



City of Chico
NOTICE OF CANCELLATION
of

January 4, 2007 Planning Commission Meeting

NOTICE IS HEREBY GIVEN that the January 4, 2007 regular meeting of the Planning Commission of the City of Chico has been canceled.

The Planning Commission will meet Thursday, January 18, 2007 for an adjourned regular meeting at 6:30 p.m. in the City Council Chambers, Chico Municipal Center, 421 Main Street.

By: Karen Masterson, Administrative Assistant

Dated: December 29, 2006

Distribution:

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City Manager
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PLD Staff

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE ADJOURNED REGULAR MEETING OF
JANUARY 18, 2007**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Jon Luvaas, Chair
Mary Brownell
Dave Kelley
John Merz
Susan Minasian
Kirk Monfort

Commissioners Absent: Steve O'Bryan

Staff Members Present: Steve Peterson, Planning Services Director
Patrick Murphy, Senior Planner
Bob Summerville, Senior Planner
Lori Barker, Assistant City Attorney
Matt Johnson, Senior Development Engineer
Karen Masterson, Administrative Assistant

1. CALL TO ORDER/ROLL CALL

The meeting was called to order at 6:30 p.m. Commissioners and staff were present as noted.

2. PLANNING COMMISSION ORIENTATION

Planning Services Director Peterson welcomed the two newly-appointed Planning Commissioners, Susan Minasian and John Merz. A brief overview of the Planning Commission's role and responsibilities was presented and the Commissioners were provided with a copy of the Planning Commissioner Handbook prepared by the League of California Cities as well as an excerpt from the Chico Municipal Code Section 2.52 addressing the legal and policy context within which the Commission operates.

3. ELECTION OF OFFICERS

Nominations for Chair were opened at 6:35 p.m. Commissioner Kirk Monfort nominated Commissioner Jon Luvaas for the office of Chair.

It was motioned (Monfort) and seconded (Kelley) that nominations be closed.

Vote 6-0-1 (O'Bryan absent); Jon Luvaas is Chair.

Commissioner Monfort nominated Commissioner Dave Kelley for the office of Vice Chair.

It was motioned (Monfort) and seconded (Merz) that nominations be closed.

Vote 6-0-1 (O'Bryan absent); Dave Kelley is Vice Chair.

Chair Luvaas presided over the meeting beginning at 6:38 p.m.

4. **REQUEST FOR PROPOSALS - GENERAL PLAN UPDATE** - This item will be addressed following the Public Hearing portion of the Agenda.
5. **EX PARTE COMMUNICATION** - There was no ex parte communication to report.
6. **PUBLIC HEARING ITEMS** - Interim Principal Planner Patrick Murphy announced that two public hearing agenda items, Pietz/Piacentine (UP 06-04 and AR 06-19) and Baker/Orr/Hanson (UP 05-77, PDP 06-03 and AR 06-14), originally scheduled to be heard on December 21, 2006 were continued to the January 18, 2007 meeting. Both items require an additional continuance; however, as neither appear on this evening's agenda, the Planning Commission is unable to continue to date certain and both items will require a new 10-day public hearing notice.
 - 6.1 **Vesting Tentative Subdivision Map S 06-19, 3375 Esplanade, APN 006-690-010 (All-Star Pac, Inc.)** - A request to subdivide a 20-acre parcel to create five parcels for future single-family residential, multi-family residential, park, and neighborhood commercial uses. A remainder parcel will comprise the future DeGarmo Drive. The property is centrally located within the Northwest Chico Specific Plan (NWCSP) area, along the west side of the Esplanade between Nord Highway and Eaton Road with existing zoning of R1 Low Density Residential, R3 Medium-High Density Residential, OS2 Secondary Open Space, and CN Neighborhood Commercial. Both a Program and Project-level Environmental Impact Report (EIR) was prepared for the NWCSP and was certified by the City Council on December 6, 2005. No new significant effects could occur and no new mitigation measures are warranted as a result of the project that were not previously identified in the Plan EIR. As a result, no further environmental review is required. *Planning staff recommend approval of the NWCSP Developers Group Vesting Tentative Subdivision Map, as conditioned.*

Senior Planner Bob Summerville presented the staff report. Chair Luvaas opened the public hearing at 7:06 p.m. Addressing the Commission in the following order were:

- Jim Mann, Rural Consulting Associates, representing the applicant, spoke in favor

There being no further speakers, Chair Luvaas closed the public hearing at 7:28 p.m.

It was motioned (Monfort) and seconded (Kelley) that the Planning Commission adopt Resolution 07-01, approving the NWCSP Developers Group Vesting Tentative Subdivision Map S 06-19, based on the findings and subject to the conditions of approval contained therein.

No action was taken on this motion.

It was motioned (Minasian) and seconded (Kelley) that the Planning Commission adopt Resolution 07-01, approving the NWCSP Developers Group Vesting Tentative Subdivision Map S 06-19, based on the findings, subject to the conditions of approval contained therein and with additional conditions of approval relating to the timing of capital improvements (the park, DeGarmo Drive and Esplanade). These would be specific conditions that are tied to building permits.

No action was taken on this motion.

It was motioned (Merz) and seconded (Luvaas) that this item be continued and that staff provide additional information regarding the timing of specific public improvements and environmental mitigation measures prior to the occupancy of new homes, the responsible party for construction of those improvements, and the funding source of those improvements.

Vote: 4-2-1 (Brownell and Kelley opposed; O'Bryan absent)

The Planning Commission recessed at 8:25 p.m. and reconvened at 8:38 p.m. Commissioners and staff were present as noted.

6.2 General Plan Amendment 06-07/Rezone 06-03 involving property located at 3035 Esplanade (APN 006-270-015), and 3023-3031 Esplanade (APN 006-270-014); (Ellis Art & Engineering) - General Plan amendment (GPA) to change the General Plan land use designation of a 0.75-acre parcel located at 3035 Esplanade from Offices to Community Commercial and a rezone to change the zoning classification of the parcel from OR (Office Residential) to CC (Community Commercial). Approval of

the GPA/Rezone would facilitate the construction of a small retail center on the site proposed by the property owner. The City of Chico has also initiated a General Plan amendment for the neighboring parcel to the south located at 3023-3031 Esplanade to change the land use designation for that 1.4-acre parcel from Offices to Community Commercial in order to make that parcel's General Plan designation consistent with its current CC Community Commercial zoning and to reflect the existing commercial uses on the site. ***Planning staff recommend that the Commission forward a recommendation to the City Council for adoption of a negative declaration pursuant to California Environmental Quality Act (CEQA) and approval of the General Plan amendment and rezone.***

Interim Principal Planner Patrick Murphy presented the staff report. Chair Luvaas opened the public hearing at 8:55 p.m. Addressing the Commission in the following order were:

- Joe Acquistapace, representing the Applicant, spoke in favor

There being no further speakers, Chair Luvaas closed the public hearing at 8:57 p.m.

It was motioned (Monfort) and seconded (Kelley) that the Planning Commission adopt Resolution No. 07-02 recommending that the City Council adopt a negative declaration pursuant to CEQA and approve GPA 06-07 and Rezone 06-03 (Ellis Art and Engineering)

Vote 6-0-1 (O'Bryan absent)

4. **REQUEST FOR PROPOSALS - GENERAL PLAN UPDATE** - A Request for Proposals for a comprehensive update to the 1994 General Plan and Master Environmental Assessment including preparation of an environmental impact report (EIR). Additional studies, including preparation of an infrastructure/finance plan and updated development impact fee analysis, may also be included. ***Planning staff recommends that the Commission review and comment on the draft Request for Proposals (RFP) for the General Plan Update. Staff also recommends that the Planning Commission identify a representative to serve on the consultant selection committee.***

Planning Services Director Steve Peterson presented the staff report and a power point presentation. The Planning Commission asked questions and provided feedback for the consultant selection process. The existing General Plan includes seven mandated elements; those elements will be updated. A Housing Element was adopted in 2005. Non-mandatory elements include Economic Development and Community Design. Other non-mandatory elements the City may want to address were discussed, including Historic Preservation, Sustainability and a Vision for Downtown.

Vice Chair Kelley was identified as the member of the Planning Commission who will serve on the General Plan Consultant Selection Committee.

7. **BUSINESS FROM THE FLOOR** - There was no business from the floor

8. **PLANNING UPDATE** - Planning Staff distributed a schedule of upcoming meetings.

9. **ADJOURNMENT** - There being no further business to conduct, the meeting was adjourned to the Regular Meeting of February 1, 2007.

November 1, 2007
Date Approved

/s/
Steve Peterson
Planning Services Director

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING OF
FEBRUARY 1, 2007**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Jon Luvaas, Chair
Mary Brownell
Dave Kelley
John Merz
Susan Minasian
Kirk Monfort
Steve O'Bryan

Staff Members Present: Steve Peterson, Planning Services Director
Patrick Murphy, Senior Planner
Greg Redeker, Associate Planner
Mike Sawley, Associate Planner
Lori Barker, Assistant City Attorney
Matt Johnson, Senior Development Engineer
Karen Masterson, Administrative Assistant

1. CALL TO ORDER/ROLL CALL

The meeting was called to order at 6:35 p.m. Commissioners and staff were present as noted.

2. DISCUSSION OF EX PARTE COMMUNICATION

Chair Luvaas spoke with Jim Stevens (NorthStar Engineering) a few months ago regarding off-street parking for the proposed Oakdales project.

3. CONTINUED PUBLIC HEARING ITEMS

3.1 Ellenwood Vesting Tentative Small-Lot Subdivision S 06-10 (Ritchie Construction, Inc., APN 006-690-010 - A request to subdivide an approximate 4.9 acre portion of a 20-acre parcel to create 32 lots for single-family residential uses. The site is centrally located within the Northwest Chico Specific Plan and along the west side of the Esplanade between Nord Highway and Eaton Road on land designated Low Density Residential on the General Plan Diagram. *Staff recommends the proposed Ellenwood Vesting Tentative Subdivision Map be continued to a date certain of March 1, 2007.*

Although no formal motion to continue was presented for a vote, the Commission expressed agreement with Staff's recommendation to continue the item to the March 1, 2007 Planning Commission Agenda.

4. PUBLIC HEARING ITEMS

- 4.1 Appeal of Wireless Telecommunications Facility Permit 06-04 (Clearwire, LLC) 685 Manzanita Court, APN 006-240-022** - An appeal of the Planning Director's approval of a request to add a roof-mounted antenna array, including two small microwave dishes and other auxiliary equipment, to an existing hotel (Holiday Inn), for the provision of wireless Internet service. *Staff recommends that the Planning Commission adopt Resolution No. 07-04, affirming the Planning Director's approval of Wireless Telecommunications Facility Permit 06-04 (Clearwire, LLC) and denying the appeal.*

Associate Planner Greg Redeker presented the staff report. Chair Luvaas opened the public hearing at 6:50 p.m. Addressing the Commission, in the following order, were:

- Dave Wiltsee, representing the Applicant, spoke in favor

There being no further speakers, the public hearing was closed at 7:00 p.m.

It was motioned (Brownell) and seconded (O'Bryan) that the Planning Commission adopt Resolution No. 07-04, affirming the Planning Director's approval of Wireless Telecommunications Facility Permit 06-04 (Clearwire, LLC) and denying the appeal.

Vote 5-2 (Merz and Minasian opposed)

- 4.2 General Plan Amendment/Rezone 06-03, Use Permit 06-27 and Architectural Review 06-31 (The Oakdales), 119 and 123 West 14th Street, APNs 005-176-001 and -002** - A request to (1) change the General Plan land use designation for two parcels located at the southeast corner of the intersection of Oakdale and West 14th Streets from Low Density Residential to Community Commercial/High Density Residential and the corresponding zoning classification from R1 (Low Density Residential) to CC-TC (Community Commercial with a Transit Corridor overlay district); (2) a use permit to allow a reduction in the number of off-street parking spaces from 21 spaces to 13 spaces; and (3) site design and architectural review of the proposed site layout, architectural design and landscaping for two mixed-use buildings, each three stories in height, and a 13-space off-street parking lot. A mitigated negative declaration is proposed for the project pursuant to the California Environmental Quality Act. *Staff recommends that the Planning Commission recommend that the*

City Council adopt the mitigated negative declaration pursuant to CEQA, approve General Plan Amendment/Rezone 06-03, and approve Use Permit 06-27 and Site Design and Architectural Review 06-31 subject to the conditions of approval.

Associate Planner Mike Sawley presented the staff report. Chair Luvaas opened the public hearing at 7:16 p.m. Addressing the Commission, in the following order, were:

- Jim Stevens, NorthStar Engineering, representing the applicant, spoke in favor
- Lenn Goldman, Architect, representing the applicant, spoke in favor

There being no further speakers, the public hearing was closed at 7:55 p.m.

It was motioned (Kelley) and seconded (Minasian) that the Planning Commission recommend that the City Council adopt the mitigated negative declaration pursuant to CEQA, approve General Plan Amendment/Rezone 06-03, and approve Use Permit 06-27 and Site Design and Architectural Review 06-31 subject to the conditions of approval.

The motion was amended to include additional conditions of approval, specifically:

- ***Use Permit conditions of approval shall include a provision that all thirteen (13) spaces of the off-street parking area shall be shared, with no spaces designated for exclusive use.***
- ***Site Design and Architectural Review conditions of approval shall state that the roof design of the flat-roofed building shall be modified to maintain the flat roof and increase the size of the cornice over the balconies nearest to the street intersection.***
- ***Language in the Mitigated Negative Declaration and Mitigation Monitoring Program, Item 3, Impact C.1 (Biological Resource) shall be modified to change references to “raptors” to “migratory birds.”***

Vote: 7-0

The Planning Commission recessed at 8:20 p.m. and reconvened at 8:30 p.m. Commissioners and staff were present as noted.

5. **BUSINESS FROM THE FLOOR** - Mike Jensen stated he was a member of the homeless task force and questioned whether or not emergency shelters were opened at the fairgrounds or other location. It was suggested that Mr. Jensen contact the City's Housing and Neighborhood Services Department for this type of information.

6. **PLANNING UPDATE** - Planning Staff distributed a schedule of upcoming meetings. The Commission acknowledged an email communication from Grace Marvin.

7. **ADJOURNMENT** - There being no further business to conduct, the meeting was adjourned at 9:30 p.m. to the Adjourned Regular Meeting of February 15, 2007.

November 1, 2007
Date Approved

/s/
Steve Peterson
Planning Services Director

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE ADJOURNED REGULAR MEETING OF
FEBRUARY 15, 2007**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Jon Luvaas, Chair
Mary Brownell
Dave Kelley, Vice Chair
John Merz
Susan Minasian
Kirk Monfort
Steve O'Bryan

Staff Members Present: Steve Peterson, Planning Services Director
Patrick Murphy, Senior Planner
Greg Redeker, Associate Planner
Jake Morley, Assistant Planner
Rob Peters, Assistant Planner
Lori Barker, Assistant City Attorney
Matt Johnson, Senior Development Engineer
Fritz McKinley, Building & Development Services Director
Tom Z. Varga, Capital Project Services Director
Karen Masterson, Administrative Assistant

1. CALL TO ORDER/ROLL CALL

The meeting was called to order at 6:30 p.m. Commissioners and staff were present as noted.

2. DISCUSSION OF EX PARTE COMMUNICATION

Vice Chair Kelley spoke with James Renfro, The Engineering Group, regarding parking at Floral Gardens. Commissioner Merz met with Jim Stevens, NorthStar Engineering, regarding Park Forest Subdivision. Chair Luvaas spoke with Jim Mann, Rural Consulting Associates, regarding the Tentative Map on tonight's agenda for All-Star Pac, Inc. Chair Luvaas also met with Jim Stevens, NorthStar Engineering, regarding Park Forest Subdivision.

3. PUBLIC HEARING ITEMS - OLD BUSINESS

3.1 Vesting Tentative Subdivision Map S 06-19, 3375 Esplanade, APN 006-690-010 (All-Star Pac, Inc.) *(Continued from January 18, 2007)* - A request to subdivide a 20-acre parcel to create five parcels for future single-family and multi-family residential uses, park, and neighborhood commercial uses. A remainder parcel will comprise

the future DeGarmo Drive. The property is centrally located within the Northwest Chico Specific Plan (NWCSP) area, along the west side of the Esplanade between Nord Highway and Eaton Road with existing zoning of R1 Low Density Residential, R3 Medium-High Density Residential, OS2 Secondary Open Space, and CN Neighborhood Commercial. Both a Program and Project-level Environmental Impact Report (EIR) was prepared for the NWCSP and was certified by the City Council on December 6, 2005. No new significant effects could occur and no new mitigation measures are warranted as a result of the project that were not previously identified in the Plan EIR. As a result, no further environmental review is required. ***Staff recommends approval of the Vesting Tentative Subdivision Map, as conditioned.***

Planning Services Director Peterson presented the staff report on behalf of Senior Planner Bob Summerville who was unable to attend. Chair Luvaas opened the public hearing at 7:02 p.m. Addressing the Commission in the following order were:

- Jim Mann**, Rural Consulting Associates, representing the Applicant (five builder/developers, all in attendance), spoke in favor

There being no further speakers, the public hearing was closed at 7:25 p.m.

