommending Council adoption of the mitigated negative declaration and approval of General Plan Amendment/Rezone 14-01. Commissioner Scott seconded the motion, which passed (6-0-1, Juhl-Darlington absent).

4.2 Vesting Tentative Parcel Map PM 14-01 (Ernat) 790 W. 11th Avenue - APN 043-052-008 - (Noticed 12/5/14) A request to subdivide a 0.92 acre parcel into four

parcels, two of which are infill residential flag lots. An existing single-family residence is located asymmetrically on the parcel, and will be retained. The property is designated Low Density Residential on the 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 15332 (Infill Development Projects) of the California Environmental Quality Act (CEQA) Guidelines. (Staff Report: Associate Planner Greg Redeker)

Associate Planner Redeker provided a project overview.

Staff and Commission discussed the City's flag lot standards.

Chair Rensink opened the public hearing at 7:19 pm.

Addressing the Commission in the following order were:

David Ernat, the project owner and applicant, provided project background, and explained how he had addressed neighbors' concerns through project design.

Chair Rensink closed the public hearing at 7:21 pm

Staff and Commission discussed the street frontage, sidewalks, on-street parking, and storm drainage considerations.

Commissioner Merz moved that the Planning Commission adopt Resolution No. 14-15, approving Vesting Tentative Parcel Map PM 14-01 (Ernat), based on the required findings and subject to the conditions contained therein, with the additions that 1) pervious concrete be considered as part of the new sidewalk adjacent to the oak tree to be retained; and 2) that the finding for modification of subdivision design criteria listed on page 4 of the staff report be added to the findings listed in the resolution Commissioner Scott seconded the motion, which passed (6-0-1, Juhl-Darlington absent).

4.3 Rezone 14-03 (SC Student Housing) 1033 W. 5th and 1046 W. 6th Streets - APNs 004-202-007 & -018 - (Noticed 12/5/14) A request to add the -COS (Corridor Opportunity Site) overlay zoning district to two parcels currently zoned CC-FS (Community Commercial with Fraternity/Sorority overlay). Adding the -COS overlay zoning district to the subject properties would allow for reduced parking and increased density for future residential development of the site; no development proposal has been submitted at this time. The site is designated Commercial Mixed Use on the General Plan Diagram, and is also located within Central City Opportunity Site #3 (South Campus) as established in the General Plan. This project is within the scope of the Environmental

Impact Report for the 2030 General Plan Update. Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15162, the proposed rezone is within the scope of the EIR that was certified for the General Plan (SCH# 2008122038), and no further environmental review is necessary. **(Staff Report: Associate Planner Greg Redeker)**

Associate Planner Redeker provided a project overview.

Commissioner Merz inquired about the timing of subsequent architectural review and CEQA review for a multi-family project at the site.

Chair Rensink opened the public hearing at 7:38 pm.

Addressing the Commission in the following order were:

Jim Stevens, the project applicant's engineer, provided project background, explained the goal of creating quality student housing in close proximity to the CSUC campus, and explained that the project is consistent with numerous goals of the City's General Plan.

Commissioner Worley inquired about the project's parking program.

Andrew Clark, SC Student Housing owner, shared with the Commission's his company's vision for providing quality, purpose-built student housing that is focused on biking and walking.

Chair Rensink closed the public hearing at 7:45 pm

Commissioner Merz asked staff about the timing of the City's 5-year General Plan Update.

Commissioner Scott moved that the Planning Commission adopt Resolution No. 14-16, recommending Council approve Rezone 14-03. Commissioner Worley seconded the motion, which passed (6-0-1, Juhl-Darlington absent).

5. REGULAR AGENDA

None.

6. BUSINESS FROM THE FLOOR

None.

7. REPORTS & COMMUNICATIONS

7.1 Planning Update

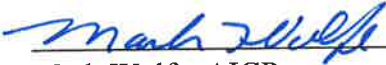
Principal Planner Vieg reminded the Commission there will only be one meeting in January - January 15, 2015.

Commissioner Merz requested and Principal Planner Vieg agreed to provide the Commission with an update of development activity in the community.

8. ADJOURNMENT

There being no further business from the Commission, the meeting adjourned at 8:24 pm to the **Regular Adjourned Meeting of Thursday, January 15, 2015.**

12/17/15
Date Approved



Mark Wolfe, AICP
Community Development Director /
Planning Commission Secretary