

**CITY OF CHICO PLANNING COMMISSION  
MINUTES OF THE SPECIAL MEETING OF  
August 30, 2018**

Municipal Center  
421 Main Street  
Council Chambers

Commissioners Present:                   Toni Scott, Chair  
  Bob Evans, Vice Chair  
  Lupita Arim-Law  
  Cynthia Arregui  
  Dale Bennett  
  John Howlett  
  Evan Tuchinsky

Commissioners Absent:                   None

Staff Members Present:                   Brendan Vieg, Deputy Director, CDD  
  Bruce Ambo, AICP, Principal Planner  
  Mike Sawley, Senior Planner  
  Matt Johnson, Senior Development Engineer  
  Robyn Ryan, Administrative Assistant

**1. CALL TO ORDER**

Chair Scott called the meeting to order at 6:03 pm.

1.1     Chair Scott led the Pledge of Allegiance.

1.2     Commission members and staff were present as noted.

**2. EX PARTE COMMUNICATION**

Commissioners Bennett, Arregui, Scott, and Evans all met with the applicant (separately). Commissioner Bennett also spoke with Deputy Director Vieg and Senior Planner Sawley. Commissioner Howlett had email correspondence with Senior Planner Sawley. Chair Scott also received additional correspondence from attorneys which was provided to all Commissioners. Commissioner Evans spoke with Senior Planner Sawley and Deputy Director Vieg. Commissioner Arim-Law met with the applicant and drove by the project site. Commissioner Tuchinsky attended a meeting with applicant, walked the project site, spoke with Senior Planner Sawley and spoke with former Chico Unified Trustee Steve O'Bryan.

**3. CONSENT AGENDA**

3.1     *Commissioner Evans moved to approve the revised minutes for the August 2, 2018, meeting. Commissioner Tuchinsky seconded the motion which passed 7-0.*

**4. PUBLIC HEARING ITEMS**

*Commissioner Tuchinsky announced that he had to recuse himself from participating in Item 4.1 due to a potential conflict of interest. He serves on the Board of Inspire School which has been allotted acreage to build a new school from CUSD on the adjacent Canyon View property.*

- 4.1 Stonegate Vesting Tentative Subdivision Map, General Plan Amendment, Rezone and Use Permit (S 15-05, GPA/RZ 15-02 and UP 18-14), located on the east and west sides of Bruce Road between E. 20th Street and Skyway in southeast Chico, AP Nos. 002-190-041, 018-510-007, -008, and -009** - The project proposes to subdivide the 313-acre project site into a combination of open space (137 acres), public right-of-way, parks (3.5 acres), single-family residential standard lots (423 units), multi-family residential (13.4 acres), and commercial uses (36.6 acres). A use permit is also requested to allow ground-floor residential uses in a Community Commercial (CC) zoning district. The proposal includes a General Plan Amendment and rezone to reconfigure the Residential, Commercial and Open Space designations throughout the site. The site is currently designated/(zoned) a mixture of Low Density Residential (R1), Medium-High Density Residential (R3), Office Mixed Use (OR), Very-Low Density Residential (RS-20), Primary Open Space (OS1), Secondary Open Space (OS2) and Resource Constraint Overlay (-RC).

Senior Planner Mike Sawley began the staff report and PowerPoint presentation to the Commission.

Amanda McCarthy, Principal Biologist with WRA Consultants, worked on the EIR. She addressed the Commission to go over and explain the EIR.

Senior Planner Mike Sawley then finished giving the staff report and presentation and answered questions from the Commission.

*Chair Scott opened the public hearing at 6:55 pm.*

The applicant, Chris Giampaoli, with Epick Homes, gave a presentation to the Commission and answered the Commissioners' questions.

*Chair Scott call a recess after applicant's presentation at 7:16 pm.*

*Chair Scott recalled the meeting to order at 7:25 pm.*

Concerned citizens and neighbors of the proposed project: Bob Mullholland, Geoff Fricker, Natalie Carter, Maggie Scarpa, Jared Geiser, Elizabeth Devereaux, Caroline Burkett, John Merz, Richard Harriman, Dawn Garcia, Kathy Faith, and Bonnie Persons all spoke in opposition to the project. The issues and concerns were related to environmental concerns, water issues, loss of Butte County Meadowfoam, loss of vernal pool habitat, the negative effects this project will have on the area, as well as traffic concerns and carbon emissions related to the increased traffic.