It was motioned (Monfort) and seconded (Kelley) that the Planning Commission adopt Resolution No. 07-01, approving the NWCSP Developers Group Vesting Tentative Subdivision Map S 06-19, based on the findings, subject to the conditions of approval contained therein, and with amended or additional conditions of approval.

Existing Condition No. 7 was amended to read as follows:

7. ***Subsequent use permit approvals shall be required by the Planning Commission for all uses within the CN zoning district (Lot 5) in accordance with Title 19 since Lot 5 is also designed on the General Plan Diagram as Mixed-Use Neighborhood Core. Architectural review and approval shall be required by the Planning Commission for all subsequent commercial uses, although conceptual review may be conducted by the Architectural Review Board with a recommendation forwarded to the Planning Commission.***

Additional conditions of approval were added as follows:

13. ***Degarmo Drive shall be built within twelve (12) months after approval of the public improvement plans.***

14. *Following the construction of infrastructure on three sides of the neighborhood park (Lot 1), the neighborhood park shall be concurrently developed, subject to the approval of the General Services Director.*
15. *Planning Staff shall make the Bidwell Park and Playground Commission aware of added condition numbers 13 and 14 (above).*

Vote 7-0

- 3.2 **Use Permit 05-77, Planned Development Permit 06-03, and Architectural Review 06-14, (Super Shopper-Baker/Orr/Hanson)** *(Continued from January 18, 2007)* - A request to allow a mixed-use project including a day care center, a market and deli with residential units above including one ground level accessible unit, and offices. A Planned Development Permit is requested to reduce the amount of off-street parking, and to alter certain setback requirements. The property is designated Mixed-Use Neighborhood Core on the General Plan diagram and is located in a CN Neighborhood Commercial zoning district. The project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332 (Infill Development Projects). *Staff recommends approval of the use permit, planned development permit and architectural review, as conditioned.*

Chair Luvaas announced he would be abstaining due to the proximity of his residence to the proposed project location and left the Council Chambers at 7:48 p.m. Associate Planner Greg Redeker presented the staff report. Vice Chair Kelley opened the public hearing at 8:07 p.m. Addressing the Commission in the following order were:

- **John Anderson**, representing the applicant, spoke in favor
- **Will Baker**, one of the owners, spoke in favor
- **Karen Van Ness**, Bidwell Development Group, neighbor, spoke in favor
- **Mike Worley**, neighbor, expressed concern as to timing of fence construction

There being no further speakers, the public hearing was closed at 8:47 p.m.

It was motioned (Monfort) and seconded (O'Bryan) that the Planning Commission adopt Resolution No. 06-51, approving Use Permit 05-77, Planned Development Permit 06-03, and Architectural Review 06-14 (Baker/Orr/Hanson), based on the required findings, subject to the conditions contained therein and the following additional conditions of approval:

1. *The number of employees of the daycare center shall not be increased (from current staffing levels);*
2. *Reduce the proposed project by one ground floor unit and one residential unit (above). Build out of these units could occur, after a period of one year, provided parking is demonstrated to be adequate;*
3. *Some of the bike parking shall be relocated toward the rear of the proposed project (toward the daycare center);*
4. *Bus passes shall be offered to 50% of the employees for a minimum period of one year; and*
5. *Recommend that the City Council impose a 30-minute daytime parking restriction for the on-street parking spaces.*

Vote: 5-1-0-1 (Minasian opposed; Luvaas abstained)

The Planning Commission recessed at 9:06 p.m. and reconvened at 9:18 p.m. Commissioners and staff were present as noted. Chair Luvaas rejoined the group.

3.3 Tentative Condominium Subdivision Map (S 06-17), 2280 Ivy Street, APN 039-430-163 (Cummings) - *(Noticed 02-03-07)* - A request to subdivide a 1.08 acre parcel and an existing one-story manufacturing/warehousing office building to create eight condominium office/industrial suites plus a common area for purposes of sale or finance. No new development is proposed. The project is located on land designated Manufacturing and Warehousing on the General Plan diagram and is located in the ML Light Manufacturing/Industrial zoning district. The project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (k) Existing Facilities and Section 15332 (Infill Development Projects). ***Staff recommends approval of Tentative Condominium Subdivision Map, as conditioned.***

Assistant Planner Rob Peters presented the staff report. Chair Luvaas opened the public hearing at 9:26 p.m. Addressing the Commission in the following order were:

•**Wes Gilbert**, representing the applicants, spoke in favor

There being no further speakers, the public hearing was closed at 9:30 p.m.

It was motioned (O'Bryan) and seconded (Minasian) that the Planning Commission adopt Resolution No. 07-05, approving the Ivy Street Tentative Condominium Subdivision Map S 06-17 (Cummings) based

on the findings contained therein and subject to the attached conditions of approval.

Vote: 7-0

- 3.4 General Plan Amendment GPA 06-06, Rezone RZ 06-02, Use Permit UP 06-01, APNs 016-040-070, -072 and -073 (Hays) - (Noticed 01-25-07)** - This application involves (1) a request to change the General Plan land use designation for two properties at the northeast corner of East and Floral Avenues from Low Density Residential to Offices; (2) a request to rezone one of the properties from R1 Low Density Residential to OR Office Residential; and (3) a request for a use permit on two parcels to allow a 12-unit apartment complex within the OR zoning district on the ground level.

A mitigated negative declaration is proposed for the Project pursuant to the California Environmental Quality Act (CEQA). *Staff recommends that the Planning Commission recommend the Council adopt the mitigated negative declaration and approve the proposed General Plan Amendment, Rezone, and issuance of the Use Permit, as conditioned.*

Assistant Planner Jake Morley presented the staff report, noting the Applicant had withdrawn his request for a Use Permit. The mitigated negative declaration is no longer an issue; there would be a categorical exemption. This hearing will address the application for General Plan Amendment and Rezone only. Chair Luvaas opened the public hearing at 9:37 p.m. Addressing the Commission in the following order was:

- Gene Ingall**, a neighbor to the east, mentioned drainage problems on his property

There being no further speakers to come before the Commission, the public hearing was closed at 9:49 p.m.

It was motioned (Monfort) and seconded (O'Bryan) that the Planning Commission approve General Plan Amendment and Rezone GPA/RZ 06-01 and ask staff, together with Assistant City Attorney, Lori Barker, to make the necessary revisions to the Resolutions to reflect withdraw of the Use Permit application and the fact that the mitigated negative declaration no longer applies.

Vote: 4-3 (Brownell, Merz and Minasian opposed)

- 3.5 General Plan Amendment/Rezone 06-02 Involving Five Properties Located at 653/655, 663/665, 675/677, 683/685, and 695/697 Eastwood Avenue, APNs 004-448-001 through -005 (City of Chico) - (Noticed 02-03-07)** - This project consists of (1) a General Plan Amendment to change the land use designation for five residential lots

located on the south side of Eastwood Avenue, between Pine and Cypress Streets, from Low Density Residential (2.01-6.0 units per acre) to Medium Density Residential (5.5 - 14.0 units per acre); and (2) a rezone of the five lots from R1 Low Density Residential to R2 Medium Density Residential to reflect the existing uses and densities (duplexes) that have existed on the block since the 1930's. No new construction is proposed. The project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) that provides exemption for projects which do not have any potential for significant environmental impact. ***Planning Staff recommends that the Planning Commission recommend the Council approve the General Plan Amendment and Rezone.***

Senior Planner Patrick Murphy presented the staff report. Chair Luvaas opened the public hearing at 10:05 p.m. Addressing the Commission in the following order were:

- **Evelyn Smith**, citizen, expressed opposition to the rezone
- **Jeff Glaf**, citizen, expressed concern

There being no further speakers to come before the Commission, the public hearing was closed at 10:13 p.m.

It was motioned (Merz) and seconded (Minasian) that the Planning Commission adopt Resolution No. 07-07 recommending that the City Council (1) find that the project is exempt from environmental review and (2) approve GPA/Rezone 06-02 amending the land use designation for the subject properties to Medium Density Residential and rezoning the subject properties to R2 Medium Density Residential.

Vote: 7-0

3.6 Park Forest Vesting Tentative Subdivision Map and Planned Development Permit S/PDP 05-18, E. 8th Street, APNs 002-050-043 and 002-050-216 - (Noticed 01-25-07)

A proposed 35-lot residential subdivision and planned development permit (PDP) on a 7.0 acre site located on the south side of E. 8th Street, between Forest Avenue and Kern Street. Proposed lot sizes range in size from 1,983 square feet (s.f.) to 7,579 s.f. A public street would provide access through the site and a connection between Forest Avenue and E. 8th Street. Through the accompanying PDP application, the applicant is requesting various modifications to City subdivision and design standards, including a request to allow reduced lot sizes and building setbacks and allow modified street standards. The subject property is designated Low Density Residential on the General plan diagram, with a zoning classification of R1 Low Density Residential.

A mitigated negative declaration is proposed for the project pursuant to the California Environmental Quality Act (CEQA). ***Staff recommends adoption of a mitigated***

negative declaration and mitigation monitoring program and approval of the subdivision and planned development permit.

Chair Luvaas announced he would be abstaining due to the proximity of his residence to the proposed project location and left the Council Chambers at 10:17 p.m.

The Planning Commission recessed at 10:17 p.m. and reconvened at 10:26 p.m. Commission and staff were presented as noted. As a result of Chair Luvaas abstention from participation proceedings on Agenda Item 3.6, Vice Chair Kelley will assume the duties of Chair for this item.

Senior Planner Patrick Murphy presented the staff report. Senior Development Engineer Matt Johnson added that the Fire Marshal indicated street widths can go from 28' to 26' if the applicant desires to do so. Acting Chair Kelley opened the public hearing at 10:35 p.m. Addressing the Commission in the following order were:

- Jim Stevens**, NorthStar Engineering, representing the Applicant
- Tom Haithcock**, Chico Creek Nature Center, spoke in favor
- Karen Van Ness**, spoke in favor

There being no further speakers to come before the Commission, the public hearing was closed at 11:00 p.m. The public hearing was subsequently re-opened at 11:05 p.m. in order to ask a question of the builder. Addressing the Commission was:

- Bruce McCrae**, Applicant and builder, indicated they are working with arborist Tom Bettencourt and the City's Urban Forester in order to save as many trees as possible.

The public hearing was re-closed at 11:17 p.m.

It was motioned (Monfort) and seconded (O'Bryan) that the Planning Commission adopt Resolution No. 07-08 adopting a mitigated negative declaration and mitigation monitoring program and approving Park Forest Subdivision and Planned Development Permit S/PDP 05-18 as conditioned and including the following additional conditions of approval:

1. ***The street section for Streets "A" and "B" shall be reduced from 28 feet to 26 feet based upon the City's newly adopted standard;***
2. ***Condition of Approval No. 5, as well as Condition No. H.2. of the Engineering Division's Subdivision Report, is modified to clarify that any future release of the covenant affecting the on-site trees by the City shall only occur within***

that portion of the recorded covenant along the E. 8th Street frontage and that the covenant shall not be released for the trees within the remaining open space areas; and,

3. *Special consideration shall be given to tree retention on Lots 3, 4, 15 and 16 during the preparation of the final design plans to try to retain as many trees as possible.*

Vote 6-0-0-1 (Luvaas abstained)

Chair Luvaas rejoined the group at 11:35 p.m. and served as Chair for the balance of the meeting.

4. **BUSINESS FROM THE FLOOR** - There was no business from the floor.

5. **GENERAL DISCUSSION**

- 5.1 **Means of Funding the Mitigation of Offsite Impacts of Development Prior to or Immediately Upon Their Occurrence** (Requested by Commissioner Minasian) - Discussion of this item is continued to the March 1, 2007 Regular Meeting of the Planning Commission.

- 5.2 **Commissioner Requests for Work Plan Topics** (Requested by Chair Luvaas) - Discussion of this item is continued to the February 23, 2007 Special Joint Meeting of the City Council and Planning Commission.

6. **PLANNING UPDATE** - An updated future meeting schedule was distributed.

7. **ADJOURNMENT** - There being no further business to come before the Commission, the meeting was adjourned at 11:50 p.m. to the Special Joint Meeting of the City Council and Planning Commission on February 23, 2007.

April 17, 2008
Date Approved

/s/
Steve Peterson
Planning Services Director

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE ADJOURNED REGULAR MEETING OF
FEBRUARY 23, 2007**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Jon Luvaas, Chair
 Mary Brownell
 Dave Kelley
 John Merz
 Susan Minasian
 Kirk Monfort
 Steve O'Bryan

Staff Members Present: Deborah Presson, City Clerk
 Steve Peterson, Planning Director
 Patrick Murphy, Senior Planner
 Karen Masterson, Administrative Assistant

1. ROLL CALL

Chair Luvaas called the meeting to order at 3:20 p.m. Commission members and staff were present as noted.

2. REGULAR AGENDA

2.1 Discussion Regarding and Identification of Items to be Included in Planning Commission Action Plan - City Clerk Debbie Presson provided an overview of the Work Plan for 2007/2008. This is a new requirement approved by the City Council a few months ago and was based on a recommendation by the Internal Affairs Committee. Steps given for the Work Plan:

1. Review purpose
2. Develop mission statement
3. Review City Council priorities
4. Brainstorm
5. List and prioritize

The Commission reviewed and briefly discussed the list of existing priorities of the Planning Services Department, as approved by City Council. One by one each Commissioner then shared his/her list of possible work plan priorities.

Commissioner Kelley

- Passive Solar/Energy Conservation/Rating
- Sustainability
- Infill/Design Guidelines
- Downtown/Economic Development

Commissioner Monfort

- TND Code
- Neighborhood Plans
- Energy Rating System (Information or Policy)
- Open space in compact urban design
(to make density more palatable)

Commissioner Minasian

- City Council examine the expenditure of RDA funds
(outside of the traditional blighted areas)
- The Gold Line (foothills, viewshed and more)
- Infrastructure financing mechanisms

Commissioner Merz

- Interaction with other Boards and Commissions
(clarify staffing needs, etc.)
- Neighborhood Plans
- Address projects on basis of the “neighborhood” they’re in
- Mitigation Monitoring
- City-sponsored Annual Planning Conference (include BCAG, Butte County, CARD, etc.)

Commissioner O’Bryan

- TND Code
- Neighborhood Plans
- Infill

Commissioner Brownell

- TND Code
- Use of RDA funds (same as Commissioner Minasian)
- Growth Areas/Bell-Muir (looking at larger picture)
- CEQA (part of General Plan Update process?)
- Complete Streets (Infrastructure timing)
- Second Dwelling Units
- Transit Issue
- Alleys/Financing

Chair Luvaas

- TND Code
- General Plan Annual Report into General Plan Update
- Park Element (as part of General Plan Update)
- Joint City/County Planning (Item #12) (as part of General Plan Update)
- Belle Muir/Mud Creek (as part of General Plan Update)
- Move Avenues Neighborhood Plan ahead of Southwest Chico
- Downtown Plan/Downtown South Rezoning/Combine with Neighborhood Plans
- Streamlining Process
- Move Title 19 Amendments (priority #17) up to #9 (with Title 19R)
- Infill, Second Dwelling Units, Alleys, Parking (all in one process)
- Procedural/Efficiency Issues (where on the list to tie-in with internal streamlining)
- Review building fees for possibility of lowering the cost of infill projects vs. sprawl projects
- Revisit density standards (part of General Plan Update process)
- Parking standard review
- Review street standards
- Review stormwater management standards
- BIA Roundtable

Staff will fill in the blanks in the Grid provided for Step 4 and advise where/how integration will work. Planning Director Steve Peterson will provide this at the next meeting of the Planning Commission

3. BUSINESS FROM THE FLOOR

None

4. ADJOURNMENT

There being no further business from the Commission, the meeting was adjourned at 5:10 p.m. to the Regular Meeting of March 1, 2007.

March 15, 2007
Date Approved

/s/
Mark Wolfe, Principal Planner

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING OF
MARCH 1, 2007**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Jon Luvaas, Chair
Mary Brownell
Dave Kelley, Vice Chair
John Merz
Susan Minasian
Kirk Monfort
Steve O'Bryan

Staff Members Present: Steve Peterson, Planning Services Director
Patrick Murphy, Senior Planner
Bob Summerville, Senior Planner
Mike Sawley, Associate Planner
Lori Barker, Assistant City Attorney
Matt Johnson, Senior Development Engineer
Karen Masterson, Administrative Assistant

1. CALL TO ORDER/ROLL CALL

The meeting was called to order at 6:30 p.m. Commissioners and staff were present as noted.

2. DISCUSSION OF EX PARTE COMMUNICATION

There was no ex parte communication to report.

3. REGULAR AGENDA

3.1 Means of Funding the Mitigation of Offsite Impacts of Development Prior to or Immediately Upon Their Occurrence - Commissioner Minasian stated the reason for requesting this item be placed on the Agenda; it appears that the current City financing structure does not allow for the mitigation of offsite impacts (infrastructure) prior to or upon their occurrence.

It was motioned (Minasian) and seconded (Luvaas) that the Planning Commission recommend that City Council review all of the financing alternatives available to the City and solve the problems of infrastructure lagging far behind development. These alternatives can include the Mello Roos Act, other types of financing, fees and bonds.

Vote: 7-0

For the record, Chair Luvaas stated that the Mayor has requested the Planning Commission diligently work on its Work Plan and that, in the meantime, it not agendaize further items on policy-related issues that should be addressed as part of the work plan process.

4. PUBLIC HEARING ITEMS

- 4.1 Ellenwood Vesting Tentative Small-Lot Subdivision S 06-10 (Ritchie Construction, Inc.), APN 006-690-010 (Noticed 01-19-07)** - A request to subdivide an approximate 4.9-acre portion of a 20-acre parcel to create 32 lots for single-family residential uses. The site is centrally located within the Northwest Chico Specific Plan and along the west side of the Esplanade between Nord Highway and Eaton Road on land designated Low Density Residential on the General Plan diagram. An environmental impact report (EIR) was certified by the City Council on December 16, 2005 for the Northwest Chico Specific Plan (Plan). Pursuant to Section 15162 of the California Environmental Quality Act (CEQA) Guidelines, no further environmental review is needed because this project is consistent with the EIR certified for the Plan. A copy of the Plan and its associated EIR are available for public review in the Planning Services Department office. *Staff recommends approval of the Vesting Small-Lot Subdivision Map, as conditioned.*

Bob Summerville presented the staff report. Chair Luvaas opened the public hearing at 7:00 p.m. Addressing the Commission was:

- Jim Mann**, Rural Consulting Associates, representing the Applicant, spoke in favor

There being no further speakers, the public hearing was closed at 7:11 p.m.

It was motioned (Kelley) and seconded (Monfort) that the Planning Commission adopt Resolution No. 07-10, approving the Ellenwood Vesting Tentative Small-Lot Subdivision Map S 06-10 (Ritchie Construction, Inc.) Based on the findings contained therein, subject to the attached conditions of approval and including the following modifications:

- Front porch dimensions shall be a minimum of 4 feet by 8 feet; and,*
- In Condition No. 11, change the word “should” to read “shall”*

Vote: 7-0

- 4.2 Martha's Vineyard Vesting Tentative Subdivision Map S 06-09 (Mariposa Vista II, Inc.) 2615 and 2631 Ceanothus Avenue, APNs 016-060-058 and -065** (*Noticed 02-17-07*) - A request to subdivide a 1.11-acre site comprised of two existing parcels to create 9 single-family residential lots with an average net lot size of 4,353 square feet. The project would utilize the small-lot subdivision standards, resulting in a gross density of 6.43 units per acre. The site is designated Low Density Residential on the General Plan diagram and located in the R1 Low Density Residential zoning district. The Planning Services Director has determined that the project is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) Guidelines, Section 15332 (In-Fill Development Projects). *Staff recommends that the Planning Commission adopt Resolution No. 07-06, approving the Martha's Vineyard Vesting Tentative Subdivision Map (S 06-09), based on the findings contained therein and subject to the attached conditions of approval.*

Associate Planner Mike Sawley presented the staff report. Chair Luvaas opened the public hearing at 7:40 p.m. Addressing the Commission in the following order were:

- Tony Symmes**, Applicant, spoke in favor
- Dave Meichtry**, citizen, asked why Street A wasn't extended to Skywalker Ct.

There being no further speakers, the public hearing was closed at 8:06 p.m.

It was motioned (Kelley) and seconded (Monfort) that the Planning Commission adopt Resolution No. 07-06, approving the Martha's Vineyard Vesting Tentative Subdivision Map (S 06-09), based on the findings contained therein, subject to the attached conditions of approval and with the following modifications:

- *Applicant to offer dedication of Street A as a public street;*
- *All lots, with the exception of 1 and 7, shall be rear-loaded;*
- *Front porch dimensions shall be a minimum of 4 feet by 8 feet; and,*
- *The home constructed on lot 7 shall front Ceanothus, alleviating the need for fencing.*

Vote: 6-1 (Minasian opposed)

- 5. BUSINESS FROM THE FLOOR** - There were no members of the public wishing to speak under this agenda item; however, members of the Commission stated the following:

Merz: Would like to see a mitigation monitoring compliance report on a periodic basis

Luvaas: With respect to the Work Plan, would like to add the following: Tree Ordinance, Mitigation Monitoring Compliance Reporting and Parking Lot Standards including Shade

Luvaas: Agendize for the March 15, 2007 meeting: Formation of Ad-Hoc Committee for Planning Commission Work Plan

Kelley: Requested Assistant City Attorney Barker provide clarification regarding “legislative vs. quasi-judicial” action

6. **PLANNING UPDATE** - Planning Services Director Peterson announced the hiring of two Principal Planners, Mark Wolfe (current planning) and Holly Keeler (long-range planning) and reviewed the schedule of upcoming meetings.

7. **ADJOURNMENT** - There being no further business to come before the Commission, the meeting was adjourned at 8:42 p.m. to the Adjourned Regular Meeting of March 15, 2007.

April 17, 2008
Date Approved

/s/
Steve Peterson
Planning Services Director

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE ADJOURNED REGULAR MEETING OF
MARCH 15, 2007**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Jon Luvaas, Chair
Mary Brownell
Dave Kelley, Vice Chair
John Merz
Susan Minasian
Kirk Monfort
Steve O'Bryan

Staff Members Present: Mark Wolfe, Principal Planner
Holly Keeler, Principal Planner
Patrick Murphy, Senior Planner
Greg Redeker, Associate Planner
Lori Barker, Assistant City Attorney
Amie Steel, Development Engineer
Karen Masterson, Administrative Assistant

1. CALL TO ORDER/ROLL CALL

The meeting was called to order at 6:30 p.m. Commissioners and staff were present as noted.

2. DISCUSSION OF EX PARTE COMMUNICATION

Chair Luvaas spoke with a citizen, Alan Gair, regarding Agenda Item 4.2 (Nextel).

3. CONSENT AGENDA

3.1 Formation of 2007/2008 Work Plan Ad-Hoc Committee - The proposed Ad-Hoc Committee members are: Chair Luvaas and Commissioners Brownell and Minasian.

3.2 Minutes - Adjourned Regular Meeting of February 23, 2007
Requested Action: Approve the minutes, with corrections, if any

It was motioned (Monfort) and seconded (O'Bryan) that the Planning Commission approve the Items 3.1 and 3.2 of the Consent Agenda as presented.

Vote: 7-0

4. PUBLIC HEARING ITEMS

- 4.1 **Las Palomas Tentative Subdivision Map S 06-12 (Air-Vol Block Profit Sharing Trust) 750 and 754 East Lassen Avenue; APNs 007-200-011 and -012** (*Noticed 03-03-07*) - A request to subdivide two existing parcels to create 14 lots for single-family residential development, accessed by a new public street. The site is designated Medium Density Residential on the General Plan diagram. The site is also located in Compatibility Zone C2 for the Chico Municipal Airport and is currently being annexed into the City. The project is categorically exempt from environmental review pursuant to Section 14332 of the California Environmental Quality Act (CEQA) Guidelines (In-Fill Development Projects). *Staff recommend approval of the Tentative Subdivision Map, as conditioned.*

Associate Planner Greg Redeker presented the staff report. Chair Luvaas opened the public hearing at 6:40 p.m. Addressing the Commission in the following order were:

- James Renfro**, representing the Applicant, spoke in favor
- Alan Gair**, citizen, hopes this falls within the scope of the tree ordinance

There being no further speakers, the public hearing was closed at 6:45 p.m.

It was motioned (Minasian) and seconded (Kelley) to request the Applicant have a new and more accurate map prepared for their review. In addition, amend to delete the reference to any and all trees being cut without a permit process and request to be advised if a tree is removed, and if so, the reason for its removal. The Las Palomas Tentative Subdivision Map S 06-12 (Air-Vol Block Profit Sharing Trust) would be continued to a future agenda, date uncertain.

The public hearing was re-opened at 7:25 p.m. to allow the Applicant's representative to speak. James Renfro, The Engineering Group, expressed his displeasure and reluctantly agreed to a continuance. The public hearing was re-closed at 7:28 p.m. and a vote on the motion on the floor was taken.

Vote: 4-3 (Brownell, Monfort and O'Bryan opposed)

- 4.2 **Reconsideration of Use Permit 05-76 (Nextel) 1705 Manzanita Avenue, APNs 015-520-051 and -062** (*Noticed 12-12-06*) (*Noticed 01-04-07*) (*Noticed 03-03-07*) - A request to construct a stealth monopine telecommunications tower (a tower which has been modified to look like a pine tree), including installation of associated ground-mounted equipment, adjacent to an existing softball field at the rear of the Elks Lodge property. The site is designated Public Facilities and Services on the General Plan

diagram and is located in a PQ Public/Quasi-Public zoning district. A mitigated negative declaration was adopted for this project. At its November 2, 2006 meeting, the Planning Commission approved the project, subject to an additional condition reducing the height of the tower by 32 feet (from its original height of 125 feet to a modified height of 93 feet). The decision was appealed to the City Council and a public hearing on the appeal was heard on January 16, 2007. City Council voted to refer the item back to the Planning Commission for reconsideration. ***Staff recommends that the Planning Commission adopt Resolution No. 07-12, re-affirming its previous adoption of a mitigated negative declaration and approval of Use Permit 05-76 (Nextel), based on the findings and subject to the recommended conditions of approval.***

Associate Planner Greg Redeker presented the staff report. Chair Luvaas opened the public hearing at 7:40 p.m. Addressing the Commission in the following order were:

- Frank Schabarum**, representing Nextel of California, the Applicant, spoke in favor
- Wade Thorpe**, electrical contractor, in favor
- Harold Carnahan**, retired citizen, in favor
- Gary Lutt**, citizen, opposed
- Bill Bateman**, Chico Economy Towing, in favor
- Erin Merrill**, consultant for Verizon Wireless, in favor
- Stanley Fortier**, citizen, in favor
- Emily Fortier**, citizen, in favor
- Kevin Brennan**, Complete Wireless Consulting, in favor
- Geri Lee**, Geri Lee Realty, in favor
- Leanne Lutt**, citizen, opposed
- Alan Gair**, citizen, opposed
- Terry Horne**, citizen, in favor
- Harold Carlson**, citizen, opposed
- Roman Sanka**, citizen, in favor

There being no further speakers, the public hearing was closed at 8:30 p.m.

The Planning Commission recessed at 8:31 p.m. and reconvened at 8:42 p.m. Commissioners and staff were present as noted.

It was motioned (Kelley) and seconded (Monfort) that the Planning Commission adopt Resolution No. 07-12, readopting a mitigated negative declaration and reapproving Use Permit 05-76 (Nextel), based on the required findings and subject to the recommended conditions of approval and the additional condition that the applicant install a variety of trees, between 15 and 25 feet in height and at a cost of \$10,500, the survival of which shall be guaranteed for a period of ten years.

Vote: 3-4 (Failed; Brownell, Luvaas, Merz and Minasian opposed)

It was motioned (Brownell) and seconded (Minasian) to adopt a motion of intent to deny the project.

Vote: 4-3 (Kelley, Monfort and O'Bryan opposed)

5. **REGULAR AGENDA** - There were no items for this portion of the agenda.
6. **BUSINESS FROM THE FLOOR** - None
7. **PLANNING UPDATE** - A schedule of upcoming meetings was distributed.
8. **ADJOURNMENT** - There being no further business to come before the Commission, the meeting was adjourned at 9:50 p.m. to the March 27, 2007 Joint Workshop of City Council and the Planning Commission.

April 17, 2008
Date Approved

/s/
Steve Peterson
Planning Services Director

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING OF
APRIL 5, 2007**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Jon Luvaas, Chair
Mary Brownell
Dave Kelley, Vice Chair
John Merz
Kirk Monfort
Steve O'Bryan

Commissioner(s) Absent: Susan Minasian

Staff Members Present: Steve Peterson, Planning Services Director
Patrick Murphy, Senior Planner
Bob Summerville, Senior Planner
Mike Sawley, Associate Planner
Jake Morley, Assistant Planner
Rob Peters, Assistant Planner
Dave Frank, City Attorney
Matt Johnson, Senior Development Engineer
Scott Armstrong, Code Enforcement
Karen Masterson, Administrative Assistant

1. CALL TO ORDER/ROLL CALL

The meeting was called to order at 6:38 p.m. Commissioners and staff were present as noted.

2. DISCUSSION OF EX PARTE COMMUNICATION - None

3. CONSENT AGENDA - There were no items for this portion of the agenda.

4. PUBLIC HEARING ITEMS

4.1 Tentative Condominium Subdivision Map S 06-11 (Lee) 1140 North Cedar Street, APN 043-162-015 (Noticed 03-24-07) - A request to convert an existing 6-unit apartment complex into 6 privately-owned condominium units. The site is designated Medium-High Density Residential on the General Plan diagram and is located in the R3 Medium-High Density Residential zoning district. The project is exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15301(k), (Existing Facilities). *Staff recommends approval of the Tentative Condominium Subdivision Map, as conditioned.*

Assistant Planner Jake Morley presented the staff report. Chair Luvaas opened the public hearing at 6:48 p.m. Addressing the Commission in the following order were:

- Herb Votaw**, Rolls Anderson & Rolls, representing the Applicant, spoke in favor
- Ken Lee**, Applicant, spoke in favor

There being no further speakers, the public hearing was closed at 6:53 p.m.

It was motioned (O'Bryan) and seconded (Monfort) that the Planning Commission adopt Resolution No. 07-11, approving Lee Condominiums Tentative Condominium Subdivision Map (S 06-11), based on the required findings and subject to the conditions contained therein.

Vote: 6-0-1 (Minasian absent)

- 4.2 Tentative Parcel Map PM 06-08 (Hunzeker) 2863 Godman Avenue, APN 007-220-005 (Noticed 03-24-07)** - An application to subdivide a 0.30-acre parcel to create two parcels. An existing home would remain on Parcel 1, and Parcel 2 could be developed with two residential units. The site is designated Medium Density Residential on the General Plan diagram and located in the R2 Medium Density Residential zoning district. The project is exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines, Section 15332 (In-Fill Development). *Staff recommends approval of the Tentative Parcel Map, as conditioned.*

Associate Planner Mike Sawley presented the staff report. Chair Luvaas opened the public hearing at 7:00 p.m. Addressing the Commission in the following order was:

- Mike Byrd**, Rolls Anderson & Rolls, representing the Applicant, spoke in favor

There being no further speakers, the public hearing was closed at 7:01 p.m.

It was motioned (Brownell) and seconded (Kelley) that the Planning Commission adopt Resolution No. 07-17, approving Tentative Parcel Map 06-08 (Hunzeker), based on the required findings, subject to the conditions of approval contained therein and including amended language for Condition of Approval No. 7 as follows:

- “7. Until such time that Parcel 2 is developed, the existing vehicle parking for Parcel 1 may continue to be provided on Parcel 2, subject to the following stipulations:*

- A. *A temporary parking easement on Parcel 2, over the existing concrete driveway, for the benefit of Parcel 1 will be recorded concurrently with the Final Map by separate document. The easement will terminate upon completion and City approval of the construction of the access way and parking spaces.*
- B. *A temporary construction easement for the benefit of Parcel 2 on Parcel 1, allowing the future construction of the two required parking spaces, by the Developer of Parcel 2, will be recorded concurrently with the Final Map by separate document. This easement will terminate upon completion and City approval of the construction of the access way and parking spaces.*
- C. *Place a note on the Final Parcel Map that states: The Owner/Developer of Parcel 2, in conjunction with issuance of a Building Permit or other City-approved Development Plan, shall construct the access way on Parcel 2 and the two parking spaces on Parcel 1 in accordance with City-approved plans.”*

Vote: 6-0-1 (Minasian absent)

- 4.3 Vesting Tentative Subdivision Map S 06-16 (Orchard), APN 006-690-007** (*Noticed 03-24-07*) - An application to subdivide a vacant 21.43-acre parcel to create 55 single-family residential lots. Located within the Northwest Chico Specific Plan (NWCSP) area, the site is designated Low Density Residential on the General Plan diagram and located in the R1 Low Density Residential zoning district. The project is exempt from environmental review (prior NWCSP Environmental Impact Report). *Staff recommends approval of the Vesting Tentative Subdivision Map, as conditioned.*

Associate Planner Mike Sawley presented the staff report. Chair Luvaas opened the public hearing at 7:15 p.m. Addressing the Commission in the following order were:

- Bill Dinsmore**, Rolls Anderson & Rolls, representing the Applicant, spoke in favor
- Pete Giampaoli**, Epick Homes, Applicant, spoke in favor

There being no further speakers, the public hearing was closed at 7:40 p.m.