Rudy Cortez, Ally Gibson, Julia Kistle, Brent Silberbauer, Keith Doglio, Pete Giampaoli,

and Mike Zaslow, all spoke in favor of the project. Citing the need for more housing in Chico and jobs this project will create. This is a good project for the city.

Dr. Mark Stemen spoke to the climate impact issues related to this project. This project needs to fully address greenhouse gas emissions before it gets approval. Chico needs housing but not at the cost of the climate.

Mike Trolinder commented that Epick Homes is a good builder, but this is a bad plan. The backs of houses face the street and the sidewalk. This is a potential safety issue.

Scott Birkey, the applicant's attorney, stated they are proud of this project and that the team has done their homework. This project strikes the right balance for Chico. The entire property could be developed, it is zoned for it, but that's not being done. Almost half will be set aside to be preserved in perpetuity. No development will take place in this open space.

***Assistant City Attorney Andrew Jared stated that now would be the time for rebuttal by applicant or applicant's representative.***

***Chair Scott called for a short recess at 8:24 pm.***

***Chair Scott called the meeting to order at 8:37 pm.***

***The rebuttal time by the applicant would be limited to 10 minutes.***

The applicant's attorney, Scott Birkey, addressed the Commission on behalf of the applicant. He addressed some of the concerns that were raised by earlier speakers. He covered two legal issues:

1. The concern about the availability of Butte County Meadowfoam credits and currently only one bank in process. The Final EIR clarifies two possible back up plans if they cannot create BCM on the preserve: 1) buying BCM credits, and 2) acquiring BCM habitat land elsewhere.
2. Greenhouse gas emissions and climate change and the significant and unavoidable impact this project will have in the EIR. Under CEQA, Epick has a responsibility to mitigate to the extent feasible even if the impact is significant and unavoidable.

Biologist for the applicant, David Bise, with Foothill Associates addressed the Commission to also speak to the biological impact concerns of the earlier speakers. He noted that one year of rare plant surveys took place during a non-drought year.

***With no other members of the public wishing to address the Commission, Chair Scott closed the public hearing at 8:41 pm.***

Senior Planner Sawley addressed the concerns of the speakers regarding groundwater supply, hydrology concerns and went over Figure IV. I-2 regarding water flows. He also discussed air quality mitigation and answered questions from the Commission.

Discussion continued among the Commissioners.

*Motion #1: Vice-Chair Evans moved that the Planning Commission adopt Resolution No. 18-10, recommending the City Council certify the adequacy of the Final EIR.*

*Commissioner Arregui seconded the motion which passed 4-2-1 (Arim-Law and Howlett opposed; Tuchinsky recused).*

*Motion #2: Vice-Chair Evans moved that the Planning Commission adopt Resolution No. 18-11, recommending the City Council make certain findings regarding environmental effects and mitigation measures, adopt a Statement of Overriding Considerations, and adopt the Mitigation Monitoring and Reporting Program.*

*Commissioner Arregui seconded the motion which passed 4-2-1 (Arim-Law and Howlett opposed; Tuchinsky recused).*

*Motion #3: Commissioner Bennett moved that the Planning Commission adopt Resolution No. 18-12, recommending that the City Council approve General Plan Amendment/Rezone 15-02, Vesting Tentative Subdivision Map 15-05 and Use Permit 18-14.*

*Chair Scott seconded the motion which passed 5-1-1 (Howlett opposed; Tuchinsky recused).*

5. **REGULAR AGENDA**

None.

6. **BUSINESS FROM THE FLOOR**

Mike Trolinder had a comment regarding the 8 days prior to meeting date to get information to the Planning Commission, however, the staff report was not out 8 days prior to the meeting date.

7. **REPORTS & COMMUNICATIONS**

Principal Planner Ambo let the Commissioners know that the Agenda packet for the September 6, 2018 meeting would be distributed to them at the end of this meeting.

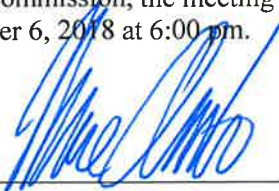
Deputy Director Vieg shared that the RECO Ordinance would be presented and discussed at the September 4, 2018 City Council meeting.

Senior Development Engineer Matt Johnson introduced Associate Engineer Chris Duffey to the Planning Commission.

8. **ADJOURNMENT**

There being no further business from the Commission, the meeting was adjourned at 9:31 pm to the Regular meeting of Thursday, September 6, 2018 at 6:00 pm.

9/20/18  
Date Approved

  
Bruce Ambo, Principal Planner  
Community Development Department /  
Planning Commission Secretary