It was motioned (Monfort) and seconded (Brownell) that the Planning Commission adopt Resolution No. 07-16, approving “The Orchard” Vesting Tentative Subdivision Map (S 06-16), based on the required findings, subject to the conditions of approval contained therein and including an additional condition of approval as follows:

“A contiguous sidewalk shall be installed along the south side of Street F. Street F may be narrowed and the size of nearby lots reduced to accommodate the sidewalk, but a minimum of 11 feet shall remain unpaved along the south side of Street F for the purpose of planting a double-row of evergreen trees.”

Vote: 6-0-1 (Minasian absent)

The Planning Commission recessed at 8:02 p.m. and reconvened at 8:14 p.m. Commissioners and staff were present as noted.

- 4.4 Modification of Use Permit UP 00-05 (Johnson) 397 and 381 East Park Avenue, APNs 005-500-011, -014, -020, -022 and -026 (Noticed 03-24-07)** - A request to modify an existing conditional Use Permit to allow non-emergency access through the existing gate located on Fair Street. The site is designated Manufacturing and Warehousing on the General Plan diagram and is located in the ML Light Manufacturing/Industrial zoning district. The project is exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines, Section 15301 (Existing Facilities). *Staff recommends approval of the Use Permit modification, as conditioned.*

Assistant Planner Robert Peters presented the staff report. Chair Luvaas opened the public hearing at 8:22 p.m. Addressing the Commission in the following order were:

- Jerome Johnson**, Chico Auto Dismantling, Applicant, spoke in favor
- Marvin Root**, neighbor, opposed
- Mike Wacker**, neighbor, opposed
- Mark Johnson**, neighbor, opposed
- Mark Carlson**, neighbor, opposed
- Jane Jeffers**, neighbor, opposed
- Dianne Gaumer**, neighbor, opposed
- Sherrie Root**, neighbor, opposed
- Jerome Johnson**, Applicant, spoke in rebuttal to public comments
- Marvin Root**, neighbor, spoke in rebuttal to Mr. Johnson’s comments

There being no further speakers, the public hearing was closed at 8:55 p.m.

It was motioned (Merz) and seconded (Monfort) that the Commission deny modification of Use Permit 00-05. Assistant City Attorney Barker advised the motion before the Commission would be an “Intent to Deny.” A new Resolution would need to be prepared for the Intent to Deny and would cite the specific reasons for the recommended denial.

Vote: 6-0-1 (Minasian absent)

The Resolution for Intent to Deny will be placed on a future Planning Commission Consent Agenda as soon as possible.

5. **REGULAR AGENDA** - There were no items for this portion of the agenda.
6. **BUSINESS FROM THE FLOOR** - None
7. **PLANNING UPDATE**
 - 7.1 **2007-2008 Work Plan Update** - Chair Luvaas provided a summary of the first meeting of the Work Plan Ad-Hoc Committee and a Draft Work Plan was distributed to the Commission.
8. **ADJOURNMENT** - There being no further business to come before the Commission, the meeting was adjourned at 9:20 p.m. to the Adjourned Regular Meeting of April 19, 2007.

May 1, 2008 _____
Date Approved

_____/s/_____
Steve Peterson
Planning Services Director

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE ADJOURNED REGULAR MEETING OF
APRIL 19, 2007**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Jon Luvaas, Chair
Mary Brownell
Dave Kelley, Vice Chair
John Merz
Susan Minasian
Kirk Monfort
Steve O'Bryan

Staff Members Present: Steve Peterson, Planning Services Director
Mark Wolfe, Principal Planner
Greg Redeker, Associate Planner
Lori Barker, Assistant City Attorney
Matt Johnson, Senior Development Engineer
Karen Masterson, Administrative Assistant

1. CALL TO ORDER/ROLL CALL

The meeting was called to order at 6:30 p.m. Commissioners and staff were present as noted.

2. DISCUSSION OF EX PARTE COMMUNICATION - None

3. CONSENT AGENDA - Chair Luvaas removed Item 3.2 from the Consent Agenda in order that separate motions and votes could be enacted.

3.1 Approval of Minutes of November 16, 2006

Commissioners Merz, Minasian and O'Bryan did not attend the November 16, 2006 meeting and will abstain from voting.

It was motioned (Monfort) and seconded (Brownell) to approve the minutes of the Adjourned Regular Meeting of November 16, 2006 as presented.

Vote: 4-0-0-3 (Merz, Minasian and O'Bryan abstained)

3.2 Use Permit 05-76 (Nextel) 1705 Manzanita Avenue - Final resolution denying a request to construct a stealth monopine telecommunications tower, including installation of associated ground-mounted equipment, adjacent to an existing softball field at the rear of the Elks Lodge property located at 1705 Manzanita Avenue. *Staff recommends the Planning Commission adopt Resolution No. 07-20, denying Use Permit 05-76 (Nextel) based on the findings contained therein.*

Commissioner Kelley requested to read a statement to be placed in the record, as follows:

“Regarding the placement of new cell towers, an earlier City Council adopted a 500 foot setback from residential zones. That Council reviewed maps with 100 foot, 300 foot, 500 foot and 1000 foot setbacks. The 500 foot decision was arbitrary, and it could never work within northeast Chico’s designated zoning map.

On January 16, 2007, the current City Council referred the Manzanita Avenue Use Permit back to the Planning Commission, based on new information; specifically, that the Council had approved the Hooker Oak site. At that Council meeting, one speaker brought up the fact that a lawsuit had been filed, as evidenced the day before in the *Enterprise-Record*. Although the Mayor spoke about the new lawsuit information, it was not included as a part of the Council’s reconsideration direction to the Planning Commission. To me this omission played a significant role in the Planning Commission’s last public hearing.

Recently the Council unanimously voted to test a cell phone activated parking meter payment system in downtown. Free WIFI is planned for downtown. What “information age” message does this send to the residents of northeast Chico? They deserve expeditious, equal access to modern communications.

Planning Commissioner Kelley is firmly opposed to the Final Resolution of Denial.”

It was motioned (Minasian) and seconded (Merz) that the Planning Commission adopt Resolution No. 07-20, denying Use Permit 05-76 (Nextel), based on the findings contained therein.

Vote: 4-3 (Kelley, Monfort and O’Bryan opposed)

4. **PUBLIC HEARING ITEMS** - There were no items for this portion of the Agenda.

5. **REGULAR AGENDA**

5.1 **Planning Commission Two-Year Work Plan** - The Ad-Hoc Work Plan Committee has met several times and presented a Draft 2007-2008 Work Plan to the entire Commission for review and comment.

The Planning Commission recessed at 7:25 p.m. and reconvened at 7:35 p.m. Commissioners and staff were present as noted.

Chair Luvaas asked if any members of the public wished to comment on this item. Addressing the Commission in the following order were:

- Ken Fleming**, citizen, provided general feedback
- Jason Bougie**, Building Industry Association, provided general feedback

Discussion continued and the Commission formulated a number of edits to the Draft Work Plan. The edits will be incorporated and a revised Draft will be distributed. It was requested that this item be added to the agenda for the May 3, 2007 Regular Meeting of the Planning Commission.

6. **BUSINESS FROM THE FLOOR** - None
7. **PLANNING UPDATE** - Planning Services Director Steve Peterson gave a brief report on a conference recently attended in Philadelphia. A schedule of upcoming meetings was distributed.
8. **ADJOURNMENT** - There being no further business to come before the Commission, Chair Luvaas adjourned the meeting at 9:18 p.m. to the Regular Meeting of May 3, 2007.

May 1, 2008
Date Approved

/s/
Steve Peterson
Planning Services Director

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING OF
MAY 3, 2007**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Jon Luvaas, Chair
Mary Brownell
Dave Kelley
John Merz
Susan Minasian
Steve O'Bryan

Commissioners Absent: Kirk Monfort

Staff Members Present: Steve Peterson, Director, Planning Services
Mark Wolfe, Principal Planner
Greg Redeker, Associate Planner
Jake Morley, Assistant Planner
Amie Steel, Development Engineer
Karen Masterson, Administrative Assistant

1. **ROLL CALL** - Chair Luvaas called the meeting to order at 6:30 p.m. Commissioners and staff were present as noted.
2. **DISCUSSION OF EX PARTE COMMUNICATION** - There was no ex parte communication to report.
3. **CONSENT AGENDA** - There were no items on the consent agenda for this meeting.
4. **NOTICED PUBLIC HEARING ITEMS**
 - 4.1 **Las Palomas Tentative Subdivision Map S 06-12 (Air Vol Block, Inc.) 750 & 754 E. Lassen Avenue; APNs 007-200-011 & 012 (Noticed 3-3-07) (Public Hearing 3-15-07) (Noticed 4-21-07) (Public Hearing 5-3-07)** - A request to subdivide two existing parcels to create 14 lots for single-family residential development. The site is designated Medium Density Residential on the General Plan Diagram. The site is also located in Compatibility Zone C2 for the Chico Municipal Airport, and is currently being annexed into the City. The project is categorically exempt from environmental review pursuant to Section 15332 of the California Environmental Quality Act (CEQA) Guidelines (Infill Development Projects). *Staff recommends approval of the Tentative Subdivision Map, as conditioned. (Staff Report presented by Associate Planner Redeker)*

Chair Luvaas opened the public hearing at 6:38 p.m. James Renfro, from The Engineering Group, representing the applicant, spoke in favor of the project and answered questions from the Commission. Also addressing the Commission, in the following order, were:

- Alan Gair, opposed

There being no other speakers, the public hearing was closed at 6:45 p.m.

A motion was made (Minasian), to disapprove Las Palomas Tentative Subdivision Map S 06-12, and seconded (Merz). A roll call vote was taken. With a final vote of 3-3-1, three in favor of denial (Luvaas, Merz, Minasian) and three opposed (Brownell, Kelley, O'Bryan), the motion failed to pass. (Monfort absent)

A new motion was made (O'Bryan), to approve Las Palomas Tentative Subdivision Map S 06-12, as conditioned in the staff report, and seconded (Kelley) with additional and/or corrected conditions as listed below:

- Lots 1 and 14 shall receive architectural treatment on the facade facing E. Lassen Avenue
- Applicant shall try to save the following trees: 30, 47, 56, 65, 89 and 6 (between lots 5 and 6)
- Condition 8 regarding fencing shall read "...no more than one-third..."
- The nesting season reference mentioned in Condition 14 is corrected to state "February-August" and the non-breeding period to "September-January"

A roll call vote was taken. With a final vote of 3-3-1, three in favor of approval (Brownell, Kelley, O'Bryan) and three opposed (Luvaas, Merz, Minasian), the motion failed to pass. (Monfort absent)

4.2 Lassen Tentative Subdivision Map S 06-18 (Tischler) 216 W. Lassen Avenue and Clark Way; APNs 06-350-030 and -031 (Noticed 4-21-07) (Public Hearing 5-3-07)

A request to subdivide two existing parcels on W. Lassen Avenue and Clark Way to create 14 lots for single-family residential development. The site has a gross area of 2.86 acres, with a proposed residential density of 4.89 units per gross acre. The site is designated Low Density Residential on the General Plan diagram and is located in the R1 Low Density Residential zoning district (2.01 - 6 units per acre). This project is categorically exempt from environmental review pursuant to Section 15332 of the California Environmental Quality Act (CEQA) Guidelines (Infill Development Projects). *Staff recommends approval of the Tentative Subdivision Map, as conditioned. (Staff Report presented by Assistant Planner Morley).*

Chair Luvaas opened the public hearing at 7:45 p.m. Wes Gilbert from Lumos & Associates, representing the applicant, spoke in favor of the project and answered questions from the Commission. Also addressing the Commission, in the following order, were:

- Alan Gair, opposed
- Adam Tischler, managing development partner, in favor, advised that Certified Arborist Dan Gibson had surveyed the trees on the proposed project site
- Wes Gilbert, Lumos & Associates, in favor, clarified that existing trees will be retained to the maximum extent feasible

There being no other speakers, the public hearing was closed at 7:56 p.m.

A motion was made (Brownell), and seconded (O'Bryan), to adopt Resolution No. 07-14, approving the Lassen Tentative Subdivision Map S 06-18, based on the findings contained therein, as conditioned, and with the following additional conditions of approval:

- The project applicant shall hire a qualified biologist or ornithologist to conduct a preconstruction field survey in and adjacent to the project area for nesting raptors and other migratory birds prior to the removal of any tree on the site or prior to the issuance of any grading permit on the project site. Surveys shall be conducted during the season immediately preceding grading operations when birds are building and defending nests or when young birds are still in nests and dependent on the parents (February-August). If no raptor or migratory bird nests are found during the surveys, grading may proceed. If active nests are found, construction activities within 300 feet shall be postponed until after the breeding season or until clearance is provided from State Fish and Game Department staff. The City may prevent impacts on nesting birds by delaying issuance of a grading permit for an area where nests have been found until the birds have left the nest. The time of the bird's departure must be determined by a qualified biologist. If construction activities are planned during the non-breeding period (September through January), a nest survey is not necessary.
- The final map shall represent the accurate dimensions of lots 9, 10 and 11 with respect to lot width.
- Existing trees shall be retained where not in conflict with improvements or buildings.
- Street trees shall be planted in accordance with the recommendation of the General Services Department.

- Any fencing on the front of Lot 2 shall not be any further forward than the setback of the house

A roll call vote was taken. Motion passed 5-1-1 (Minasian opposed; Monfort absent)

- 4.3 Code Amendment 06-01 (City of Chico) Amending Title 19 of the Chico Municipal Code to Establish Standards for Infill Residential Flag Lots** (*Noticed 4-21-07*) (*Public Hearing 5-3-07*) A proposal to amend Section 19.76 of the Chico Municipal Code (“Standards for Specific Land Uses”) to establish standards for the creation and development of infill residential flag lots. The standards are intended to improve compatibility of flag lots with surrounding homes, and prevent over-concentration of flag lots in any one neighborhood. The proposed regulations would apply to the creation of new flag lots on certain property zoned RS, R1, and R2. This project has been determined to be exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15061(b)(3) (General Rule Exemption) of the CEQA Guidelines. *Staff recommends that the Commission recommend that the City Council adopt the necessary amendment to the Municipal Code. (Staff Report presented by Associate Planner Redeker).*

Chair Luvaas opened the Public Hearing at 8:48 p.m. Addressing the Commission, in the following order, were:

- Kerry Burke, expressed concerns
- Billie Crosby, expressed concerns
- Pat Brown, expressed concerns
- Tom Blodget, expressed concerns
- Lisa Riley, expressed concerns
- Jane Turney, expressed concerns
- Kevin Atkin, expressed concerns
- Kathie Watson, expressed concerns
- Marc Selkirk, expressed concerns

There being no other speakers, the public hearing was closed at 9:20 p.m.

A motion was made (Kelley), and seconded (O’Bryan), that the Planning Commission adopt Resolution 07-22, recommending that the City Council adopt Code Amendment 06-01 (City of Chico) amending Title 19 of the Chico Municipal Code relating to Infill Residential Flag Lots, as written and with the following amendments:

- Single-story homes shall have a maximum roof height of 18 feet.
- New units and accessory structures shall be limited to single-story, unless two-story construction exists on an adjacent lot.

- The applicant shall provide conceptual elevations for review by the Commission.

A roll call vote was taken. Motion passed 4-1-1-1 (Minasian opposed, Monfort absent, Merz abstain)

5. **REGULAR AGENDA** - There were no items on the regular agenda for this meeting.
6. **BUSINESS FROM THE FLOOR** - There was no business from the floor.
7. **PLANNING UPDATE** - A schedule of upcoming meetings was distributed.
8. **ADJOURNMENT** - The meeting was adjourned at 11:15 p.m. to the Special Meeting of May 10, 2007.

June 7, 2007
Date Approved

/s/
Steve Peterson
Planning Director

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE ADJOURNED REGULAR MEETING OF
MAY 10, 2007**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Mary Brownell
Dave Kelley, Vice Chair
John Merz
Susan Minasian
Kirk Monfort
Steve O'Bryan

Commissioner(s) Absent: Jon Luvaas, Chair

Staff Members Present: Steve Peterson, Planning Services Director
Holly Keeler, Principal Planner
Brendan Vieg, Senior Planner
Mike Sawley, Associate Planner
Dennis Beardsley, General Services Director
Tom Varga, Capital Project Services Director
Matt Johnson, Senior Development Engineer
Lori Barker, Assistant City Attorney
Mary Fitch, Administrative Analyst

Consultants Present Steve Noack, Design, Community & Environment (DC&E)
Jim Daisa, Kimley-Horn
Steve Weinberger, W-Trans

1. **CALL TO ORDER/ROLL CALL** - Vice Chair Kelley will serve as Chair. The meeting was called to order at 6:35 p.m. Commissioners and staff were present as noted.
2. **DISCUSSION OF EX PARTE COMMUNICATION** - The following ex parte communications were reported: **Monfort**: Heritage Partners; **Kelley**: New Urban Builders and the City Fire Marshal; **Minasian**: Tom DiGiovanni and John Anderson, before City Attorney Dave Frank's opinion was issued; **Merz**: Tom DiGiovanni and John Anderson one month ago and Fred Brooks yesterday.
3. **CONSENT AGENDA** - There were no items for this section of the agenda.
4. **PUBLIC HEARING ITEMS**
 - 4.1 **Meriam Park Project and Traditional Neighborhood Development Code, General Plan Amendment/Rezone (GPA/RZ 05-01), Code Amendment (CA 05-02) and Development Agreement (DA 05-02) (Noticed 04-28-07)** - A request to make recommendations to City Council to: 1) approve a new Special Mixed-Use (SMU) land

use designation for the General Plan; 2) amend the Chico Municipal Code to adopt Traditional neighborhood Development (TND) Regulations; 3) approve GPA/Rezone 05-01, to amend the General Plan land use designations and rezone various properties consistent with the Meriam Park Master Plan; and 4) approve a proposed Development Agreement between the City of Chico and Meriam Park, LLC to allow for the development of residential, commercial, office, recreational, and civic uses on a 271-acre infill site in southeast Chico located north of East 20th Street, south of State Highway 32, west of Bruce Road, and east of Bedford Drive.

The total residential yield is anticipated to be between 2,300 and 3,200 dwelling units housed in a variety of single-family and multi-family building types, including flats and lofts above first floor retail/commercial uses. The maximum non-residential square footage is 287,000 square feet of retail and 900,000 square feet of commercial and civic buildings. The project includes approximately 68 acres of open space consisting of the Little Chico Creek Greenway, habitat preservation, and parks, greens, and plazas.

In accordance with the California Environmental Quality Act, an Environmental Impact Report has been prepared to consider potential impacts associated with implementation of the TND Regulations and the Meriam Park project, and to provide mitigation measures that will reduce potential impacts to less than significant levels. Copies of the Meriam Park Master Plan, the Draft and Final EIRs, and other relevant documents are available for review in the Planning Services Department office. *Staff recommends that the Planning Commission:*

- *Adopt a resolution recommending that the City Council certify the EIR;*
- *Adopt a resolution recommending that the City Council: 1) approve a new Special Mixed-Use land use designation for the General Plan, and 2) amend the Municipal Code to adopt the TND Regulations; and,*
- *Adopt a resolution recommending that the City Council: 1) approve GPA/Rezone 05-01, to amend the General Plan land use designations and rezone various properties consistent with the Meriam Park Master Plan, and 2) approve the proposed Development Agreement between the City of Chico and Meriam Park, LLC.*

Senior Planner Brendan Vieg presented the staff report. Consultant presentations followed. Addressing the Commission were:

- **Steve Noack** (DC&E) provided an overview and key aspects of the EIR
- **Steve Weinberger** (W-Trans) reviewed three traffic studies and a simulation
- **Jim Daisa** (Kimley-Horn) reviewed three traffic studies and a simulation.

The Applicant's presentation followed. Addressing the Commission were:

- **Tom DiGiovanni** (New Urban Builders)
- **John Anderson** (New Urban Builders)

The Planning Commission recessed at 8:17 p.m. and reconvened at 8:30 p.m. Commissioners and staff were present as noted.

Acting Chair Kelley opened the public hearing at 8:32 p.m. Addressing the Commission in the following order were:

- **Mark Rodriquez**, opposed
- **Eileen Brownell**, opposed
- **Jan Sneed**, in favor
- **Barbara Vlamis**, in favor
- **Bill Knudsen**, in favor
- **Rich Ober**, in favor
- **Tom Hayes**, in favor
- **Susan Mason**, in favor
- **Alan Gair**, in favor
- **Rick Landess**, opposed
- **Py Pyshora**, in favor
- **Bud Pyshora**, in favor
- **Michael Weissenborn**, neutral
- **Alan Chamberlain**, in favor
- **Jon Gregory**, in favor
- **Fred Brooks**, in favor
- **Ken Fleming**, in favor
- **Kathy Barrett**, in favor
- **Jim Lynch**, in favor
- **James Horne**, neutral
- **Dan Ripke**, in favor
- **Frank Condon**, in favor
- **Kristin Carter**, in favor
- **Laurie Wermuth**, in favor

There being no further speakers, the public hearing was closed at 9:58 p.m. (except to the Applicant, to allow for response). The public hearing was re-closed at 10:09 p.m.

It was motioned (O'Bryan) and seconded (Monfort) that the Planning Commission adopt Resolution No. 07-19, recommending that the City Council certify the Meriam Park Program EIR and its associated Mitigation Monitoring and Reporting Program.

The motion on the floor was amended to add:

- *Mitigation Measure CUL-1, regarding the rock walls along Humboldt and Bruce Roads, shall be reworded to require that the walls either be preserved or be reconstructed as near as possible to where they are currently located.*

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE ADJOURNED REGULAR MEETING OF
MAY 17, 2007**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Mary Brownell
Vice Chair Dave Kelley
John Merz
Susan Minasian
Kirk Monfort
Steve O'Bryan

Commissioners Absent: Chair Jon Luvaas

Staff Members Present: Steve Peterson, Director, Planning Services
Mark Wolfe, Principal Planner
Bob Summerville, Senior Planner
Patrick Murphy, Senior Planner
Lori Barker, Assistant City Attorney
Matt Johnson, Senior Development Engineer
Mort Myers, Fire Marshal
Karen Masterson, Administrative Assistant

1. **ROLL CALL** - Vice Chair Kelley called the meeting to order at 6:33 p.m. Commissioners and staff were present as noted.
2. **DISCUSSION OF EX PARTE COMMUNICATION** - Commissioner Monfort spoke with Pete Giampoli (Epick Homes) and Barbara Vlamis (Butte Environmental Council) regarding the form of the meeting and nature of the presentations. Vice Chair Kelley spoke with Pete Giampoli regarding his disqualification from participating in the public hearing for Mountain Vista/Sycamore Glen due to the proximity of his residence to the proposed project site.
3. **CONSENT AGENDA**
 - 3.1 **Lassen Village General Plan Amendment GPA 06-04 (Ironstone Development/ City of Chico), and Tentative Subdivision Map/Planned Development Permit S/PDP 06-14 (Ironstone Development)**

General Plan Amendment (GPA 06-04): A proposal to change the General Plan land use designation of properties at 2940 Burnap Avenue through 2977 Burnap Avenue, and those on Mort Lane, from "Low Density Residential" to "Medium Density Residential," to achieve better consistency with the R2 (Medium Density Residential) zoning (AP Nos. 007-150-012, -013, -014, -015, -017, -078, -079, -080, -081, -082, -083, -084, -085, -086, -087, -088, -089, -090, -091, -092, -093, -100, and -113).

Lassen Village Subdivision/Planned Development Permit (S/PDP 06-14): A proposal to subdivide a 2.87-acre parcel (APN 007-150-017), to create 23 single-family residential lots and multiple “open space” lots, including a small park (6,500 square feet) and a 25,000 square foot area along the rear of the site reserved for the existing Shasta Union Drainage Assessment District ditch. (**Associate Planner: Mike Sawley**)

Staff recommends that the Planning Commission continue this item to its meeting of June 7, 2007.

It was motioned (Monfort) and seconded (Brownell) to continue this item to the Planning Commission meeting of June 7, 2007. Motion passed 6-0-1 (Luvaas Absent).

4. NOTICED PUBLIC HEARING ITEMS

Vice Chair Kelley announced his disqualification from participating in the Public Hearing Agenda Item 4.1, Mountain Vista/Sycamore Glen Vesting Tentative Subdivision/Planned Development Permit because his residence is within 500 feet of the proposed project site.

Commissioner O’Bryan moved to nominate Commissioner Monfort as Acting Chair; Commissioner Minasian seconded. With a vote of 5-0-1-1, (Luvaas absent; Monfort abstained), Commissioner Monfort will preside over the balance of the meeting.

4.1 Mountain Vista/Sycamore Glen Vesting Tentative Subdivision/Planned Development Permit (S/PDP 01-12 and S/PDP 00-11) and General Plan Amendment/Rezone (GPA/RZ 04-08 (Greenline Preservation Associates). The site is generally bounded by Floral Avenue on the west, Sycamore Creek on the north, Ceanothus Avenue on the east, and on the south by an existing Pacific Gas and Electric (PG&E) easement with electrical lines, Assessor’s Parcel Numbers 016-200-067, -069, -070, -071, and -072 (Noticed 4-26-07) - General Plan Amendment, Rezoning, and Tentative Maps/Planned Development Permits to allow development of a vacant 178-acre site with up to 679 residential units (409 single-family homes and 270 multi-family units) and up to 25,000 square feet of neighborhood commercial building area. The proposals also include approximately 56 acres of permanent open space with wetland resources along the south side of Sycamore Creek.

A Draft Environmental Impact Report (DEIR) of the project was circulated for a fifty-four (54) day public review period ending February 7, 2005. The applicant proposes project design improvements that constitute a change of the project as it was described in the DEIR. No new environmental impacts are identified by these changes, and noise-related impacts, as well as potential impacts to wetland and biological resources, would be reduced. Proposed changes are addressed in a Revised Final EIR (RFEIR) Memorandum. *Staff recommends that the Planning Commission adopt resolutions recommending that the City Council:*

- 1. *Certify the Revised Final Environmental Impact Report;***
- 2. *Approve the proposed General Plan Amendment***
- 3. *Conditionally approve the proposed Rezoning and Planned Development Permits; and,***
- 4. *Conditionally approve the proposed tentative subdivision maps.***

Senior Planner Bob Summerville presented the Staff Report. The Planning Commission was informed that tonight's hearing could be both conceptual and final or, conceptual only with the item coming back to a future meeting for final action. It was noted that Bill Mayer of LSA Associates (consultant that prepared the environmental report) was in attendance and available to answer any questions.

Acting Chair Kirk Monfort opened the public hearing at 7:13 p.m. Addressing the Commission in the following order were:

- Pete Giampoli, President of Epick Homes, representing the Applicant, introduced the project team and provided a brief presentation
- George Kammerer, attorney with Hefner, Stark & Marois, representing the Applicant, spoke about 1) off-site mitigation at Hamilton Ranch; 2) the reasoning behind scaling back the commercial component of the project; 3) the affordable housing element included in a binding agreement with the City; and 4) the fact that 70% of the homes would allow for passive solar orientation.
- Barbara Vlamis, Executive Director of Butte Environmental, was given the opportunity to make a presentation, and offered a "biological resources alternative" to the proposed development that would allow for a total of 556 units.

The Planning Commission recessed at 8:20 p.m. with the Public Hearing remaining open.

The meeting was reconvened at 8:33 p.m., Commissioners and Staff present as noted. Public testimony continued as follows:

- Dawn Garcia, Conservation Chair for the Audobon Society expressed her support for the biological resources alternative suggested by Barbara Vlamis of the Butte Environmental Council.
- Karen Laslo, citizen, wants more wetlands preserved and expressed support for the biological resources alternative
- Neil Dougherty, citizen, is opposed to the project and also expressed support for the biological resources alternative

- Pete Giampoli, representing the Applicant, was called up to respond to Planning Commission questions
- George Kammerer, representing the Applicant, responded to Planning Commission questions
- Ken Whitney, Foothill Associates, representing the Applicant, explained that the Habitat Mitigation Monitoring Proposal (HMMP) had been reviewed by the Department of Fish and Game and the Army Corp. of Engineers
- Bill Dinsmore, Rolls Anderson & Rolls, Civil Engineers, representing the Applicant, provided history of the line drawn around the vernal pool
- George Kammerer, representing the Applicant, submitted, for the record, a formal written reply to Commissioner Jon Luvaas' written concerns

Acting Chair Kirk Monfort closed the public hearing at 9:56 p.m. and the Planning Commission recessed for a 10-minute break.

The meeting was reconvened at 10:04 p.m., Commissioners and Staff present as noted.

It was motioned (Minasian) and seconded (Brownell) to re-open the public hearing. Motion passed 5-0-1-0-1 (Luvaas absent; Kelley disqualified).

The public hearing was re-opened at 10:32 p.m.

- Pete Giampoli, representing the Applicant, responded to a question

The public hearing was closed at 10:33 p.m.

It was motioned (Brownell) and seconded (Merz) to continue the meeting until 11:00 p.m. Motion passed 5-0-1-0-1 (Luvaas absent; Kelley disqualified).

After further discussion by the Commission, it was motioned (O'Bryan) and seconded (Minasian) to deny the project and recommend that the City Council not certify the Final Environmental Impact Report (FEIR). The Planning Commission provided a list of the areas/items of concern, specifically,

- 1) Address Sycamore Creek EPA letter in the FEIR
- 2) Clarify BIO-1.8.2, i.e., mitigations, particularly 4.7 acres vs. 80 acres of off-site mitigation
- 3) Clarify BIO-1.8.3, i.e., mitigations, particularly 5.52 acres vs. 80 acres of off-site mitigation
- 4) Clarify status of the conservation easement, i.e., is the transaction complete

- 5) Provide the U.S. Fish and Wildlife Service jeopardy report (biological opinion)
- 6) Provide rationale for grade break determination, provide hydrological or other study to confirm as necessary
- 7) Clarification of transit (clarify funding mechanism and timing for installation of bus shelters)

A vote on the motion was taken. Motion failed 2-3-1-0-1 (O'Bryan and Minasian in favor; Brownell, Merz and Monfort opposed; Luvaas absent; Kelley disqualified).

It was motioned (Minasian) and seconded (Merz) to continue the meeting for another five minutes. Motion passed 5-0-1-0-1 (Luvaas absent; Kelley disqualified).

It was motioned (Merz) and seconded (Brownell) to continue the matter to a date certain of June 21, 2007. The motion was amended to change the continuation to the Planning Commission meeting of June 7, 2007. A vote was taken and the motion passed 4-1-1-0-1 (Minasian opposed; Luvaas absent; Kelley disqualified).

5. **REGULAR AGENDA** - There were no items on the regular agenda for this meeting.
6. **BUSINESS FROM THE FLOOR** - There was no business from the floor.
7. **PLANNING UPDATE** - A schedule of upcoming meetings was distributed.
8. **ADJOURNMENT** - The meeting was adjourned at 11:20 p.m. to the Special Meeting of May 24, 2007.

June 7, 2007
Date Approved

/s/
Steve Peterson
Planning Director

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE ADJOURNED REGULAR MEETING OF
MAY 24, 2007**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Mary Brownell
Dave Kelley, Vice Chair
John Merz
Susan Minasian
Kirk Monfort
Steve O'Bryan

Commissioner(s) Absent: Jon Luvaas, Chair

Staff Members Present: Steve Peterson, Planning Services Director
Holly Keeler, Principal Planner
Brendan Vieg, Senior Planner
Fritz McKinley, Building & Development Services Director
Matt Johnson, Senior Development Engineer
Lori Barker, Assistant City Attorney
Karen Masterson, Administrative Assistant

Consultant(s) Present: Steve Weinberger, W-Trans
Steve Noack, DC&E

1. **CALL TO ORDER/ROLL CALL** - Vice Chair Kelley will serve as Chair. The meeting was called to order at 6:00 p.m. Commissioners and staff were present as noted.
2. **DISCUSSION OF EX PARTE COMMUNICATION** - None
3. **CONSENT AGENDA** - There were no items for this section of the agenda.
4. **PUBLIC HEARING ITEMS**
 - 4.1 **Meriam Park Project and Traditional Neighborhood Development Code, General Plan Amendment/Rezone (GPA/RZ 05-01), Code Amendment (CA 05-02) and Development Agreement (DA 05-02)** (*Noticed 04-28-07*) (*Public Hearing continued from 05-10-07*) - A request to make recommendations to City Council to: 1) approve a new Special Mixed-Use (SMU) land use designation for the General Plan; 2) amend the Chico Municipal Code to adopt Traditional Neighborhood Development (TND) Regulations; 3) approve GPA/Rezone 05-01 to amend the General Plan land use designations and rezone various properties consistent with the Meriam Park Master Plan; and, 4) approve a proposed Development Agreement between the City of Chico and Meriam Park, LLC to allow for the development of residential, commercial, office,

recreational, and civic uses on a 271-acre infill site in southeast Chico located north of East 20th Street, south of State Highway 32, west of Bruce Road, and east of Bedford Drive.

The total residential yield is anticipated to be between 2,300 and 3,200 dwelling units housed in a variety of single-family and multi-family building types, including flats and lofts above first floor retail/commercial uses. The maximum non-residential square footage is 287,000 square feet of retail and 900,000 square feet of commercial and civic buildings. The project includes approximately 68 acres of open space consisting of the Little Chico Creek Greenway, habitat preservation, and parks, greens, and plazas.

In accordance with the California Environmental Quality Act, an Environmental Impact Report has been prepared to consider potential impacts associated with implementation of the TND Regulations and the Meriam Park project, and to provide mitigation measures that will reduce potential impacts to less than significant levels. Copies of the Meriam Park Master Plan, the Draft and Final EIRs, and other relevant documents are available for review in the Planning Services Department office. *Staff recommends that the Planning Commission:*

- *Adopt a resolution recommending that the City Council certify the EIR;*
- *Adopt a resolution recommending that the City Council: 1) approve a new Special Mixed-Use land use designation for the General Plan, and 2) amend the Municipal Code to adopt the TND Regulations; and,*
- *Adopt a resolution recommending that the City Council: 1) approve GPA/Rezone 05-01 to amend the General Plan land use designations and rezone various properties consistent with the Meriam Park Master Plan; and, 2) approve the proposed Development Agreement between the City of Chico and Meriam Park, LLC.*

Senior Planner Brendan Vieg presented the staff report which included a summary of the May 10, 2007 public hearing and a review of the questions raised at that meeting. Traffic Consultant Steve Weinberger provided an analysis of the project phasing. Acting Chair Kelley opened the public hearing at 6:38 p.m. Addressing the Commission was:

- **John Anderson**, New Urban Builders, representing the Applicant

The public hearing was closed at 6:40 p.m. The Commission acknowledged the motion (Monfort), second (O'Bryan), and one amendment thereto, remaining on the floor from the May 10, 2007 meeting, as follows:

That the Planning Commission adopt Resolution No. 07-19, recommending that the City Council certify the Meriam Park Program EIR and its associated Mitigation Monitoring and Reporting Program.

The motion on the floor currently includes the following amendment:

- 1) *Mitigation Measure CUL-1, regarding the rock walls along Humboldt and Bruce Roads, shall be reworded to require that the walls either be preserved or be reconstructed as near as possible to where they are currently located.*

The Commission further modified the motion on the floor to include additional amendments as follows:

- 2) *Mitigation Measure PSR-1 shall include the word “written” before the word “disclosure” in subsection three.*
- 3) *In Mitigation Measure BIO-12, remove the reference to “stems” and clarify that the oak ratio replacement be determined by the City’s Urban Forester.*
- 4) *In Mitigation Measure HYDRO-4, clarify that some of the greenway features might not be developed as part of the project.*

The public hearing was re-opened at 6:50 p.m. Addressing the Commission was:

- **Mike Weissenborn**, Facilities Planner, Chico Unified School District

The public hearing was closed at 6:53 p.m.

A roll call vote was taken on the first of the three proposed actions, adoption of Resolution No. 07-19, recommending that the City Council certify the Meriam Park Program EIR and its associated Mitigation Monitoring and Reporting Program, as conditioned, and including EIR-MMP Amendment Nos. 1 through 4.

Vote: 6-0-1 (Luvaas absent)

Attention turned to the second of the three actions before the Commission. Senior Planner Brendan Vieg reviewed some of the suggestions. Acting Chair Kelley opened the public hearing at 7:20 p.m. Addressing the Commission was:

- **John Anderson**, New Urban Builders, representing the Applicant

The public hearing was closed at 7:21 p.m.

It was motioned (Monfort) and seconded (Brownell) that the Planning Commission adopt Resolution No. 07-27 recommending that the City Council: 1) approve a new Special Mixed-Use (SMU) land use designation for the General Plan, and 2) amend the Chico Municipal Code to adopt the Traditional Neighborhood Development Regulations and related amendments.

Vice Chair Kelley opened the public hearing at 7:30 p.m. Addressing the Commission was:

- **John Anderson**, New Urban Builders, representing the Applicant

The public hearing was closed at 7:45 p.m.

The motion on the floor was modified to include the following amendments and/or clarifications:

- 1) *Add definitions to the TND Regulations “Definitions” chapter (19.96) for the following words: Compact Development, Transect, Traditional Neighborhood Development.*
- 2) *When measuring building height, in Chapter 19.84.020.B of the TND Regulations, clarify where the upper measurement is taken (e.g. top of the roof, top of a parapet, etc.).*
- 3) *In Chapter 19.86, Building Types, of the TND Regulations, ensure the graphics provided accurately reflect the maximum building height extending to the peak of the structure.*
- 4) *Under Improvement Standards, 18R.12.030, for TN-16 through TN-20, the phrase “ADA COMPLIANT HANDICAP RAMP” be replaced with “ADA COMPLIANT ACCESSIBLE CURB RAMP.” In addition, for TN-17 through TN-20 change the accessible ramps from the singular centered ramp to two accessible ramps at the end of the returns, so that they face each other providing the shortest and the most direct path of travel for persons with disabilities..*
- 5) *In the Neighborhood Edge designation, reduce the 45 foot maximum height allowance to 35 feet (consistent with height limits in the City’s Municipal Code for single-family residential units), allowing exceptions for architectural features of civic buildings.*
- 6) *In Chapter 19.80 fo the TND Regulations, make the following changes to Table 6-1, Allowable Land Uses:*
 - a. *Studios should be allowed in the CORE, without a use permit, and in the Neighborhood Center with a use permit;*
 - b. *Alcoholic beverage establishments are common in a Neighborhood Center-type area and should be allowed with a use permit;*
 - c. *Grocery stores over 5,000 square feet are appropriate in the Neighborhood Center with a use permit; and*
 - d. *Restaurants should be allowed in the Neighborhood General with a use permit.*
- 7) *Clarify that the CORE is intended for mixed-use, and multi-family use with a use permit. There should be no allowance for single-family use in the CORE. Table 6-4, Allowed Building Types in the*

TND Regulations have been amended so that Rowhouse and Tuck-Under Rowhouse building types are not permitted. Further, staff has made additional minor amendments to the TND Regulations to ensure the two following goals are met: 1) any building type that provides for mixed-use will be required to have non-residential use on the ground floor; and 2) all multi-family building types that propose residential uses on the ground floor will require a discretionary use permit.

- 8) *Advise City Council to direct staff to meet biennially (every two years) with the Planning Commission to revisit how the TND Regulations are working and discuss possible amendments.*

Vote: 6-0-1 (Luvaas absent)

The Planning Commission recessed at 7:57 p.m. and reconvened at 8:10 p.m. Commissioners and staff were present as noted.

Attention turned to the third and final of the three actions before the Commission. Senior Planner Vieg provided an overview of the matter before the Commission and shared points of discussion from the May 10, 2007 meeting. Vice Chair Kelley opened the public hearing at 8:37 p.m. Addressing the Commission in the following order were:

- **John Anderson**, New Urban Builders, representing the Applicant
- **Tom DiGiovanni**, New Urban Builders, representing the Applicant
- **Mr. Crabtree**, Attorney for the Applicant, read some excerpts from the State statute governing development agreements

The public hearing was closed at 9:08 p.m.

It was motioned (Monfort) and seconded (O'Bryan) that the Planning Commission adopt Resolution No 07-28, recommending that the City Council: 1) approve GPA/Rezone 05-01 to amend the General Plan land use designations and rezone various properties consistent with the Meriam Park Master Plan; and, 2) approve the proposed Development Agreement between the City of Chico and Meriam Park, LLC (DA 05-03).

The motion was modified to incorporate the following amendment(s):

- 1) *Add language to the Development Agreement, specifically as it relates to vested rights, to ensure that future amendments to the TND Regulations will apply to the Meriam Park project, so long as*

they do not preclude the applicant from developing the site consistent with New Urbanist principles.

Vice Chair Kelley opened the public hearing at 9:50 p.m. Addressing the Commission was:

- **Tom DiGiovanni**, New Urban Builders, representing the Applicant

The public hearing was closed at 10:15 p.m.

The motion was modified to incorporate the following amendment(s):

- 2) *Add that 50,000 square feet (sf) of commercial space will be developed in the first five years of project buildout, and that 250,000 sf of commercial, office and/or civic space will be developed within the first 10 years of project buildout. Note that the City of Chico may provide an extension of time on meeting these benchmarks as part of the annual project review.*

Vice Chair Kelley opened the public hearing at 10:24p.m. Addressing the Commission was:

- **Tom DiGiovanni**, New Urban Builders, representing the Applicant

The public hearing was closed at 10:30 p.m.

It was motioned (Kelley) and seconded (O'Bryan) to continue the meeting until 11:00 p.m.

Vote: 6-0-1 (Luvaas absent)

The motion on the floor was further modified to incorporate the following amendment(s):

- 3) *Require that Park B "shall" be built. Specify that the completion date for Park B is 10 years from commencement of the project. Clarify that the total acreage of the two neighborhood parks together shall be no less than six acres. Identify that the design for the neighborhood parks will be subject to review by the Bidwell Park and Playgrounds Commission.*
- 4) *Ensure consistency in reference to maximum square footage by use types, specifically the reference to 900,000 square feet of commercial and civic development. Add a reference to the total acreage of open space and parks that are included under the Development Agreement.*

- 5) *Add a requirement, or a specific date, for recordation of the easement for the Meadowfoam preserve site.*

Vice Chair Kelley re-opened the public hearing at 10:45 p.m. Addressing the Commission was:

- **Tom DiGiovanni**, New Urban Builders, representing the Applicant

The public hearing was closed at 10:46 p.m.

The motion on the floor was further modified to include the following amendment(s):

- 6) *Request the provision of a table that summarizes when, where, and how affordable housing will be provided.*
- 7) *Require that the indemnification language that is provided in the Development Agreement also be included in all subsequent project approval conditions and maps.*
- 8) *In Section 7.14, the references should read: Exhibit D Meriam Park Project Approval and Exhibit E Parks and Greenway.*
- 9) *Change the TND Designation for the small area north of the Greenway and at the westerly edge from “Neighborhood General” to “Neighborhood Edge.”*

In addition to the nine amendments to the motion, the Planning Commission asked that the City Council consider the following:

- *Scrutiny of the proposed fifty percent (50%) initial reimbursement commitment for infrastructure improvements that is incorporated into the Development Agreement, and ensure that the City can financially meet that obligation; and,*
- *The Planning Commission believes that under existing conditions, the Bruce Road Bridge presents a hazardous situation for bicyclists and pedestrians and the timing for improvements should be advanced.*

A roll call vote on the motion, and modifications thereto, was taken.

Vote: 6-0-1 (Luvaas absent)

5. **REGULAR AGENDA** - There were no items for this section of the agenda.
6. **BUSINESS FROM THE FLOOR** - None

7. **PLANNING UPDATE** - Planning Services Director Steve Peterson gave a brief report on Department activities and a schedule of upcoming meetings was distributed.
8. **ADJOURNMENT** - There being no further business to come before the Planning Commission, Acting Chair Kelley adjourned the meeting at 11:03 p.m. to the Regular Meeting of June 7, 2007.

May 1, 2008
Date Approved

/s/
Steve Peterson
Planning Services Director

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING OF
JUNE 7, 2007**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Mary Brownell
Dave Kelley, Vice Chair
John Merz
Kirk Monfort

Commissioners Absent: Jon Luvaas, Chair
Susan Minasian
Steve O'Bryan

Staff Members Present: Steve Peterson, Planning Services Director
Mark Wolfe, Principal Planner
Mike Sawley, Associate Planner
Rob Peters, Assistant Planner
Lori Barker, Assistant City Attorney
Matt Johnson, Senior Development Engineer
Karen Masterson, Administrative Assistant

1. CALL TO ORDER/ROLL CALL

Acting Chair Kelley called the meeting to order at 6:30 p.m. Commissioners and staff were present as noted.

2. DISCUSSION OF EX PARTE COMMUNICATION - None

3. CONSENT AGENDA

- 3.1 Approval of Minutes of October 19, 2006 Adjourned Regular Meeting**
- 3.2 Approval of Minutes of May 3, 2007 Regular Meeting**
- 3.3 Approval of Minutes of May 17, 2007 Adjourned Regular Meeting**
- 3.4 Adoption of Final 2007/2008 Planning Commission Work Plan**

It was motioned (Monfort) and seconded (Brownell) to approve the Consent Agenda as presented.

Vote: 4-0-3 (Luvaas, Minasian and O'Bryan absent). Note that the official vote for 3.1 will be recorded as 3-0-3-1 (Merz abstaining as the October 19, 2006 meeting was prior to his appointment to the Planning Commission).

4. CONTINUED PUBLIC HEARING ITEMS

- 4.1 Mountain Vista/Sycamore Glen Vesting Tentative Subdivision/Planned Development Permit (S/PDP 01-12 and S/PDP 00-11) and General Plan Amendment/Rezone 04-08 (Greenline Preservation Associates). The site is generally bounded by Floral Avenue on the west, Sycamore Creek on the north, Ceanothus Avenue on the east, and on the south by an existing Pacific Gas and Electric (PG&E) easement with electrical lines, Assessor's Parcel Numbers 016-200-067, -069, -070, -071, and -072 (Noticed 4-26-07) (Public Hearing 5-17-07) (Continued to 6-7-07)**

General Plan Amendment, Rezoning, and Tentative Maps/Planned Development Permits to allow development of a vacant 178-acre site with up to 679 residential units (409 single-family homes and 270 multi-family units) and up to 25,000 square feet of neighborhood commercial building area. The proposals also include approximately 56 acres of permanent open space with wetland resources along the south side of Sycamore Creek.

A Draft Environmental Impact Report (DEIR) of the project was circulated for a fifty-four (54) day public review period ending February 7, 2005. The applicant proposes project design improvements that constitute a change of the project as it was described in the DEIR. No new environmental impacts are identified by these changes, and noise-related impacts, as well as potential impacts to wetland and biological resources, would be reduced. Proposed changes are addressed in a Revised Final EIR (RFEIR) Memorandum. *Staff recommends that the Planning Commission adopt resolutions recommending that the City Council:*

- 1. Certify the Revised Final Environmental Impact Report;*
- 2. Approve the proposed General Plan Amendment;*
- 3. Conditionally approve the proposed Rezoning and Planned Development Permits; and*
- 4. Conditionally approve the proposed tentative subdivision maps.*

It was agreed to continue this item to Tuesday, June 12, 2007 at 6:30 p.m. in Conference Room 1 of the Council Chamber Building.

5. PUBLIC HEARING ITEMS

- 5.1 Forest Avenue Professional Office Park Tentative Subdivision Map (S 07-05), Northwest Corner of Forest Ave. and Jan Court (Stewart), APN 002-210-007 (Noticed 05-28-07) - A request to subdivide a 1.38 acre parcel to create six lots, averaging 10, 009 square feet, for future professional office development. The project**

site is designated Community Commercial on the General Plan diagram and is in the CC Community Commercial zoning district. The project has been determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 14332 (In-Fill Development Projects). ***Staff recommends adoption of Resolution No. 07-30, approving the Forest Avenue Professional Office Park Tentative Subdivision Map 07-05 (Stewart), based on the findings contained therein and subject to the attached conditions of approval.***

Assistant Planner Robert Peters presented the staff report and responded to questions from the Planning Commission.

Acting Chair Kelley opened the public hearing at 6:47 p.m. Addressing the Commission was:

- **Mike Byrd**, Project Engineer, Rolls Anderson & Rolls, representing the Applicant, spoke in favor of the project and is agreeable with the staff-recommended conditions of approval. In response to an issue raised by Commission Brownell, Mr. Byrd stated there was a 7-1/2 foot easement for a bike/pedestrian path (on the adjoining parcel) but that a trash enclosure and building were built upon the easement.

There being no further speakers, the public hearing was closed at 6:50 p.m.

It was motioned (Merz) and seconded (Monfort) to adopt Resolution No. 07-30, approving the Forest Avenue Professional Office Park Tentative Subdivision Map S 07-05 (Stewart), based on the findings contained therein and subject to the attached conditions of approval.

Discussion followed with respect to the bike/pedestrian path and where it might be located, if in fact it could not be constructed at another location at the site. Acting Chair Kelley re-opened the public hearing at 6:52 p.m. in order to question the Applicant's representative regarding their willingness to put in a bike/pedestrian path. Addressing the Commission was:

- **Mike Byrd**, Project Engineer, Rolls Anderson & Rolls, stated he did not think that it could be accommodated; however, if the adjoining parcel provided the path as should have been done, the Applicant would be willing to provide connectivity to the pedestrian access.

The public hearing was closed at 7:01 p.m. The motion on the floor was amended to include the following additional condition of approval:

*The Applicant shall provide the path, at a location to be agreed upon between the Applicant and Planning Services staff, **IF** construction of the path was not feasible in the location of the easement on the adjoining property. The purpose of the path is for future connectivity with Fremont Street.*

Vote: 4-0-3 (Luvaas, Minasian and O'Bryan absent)

5.2 Lassen Village General Plan Amendment 06-04 (Ironstone Development/City of Chico) & Tentative Subdivision Map/Planned Development Permit 06-14 (Ironstone Development) (Noticed 04-16-07 for 05-17-07) (Continued to 06-07-07)

This project has two components:

General Plan Amendment (GPA 06-04): A proposal to change the General Plan land use designation of properties at 2940 Burnap Avenue through 2977 Burnap Avenue, and those on Mort Lane, from “Low Density Residential” to “Medium Density Residential,” to achieve better consistency with the R2 (Medium Density Residential) zoning (APNs 007-150-012, -013, -014, -015, -017, -078, -079, -080, -081, -082, -083, -084, -085, -086, -087, -088, -089, -090, -091, -092, -093, -100, and -113).

Subdivision/Planned Development Permit (S/PDP 06-14): A proposal to subdivide a 2.87-acre parcel (APN 007-150-017), to create 23 single-family residential lots and multiple “open space” lots, including a small park (6,500 square feet) and a 25,000 square foot area along the rear of the site reserved for the existing Shasta Union Drainage Assessment District ditch.

Staff recommends that the Planning Commission adopt Resolution No. 07-29, recommending that the City Council adopt the Mitigated Negative Declaration, approve General Plan Amendment 06-04, and approve the Lassen Village Subdivision and Planned Development Permit, subject to the conditions contained therein.

Associate Planner Mike Sawley presented the staff report. Acting Chair Kelley opened the public hearing at 7:45 p.m. Addressing the Commission in the following order were:

- **Sean Michaels**, Applicant, spoke in favor
- **Mrs. Darrell Costello**, neighbor at 3000 Burnap, expressed concerns

There being no further speakers, the public hearing was closed at 8:00 p.m. The hearing was re-opened at 8:12 p.m. to ask a question of Sean Michaels, Applicant and closed at 8:13 p.m.

It was motioned (Monfort) and seconded (Brownell) to adopt Resolution No. 07-29, recommending that the City Council adopt the Mitigated Negative Declaration, approve General Plan Amendment 06-04, and approve the Lassen Village Subdivision and Planned Development Permit, subject to the conditions contained therein.

Discussion followed and the motion on the floor was amended to include the following additional conditions of approval:

- 1) The number of parking spaces shall be reduced to 78; two from the left and two from the right eliminated in front of the community park; two to the left are to be designated as accessible (painted curb);***
- 2) The design of the home on Lot 1 shall have fencing to the back of the house and not along Burnap;***
- 3) The landscape design shall provide that no toxic plants are used;***
- 4) The Owner shall provide disclosure to future buyers regarding the presence of livestock on the adjacent property at 3000 Burnap;***
- 5) The side yard setbacks for lots 14, 15, 20 and 23 shall be six feet;***

Acting Chair Kelley re-opened the public hearing at 8:28 p.m. to obtain feedback from Sean Michaels, Applicant, regarding the proposed additional conditions of approval. The public hearing was closed at 8:30 p.m. The motion on the floor was further amended to include the following additional conditions of approval:

- 6) Provide for a non-contiguous sidewalk at Burnap Avenue; and,***
- 7) No parking shall be allowed during construction at or under the oak tree***

Roll Call Vote: 4-0-3 (Luvaas, Minasian and O'Bryan absent)

- 6. BUSINESS FROM THE FLOOR - None**
- 7. PLANNING UPDATE - Planning Services Director Steve Peterson provided an update of department activities and a calendar of upcoming meetings and events was distributed.**
- 8. ADJOURNMENT - The meeting was adjourned at 8:55 p.m. to the Adjourned Regular Meeting of June 12, 2007.**

June 5, 2008
Date Approved

/s/
Steve Peterson
Planning Services Director

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE SPECIAL MEETING OF
JUNE 12, 2007**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Kirk Monfort, Acting Chair
Mary Brownell
John Merz
Steve O'Bryan

Commissioners Absent: Dave Kelley (disqualified due to residence/project proximity):
Jon Luvaas
Susan Minasian

Staff Members Present: Steve Peterson, Director, Planning Services
Mark Wolfe, Principal Planner
Lori Barker, Assistant City Attorney
Matt Johnson, Senior Development Engineer
Dennis Beardsley, General Services Dept. Director
Karen Masterson, Administrative Assistant

1. **ROLL CALL** - Acting Chair Monfort called the meeting to order at 6:30 p.m. Commissioners and staff were present as noted.
2. **DISCUSSION OF EX PARTE COMMUNICATION** - There was no ex parte communication to report.
3. **CONSENT AGENDA** - There were no items on the consent agenda for this meeting.
4. **NOTICED PUBLIC HEARING ITEMS**
 - 4.1 **Mountain Vista/Sycamore Glen Vesting Tentative Subdivision/Planned Development Permit (S/PDP 01-12 and S/PDP 00-11) and General Plan Amendment/Rezone (GPA/RZ 04-08 (Greenline Preservation Associates). The site is generally bounded by Floral Avenue on the west, Sycamore Creek on the north, Ceanothus Avenue on the east, and on the south by an existing Pacific Gas and Electric (PG&E) easement with electrical lines, Assessor's Parcel Numbers 016-200-067, -069, -070, -071, and -072 (Noticed 4-26-07) (Planning Commission Meeting 5-17-07) (Noticed 6-5-07) - General Plan Amendment, Rezone, and Tentative Maps/Planned Development Permits to allow development of a vacant 178-acre site**

with up to 679 residential units (409 single-family homes and 270 multi-family units) and up to 25,000 square feet of neighborhood commercial building area. The proposals also include approximately 56 acres of permanent open space with wetland resources along the south side of Sycamore Creek.

A Draft Environmental Impact Report (DEIR) of the project was circulated for a fifty-four (54) day public review period ending February 7, 2005. The applicant proposes project design improvements that constitute a change of the project as it was described in the DEIR. No new environmental impacts are identified by these changes, and noise-related impacts, as well as potential impacts to wetland and biological resources, would be reduced. Proposed changes are addressed in a Revised Final EIR (RFEIR) Memorandum. *Staff recommends that the Planning Commission adopt resolutions recommending that the City Council:*

- 1. Certify the Revised Final Environmental Impact Report;*
- 2. Approve the proposed General Plan Amendment*
- 3. Conditionally approve the proposed Rezoning and Planned Development Permits; and*
- 4. Conditionally approve the proposed tentative subdivision maps.*

A revised Mitigation Monitoring and Reporting Program (MMRP) and conceptual plan for the linear park (amenity) were distributed to the Commissioners. Dennis Beardsley is present to answer any questions regarding the linear park. Planner Bob Summerville presented the Staff Report, summarizing the outcome of the first public hearing for the project (May 17, 2007), at which the Planning Commission requested additional information to clarify the proposed biological mitigation measures, resulting in seven consolidated issues.

It was motioned (Merz) and seconded (Brownell) to recommend adoption of the Environmental Impact Report (EIR) and that the Biological Resources Alternative (BRA) be considered the “project.”

Commissioner Merz requested clarification of language in the revised MMRP and also provided several suggested language changes.

Acting Chair Kirk Monfort opened the public hearing at 6:42 p.m. Addressing the Commission in the following order were:

- Ken Whitney, Foothill Associates, representing the Applicant, stated that the words “in concept” could be deleted from the MMRP, Bio-1, Page 4, Question 1

The public hearing remained open and Commissioner Merz proceeded to state his proposed language changes to the revised MMRP as follows:

- 1) Bio-1, Page 4, Question 1, after #8 where it states “in concept the plan will consist of three parts...” - Delete the words “in concept” as agreed to by the Applicant.
- 2) Bio-1, Page 4, Item #3 “Off-Site Mitigation” - Change to read: “The project will permanently impact 5.98 acres of listed species habitat, i.e. vernal pools and swales. To mitigate, the applicant will preserve 11.86 acres of listed species habitat, i.e. vernal pools and swales. (Delete reference to “*on the Hamilton Ranch site*”). A total of 80.2 acres (Delete “*of the 400 acres*”) will be used to mitigate the 11.86 acres of listed species wetland habitat.”
- 3) Bio-3, Page 6, Last Sentence - Change to read: “The Applicant has the responsibility for providing the 2.9 acres of off-site mitigation at an approved site.” Again, the reference to Hamilton Ranch is deleted.

Commissioner Merz then stated the basis for his motion recommending that the BRA be considered the project. Senior Planner Summerville advised the Commission of a section in the California Environmental Quality Act (CEQA) Guidelines (Section 21159.26) that states density reduction is not a mitigation measure. “With respect to a project that includes a housing development, a public agency may not reduce the proposed number of housing units as a mitigation measure or project alternative for a particular significant effect on the environment, if it determines there is another feasible specific mitigation measure or project alternative that would provide a comparable level of mitigation.”

Commissioner Merz stated that, at the Federal level, onsite avoidance is the priority for mitigation and feels the finding(s) can be made that the BRA is the superior project alternative.

The public hearing remaining open, the Commission recognized the following speaker:

- George Kammerer, attorney with Hefner, Stark & Marois, representing the Applicant, referred the Commission to a letter from Hefner, Stark & Marois, dated June 8, 2007, which speaks to the BRA and asserts it is NOT an appropriate alternative, for two key reasons; first, adoption of the BRA would be a violation of two CEQA mandates and second, the BRA fails to achieve three of four of the project’s objectives, specifically:
 1. Develop the site with densities consistent with the General Plan;
 2. Preserve a significant amount of open space on the site that will maximize the value to all biological resources, and
 3. Provide a neighborhood-oriented commercial area to serve the surrounding residential neighborhood

Prior to a roll call vote, Assistant City Attorney (ACA) Lori Barker requested clarification of the motion currently on the floor. Acting Chair Monfort clarified that the motion included recommending certification of the EIR, adoption of the BRA as the project and Commissioner Merz' language amendments to the revised MMRP.

ACA Barker mentioned that the amendments to Bio-1 and Bio-3 of the revised MMRP would not be necessary if the BRA is considered the project. Further, the Commission must make an affirmative finding that there are no alternative comparable mitigations. Commissioner Merz again stated that "avoidance" is the highest criteria that can be met.

It was motioned (Monfort) and seconded (Brownell) that the motion currently on the floor be modified to include: 1) Certification of the EIR, 2) A finding that the BRA is the preferred alternative, and 3) The MMRP would be amended appropriately.

Motion failed 2-2-1-1-1 (Monfort, Brownell opposed; Minasian absent; Luvaas absent; Kelley disqualified (primary residence proximity to the proposed project))

A new motion was made (Monfort) and seconded (Brownell) that the Commission adopt Resolution No. 07-23, recommending certification of the EIR and the associated MMRP, with the amendments presented by Commissioner Merz.

Motion failed 2-2-1-1-1 (Merz, O'Bryan opposed; Minasian absent; Luvaas absent; Kelley disqualified)

The voting resulted in no action being taken on the project; however, the Commission expressed its desire to make recommendations to the City Council, should the Council choose to certify the EIR and adopt the General Plan Amendment and Rezone (GPA/RZ).

Acting Chair Monfort called for a 10-minute recess at 8:25 p.m.

The Planning Commission reconvened at 8:36 p.m. and all were present as noted.

It was motioned (Merz) and seconded (Monfort) that if the City Council decides to certify the EIR and adopts the GPA/RZ, the Planning Commission collectively recommend the following additional conditions of approval:

- 1. Provide a continuous road along the south side of the open space preserve.*

2. *Provide a bicycle/pedestrian path between Lots 76 and 77 or between Lots 75 and 76 of the Sycamore Glen Subdivision to connect to the existing bicycle/pedestrian path adjacent to the east.*
3. *The final development plan of all planned development permits for the commercial parcel and multi-family residential parcels noted on both subdivision maps shall be approved by the Planning Commission.*
4. *A master use permit for the commercial parcel shall be approved by the Planning Commission.*
5. *Require view-permeable fencing (such as powder-coated wrought iron) along all rear yards of the Mountain Vista subdivision that face the new linear park (amenity).*
6. *Provide only low -level light fixtures (possibly bollard-style) within the new linear park (amenity) of the Mountain Vista subdivision.*
7. *Provide only low-level light fixtures (possibly bollard-style) along the bike/pedestrian path along the open space preserve.*
8. *Require a maximum of 32-foot street widths (as measured from curb-to-curb) generally throughout the subdivision (rather than 34-foot widths as proposed).*
9. *Eliminate or relocate Lot 1 from the Mountain Vista tentative map to increase open space and creekside setback.*
10. *Require a traffic circle at the Floral Avenue/Eaton Road intersection.*

It was noted that the Commission reached consensus on each suggested additional condition and for that reason, a vote would not be called for each item, but rather one single vote on the full list of conditions.

Motion passed 4-0-1-1-1 (Minasian absent, Luvaas absent, Kelley disqualified)

5. **REGULAR AGENDA** - There were no items on the regular agenda for this meeting.
6. **BUSINESS FROM THE FLOOR** - There was no business from the floor.

7. **PLANNING UPDATE** - A schedule of upcoming meetings was distributed.
8. **ADJOURNMENT** - The meeting was adjourned at 9:35 p.m.

August 2, 2007
Date Approved

/s/
Steve Peterson
Planning Director

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE ADJOURNED REGULAR MEETING OF
JUNE 21, 2007**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Mary Brownell
Dave Kelley, Vice Chair
John Merz
Susan Minasian
Steve O'Bryan
Jon Luvaas, Chair

Commissioners Absent: Kirk Monfort

Staff Members Present: Steve Peterson, Planning Services Director
Mark Wolfe, Principal Planner
Patrick Murphy, Senior Planner
Greg Redeker, Associate Planner
Rob Peters, Assistant Planner
Dave Frank, City Attorney
Matt Johnson, Senior Development Engineer
Karen Masterson, Administrative Assistant

1. CALL TO ORDER/ROLL CALL

Chair Luvaas called the meeting to order at 6:33 p.m. Commissioners and staff were present as noted.

2. DISCUSSION OF EX PARTE COMMUNICATION - Commissioner Kelley spoke with Murray Lind regarding Oak Valley. Chair Luvaas spoke with Jim Mann regarding Oak Valley.

3. CONSENT AGENDA - There were no items for this portion of the agenda.

4. REGULAR AGENDA - There were no items for this portion of the agenda.

5. PUBLIC HEARING ITEMS

5.1 Joshua Tree Manor Condominium Tentative Subdivision Map S 05-13 (Austin) 460, 480 & 490 Posada Way, APNs 007-310-012,-013,-014,-015 (Noticed 06-11-07)

A proposal to convert an existing 48-unit apartment complex on a 3.64-acre site into 48 condominium parcels with associated open space areas. The site is designated

Medium Density Residential on the General Plan diagram and is located in the R2 Medium Density Residential zoning district. The project is categorically exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines, Sections 15301(k), Existing Facilities. ***Planning staff was unable to complete the report for this item, and has requested map revisions and corrections. Staff recommends that the hearing for this project be continued to the Planning Commission meeting of July 19, 2007.***

It was motioned (Merz) and seconded (Minasian) that the Joshua Tree Manor Condominium Tentative Subdivision Map S 05-13 public hearing be continued to the Adjourned Regular Planning Commission Meeting of July 19, 2007.

Vote: 6-0-1 (Monfort absent)

- 5.2 Aylward and Fowkes Condominium Tentative Parcel Map (PM 07-03), 1277 East Avenue, APN 015-430-085 (Noticed 06-11-07)** A request to subdivide a 0.28-acre parcel and an existing 2,444 square-foot one-story office building, containing two suites, to create two condominium units and a common area. The project site is at the southwest corner of East Avenue and Sunflower Court on land designated Office on the General Plan diagram and is in the OR Office Residential zoning district. The project has been determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(k), Existing Facilities. ***Planning staff recommends adoption of Resolution No. 07-33, approving the Tentative Condominium Parcel Map 07-03 (Aylward and Fowkes), based on the required findings and subject to the conditions of approval contained therein.***

Assistant Planner Rob Peters presented the staff report. Chair Luvaas opened the public hearing at 6:38 p.m. Addressing the Commission in the following order were:

- **Mike Byrd**, Rolls Anderson & Rolls, representing the Applicant, spoke in favor
- **Lisa Clayton**, resident on Sunflower Ct., expressed concerns regarding parking

There being no further speakers, the public hearing was closed at 6:50 p.m.

It was motioned (Kelley) and seconded (O'Bryan) that the Planning Commission adopt Resolution No. 07-33, approving the Tentative Condominium Parcel Map 07-03 (Aylward and Fowkes), based on the required findings and subject to the conditions of approval contained therein.

Vote: 6-0-1 (Monfort absent)

- 5.3 Parcel Map 07-02 (Horn) 830 W. 11th Ave., APN 043-052-010 (Noticed 06-11-07)**
A request to subdivide an existing 0.81-acre parcel into three lots for single-family residential development. The property currently contains a single-family dwelling, which will be retained. The site is designated Low Density Residential on the City of Chico General Plan diagram, and is located in an R1 Low Density Residential zoning district. This project is categorically exempt from environmental review pursuant to Sections 15315 and 15332 of the California Environmental Quality Act Guidelines (Minor Land Divisions and Infill Development Projects). ***Planning staff recommends adoption of Resolution No. 07-32, approving the Horn Tentative Parcel Map (PM 07-02).***

Associate Planner Greg Redeker presented the staff report. Chair Luvaas opened the public hearing at 7:01 p.m. Addressing the Commission was:

- **Mike Byrd**, Rolls, Anderson and Rolls, representing the Applicant, spoke in favor

There being no further speakers, the public hearing was closed at 7:05 p.m.

It was motioned (Brownell) and seconded (Kelley) that the Planning Commission adopt Resolution No. 07-32, approving the Horn Tentative Parcel Map (PM 07-02), based on the required findings, subject to the conditions of approval contained therein, with the exception of Condition of Approval No. 5: "Prior to issuance of grading permits, the developer shall submit written verification...that they have complied with all requirements of the Regional Water Quality Control Board, including procurement of a General Storm Water Permit, a Construction Activity Storm Water Permit and/or water quality certification," which is hereby removed from the final conditions of approval.

Vote: 6-0-1 (Monfort absent)

- 5.4 Modification of the 43-acre Phase 1 Plans for the Approved Oak Valley Vesting Tentative Subdivision Map and Planned Development Permit (S/PDP 99-12) located on the south side of State Highway Route 32, just east of Bruce Road and west of Humboldt Road (Reynen & Bardis), APNs 018-500-139 and 018-500-016 (Noticed 05-31-07)** - Proposed modification of the 43-acre Phase 1 plans of the approved vesting tentative subdivision map (VTSM) and planned development permit (PDP) for the Oak Valley development. The VTSM and PDP were approved by the City Council on September 20, 2005. Phase 1 of the development was approved for 295 units (85 single-family, 78 duplex, and 132 apartments) on a total of 126 lots. Key changes now being proposed to the Phase 1 plans include (1) modification of the grading plans for the site to create a series of larger hillside pads for residential blocks

and roadways instead of “stepped” building pads for individual lots, (2) the reconfiguration of the roadway network, and (3) the elimination of the 78 duplex units on 39 lots and replacing those lots with 78 single-family residential lots. There will be no increase in the total number of units for the Phase 1 plans.

The Programmatic Draft Environmental Impact Report (DEIR) for the Oak Valley Conceptual Master Plan and Project-Specific DEIR for the 43-acre portion of the subdivision was circulated for a 45-day public review period between the dates of April 18 and June 2, 2000 and a Recirculated Draft EIR was circulated for a 45-day public review period between the dates of April 30, 2004 and June 14, 2004. The City Council certified the Final EIR and conditionally approved the project on September 20, 2005. The proposed map modification has been found to be within the scope of the Final EIR previously certified for the project and it is determined that the EIR adequately addresses the potential impacts and mitigation measures related to the map modification for the purposes of the California Environmental Quality Act (CEQA), that no new significant impacts have been identified, and that no further environmental review is required. All mitigation measures adopted in the certified EIR for the project remain applicable to the project. ***Planning staff recommends that the Planning Commission adopt Resolution No. 07-31, finding that no further environmental review is required given that the proposed map modification is within the scope of the Final EIR previously certified for the project and approving the modification of the Phase 1 Oak Valley Vesting Tentative Subdivision Map and Planned Development Permit (S/PDP 99-12).***

Senior Planner Patrick Murphy presented the staff report. Chair Luvaas opened the public hearing at 7:19 p.m. Addressing the Commission in the following order were:

- **Murray Lind**, Reynen & Bardis, representing the Applicant, spoke in favor
- **Martin Flores**, Reynen & Bardis, representing the Applicant, spoke in favor

The public hearing remained open. The Planning Commission amended existing conditions of approval and formulated additional conditions of approval as follows:

- 1) ***Amend Condition 5.a.i. to read: A certified arborist shall be onsite during the cut/fill activities around trees.***
- 2) ***Amend Condition 5.a.ii. to read: Cut/fill activities along the southern project site boundary in the vicinity of trees shall be done all at once.***
- 3) ***Amend Condition 5.a.vii. to read: Construct a Tree Protection Fence at the edge of the excavation, including the delineation of construction staging areas, so that no equipment or personnel can enter the protected root zones.***

- 4) *Amend Condition 5.b.i. to read: Indirectly impacted trees shall be mitigated on a 1 to 1 basis, as these trees would not be removed by the project. **In order for this ratio to be applicable**, there shall be no ground disturbing activities within 8 feet of any protected tree trunk and the above-listed mitigation measures would need to be implemented.*
- 5) *Amend Condition 5.b.ii. to read: Trees that are removed completely **shall** be mitigated on a 2 to 1 basis.*
- 6) *Amend Condition 5.b.iii. to read: Mitigation in the form of replacement trees **shall** be focused onsite and within existing tree zones. Replacement seedlings that are planted should be from acorns harvested onsite; **however, the Urban Forester shall be encouraged to explore other plantings in lieu of acorns if site conditions warrant such measures.** Replacements **shall** be planted before occupancy permits are issued, and monitoring **shall** follow for three years, so that at least 75 percent of the seedlings are alive and fully established at the end of the monitoring period. If the number of seedlings is not at least 75 percent of the original number of trees planted, then the project owner **shall** replant replacement seedlings until that number of trees is surviving at 3 years after planting.*
- 7) *The area between Street "A" and Dead Horse Slough shall be planted with native/indigenous species, including the street trees.*
- 8) *Street trees selected shall be shade trees suitable to the site-specific conditions, as approved by the City Urban Forester.*
- 9) *The project CC&R's shall include a requirement prohibiting the planting of invasive species as identified in the invasive plant list prepared by the California Native Plant Society.*
- 10) *Street lighting along Street "A" shall only be placed on the north side of the roadway.*

Addressing the Commission was:

- **John Packowski**, Reynen & Bardis, representing the Applicant, spoke in favor

The public hearing remained open.

The Planning Commission recessed at 8:25 p.m. and reconvened at 8:38 p.m. Commissioners and staff were present as noted.

Addressing the Commission was:

- **Murray Lind**, Reynen & Bardis, representing the Applicant, responded to questions

Chair Luvaas closed the public hearing at 8:48 p.m.

It was motioned (Merz) and seconded (Kelley) that the Planning Commission adopt Resolution No. 07-31, approving the modification of the Phase 1 Oak Valley vesting tentative subdivision map and planned development permit, as conditioned, including amendments 1 through 10 (above) and the following additional conditions of approval:

- 11) On Page 4 of Resolution No. 07-31, the reference to “City Council” is changed to read “Planning Commission.”*
- 12) Where feasible, any two-story houses along the State Highway Route 32 corridor shall use the hip-roof design to minimize the massing of roof lines.*

The public hearing was re-opened at 9:33 p.m. Addressing the Commission was:

- **Murray Lind**, Reynen & Bardis, representing the Applicant, responded to a question regarding placement of one-story and two-story homes

The public hearing was closed at 9:35 p.m. The Commission continued to formulate additional conditions of approval as follows:

- 13) Only open-style fencing (e.g. wrought iron, split rail, but not chain link) shall be allowed adjacent to the common open spaces interior to the subdivision (i.e., Lots BB, FF, GG, HH and MM). Landscaping along the open fencing is allowed.*
- 14) The extension of the Class I bicycle/pedestrian path from the Phase 1 development to Bruce Road and the Humboldt Road intersection remains a requirement of the Phase 1 development.*
- 15) Fencing shall comply with the City’s Fencing and Screening requirements set forth in Section 19.60.060 of Title 19 of the Chico Municipal Code.*
- 16) The final design of the fencing along the Potter Road extension shall be worked out between staff and the applicant. The final design shall include the planting of vines along sections of the fence line and shall include rock pilasters at approximately 50 foot intervals along the fence line.*

- 17) Where feasible, buildings and landscaping shall be oriented and designed to maximize the potential for natural cooling and passive solar opportunities. To the extent feasible, residential buildings should provide adequate southerly or southwesterly roof orientation to accommodate active solar energy systems as defined in Section 66473.1 of the Subdivision Map Act.*
- 18) A pedestrian path shall be provided between either Streets B and/or D and the adjacent multi-family lot to the west, if determined to be feasible by staff and the applicant.*

Vote: 6-0-1 (Monfort absent)

6. **BUSINESS FROM THE FLOOR** - Members of the Planning Commission commented on several topics of discussion, including invasive plant species, BIA workshops, policy changes, neighborhood plans and disagreement between staff and the Planning Commission when going before the City Council.
7. **PLANNING UPDATE** - Planning Services Director Steve Peterson provided an update of department activities, including information on the appeal of the decision on the Forest Avenue Office project, and a calendar of upcoming meetings and events was distributed. It was noted that the Regular Meeting of the Planning Commission of July 5, 2007 is cancelled.
8. **ADJOURNMENT** - There being no further business to come before the Planning Commission, Chair Luvaas adjourned the meeting at 10:47 p.m. to the Adjourned Regular Meeting of July 19, 2007.

June 5, 2008
Date Approved

/s/
Steve Peterson
Planning Services Director



City of Chico
NOTICE OF CANCELLATION
of

July 5, 2007 Planning Commission Meeting

NOTICE IS HEREBY GIVEN that the July 5, 2007 regular meeting of the Planning Commission of the City of Chico has been canceled.

The Planning Commission will meet Thursday, July 19, 2007 for an adjourned regular meeting at 6:30 p.m. in the City Council Chambers, Chico Municipal Center, 421 Main Street.

By: Karen Masterson, Administrative Assistant

Dated: June 29, 2007

Distribution:

Council (7)
City Manager
City Clerk
PSD Peterson
ACA Barker
SDE Johnson
PLD Staff

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE ADJOURNED REGULAR MEETING OF
JULY 19, 2007**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Mary Brownell
Dave Kelley, Vice Chair
John Merz
Susan Minasian
Kirk Monfort
Steve O'Bryan
Jon Luvaas, Chair

Staff Members Present: Steve Peterson, Planning Services Director
Mark Wolfe, Principal Planner
Bob Summerville, Senior Planner
Mike Sawley, Associate Planner
Lori Barker, Assistant City Attorney
Matt Johnson, Senior Development Engineer
Karen Masterson, Administrative Assistant

1. CALL TO ORDER/ROLL CALL

Chair Luvaas called the meeting to order at 6:33 p.m. Commissioners and staff were present as noted.

2. DISCUSSION OF EX PARTE COMMUNICATION - None to report.

3. CONSENT AGENDA - There were no items for this portion of the agenda.

4. REGULAR AGENDA - There were no items for this portion of the agenda.

5. PUBLIC HEARING ITEMS

5.1 Joshua Tree Manor Condominium Tentative Subdivision Map S 05-13 (Austin) 460, 480 & 490 Posada Way, APNs 007-310-012,-013, -014, -015 (Noticed 06-11-07) (Continued from 06-21-07) (Noticed 07-06-07) - A proposal to convert an existing 48-unit apartment complex on a 3.64-acre site into 48 condominium parcels with associated open space areas. The site is designated Medium Density Residential on the General Plan diagram and is located in the R2 Medium Density Residential zoning district. The project is categorically exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines, Sections 15301(k), Existing Facilities. *Planning Staff recommends adoption of Resolution No. 07-35 approving*

the Joshua Tree Manor Condominium Conversion Tentative Subdivision Map, S 05-13 (Austin), based on the findings and subject to the conditions of approval contained therein.

Associate Planner Mike Sawley presented the staff report. Chair Luvaas opened the public hearing at 6:36 p.m. Addressing the Commission was:

- Sara Knowles, representing the Applicant, spoke in favor

There being no further speakers, the public hearing was closed at 6:46 p.m.

It was motioned (Kelley) and seconded (Monfort) that the Planning Commission adopt Resolution No. 07-35, approving the Joshua Tree Manor Condominium Conversion Tentative Subdivision Map S 05-13 (Austin) based on the findings and subject to the conditions of approval contained therein.

Vote: 7-0

5.2 Kim Parcel Map PM 07-01, 395 E. 14th Street, APN 005-184-002 (Noticed 07-06-07)

A request to subdivide an existing 8,713 square foot (sf) parcel into two parcels of 4,422 sf and 4,291 sf, each suitable for single-family development. The site is zoned R1 Low Density Residential and is designated Low Density Residential on the General Plan diagram. This project is categorically exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines, Section 15332, In-Fill Development Projects. ***Planning staff recommends adoption of Resolution No. 07-34, approving Tentative Parcel Map, PM 07-01 (Kim), based on the findings and subject to the conditions of approval contained therein.***

Associate Planner Mike Sawley presented the staff report. Chair Luvaas opened the public hearing at 6:52 p.m. Addressing the Commission in the following order were:

- **David Kim**, Applicant, spoke in favor
- **Deidre Ring**, neighbor, sharing alley access, spoke in favor

There being no further speakers, the public hearing was closed at 7:13 p.m.

It was motioned (Monfort) and seconded (O'Bryan) that the Planning Commission adopt Resolution No. 07-34 approving Tentative Parcel Map 07-01 (Kim), based on the required findings, subject to the conditions of approval contained therein, and including the following amendments thereto:

1) Condition No. 6 is modified to read: Prior to issuance of demolition or building permits On Parcel B, the project proponent shall submit a tree preservation plan, prepared by a certified arborist, subject to the review and approval by City Planning staff, that sets forth appropriate measures to protect the existing 36-inch-diameter valley oak tree located behind the back of the sidewalk along the frontage of Parcel B.

2) Condition No. 7 is added as follows: Prior to issuance of demolition or building permits on Parcel A, the project proponent shall submit a tree preservation plan, prepared by a certified arborist, subject to the review and approval by City Planning staff, that sets forth appropriate measures to protect the existing pecan tree located behind the back of the sidewalk at the corner of Parcel A nearest to the street intersection.

Vote: 7-0

5.3 Parcel Map 01-18 (32 & Bruce Partners, LLC) Northwest Corner of Bruce Road and State Highway 32, APN 002-160-176 (Noticed 06-18-07) A proposal to divide a 20.27-acre parcel into four parcels consisting of one parcel for future development of multi-family residential uses, two parcels for future neighborhood commercial uses, and a fourth parcel for open space, creekside setback, and storm drainage. The site is designated High Density Residential, Medium-High Density Residential, and Community Commercial on the General Plan diagram, with a secondary land use designation of Open Space for Environmental Conservation and Safety applied to the residentially designated land. The site is split-zoned R4 High Density Residential, R3 Medium-High Density Residential, and CN Neighborhood Commercial with a RM Resource Management overlay zoning district applied to the residentially zoned land. *Planning staff recommends that the Planning Commission adopt Resolution No. 07-36, adopting a mitigated negative declaration and approving Parcel Map 01-18 (32 and Bruce Partners, LLC), based on the findings and subject to the conditions of approval contained therein.*

Senior Planner Bob Summerville presented the staff report. Chair Luvaas opened the public hearing at 8:08 p.m. Addressing the Commission was:

- **George Eshoo**, Applicant, spoke in favor

There being no further speakers, the public hearing was closed at 8:45 p.m.

The Planning Commission recessed at 8:45 p.m. and reconvened at 8:55 p.m. Commissioners and staff were present as noted.

It was motioned (Monfort) and seconded (Kelley) that the Planning Commission adopt Resolution No. 07-36, adopting a mitigated negative declaration and approving Parcel Map 01-18 (32 & Bruce Partners, LLC), based on the findings, subject to the conditions of approval contained therein and including the following additional amendments:

Exhibit I, Mitigated Negative Declaration & Mitigation Monitoring Program is amended as follows:

- Section 1 (Air Quality), Mitigation Measure B.1. 1 is amended to read: If construction activities occur during smog season (May-October), diesel equipment will not be allowed to idle for ~~long periods of time~~ **periods exceeding 5 consecutive minutes with exceptions as allowed by the State Air Resources Board.***
- Section 13 (Transportation/Circulation), Mitigation Measure M.1 is amended to read: Prior to the issuance of **the first** certificate of occupancy for either the residential or commercial uses, the Building and Development Services and Planning Departments shall ensure that the required traffic signals and improvements identified in the Nexus Study and recommended in the TIS are constructed.*
- Section 13 (Transportation/Circulation), Mitigation Measure M.2 is amended to read: Prior to issuance of **the first** certificate of occupancy of the CN zoned parcels, the Building and Development Services and Planning Departments shall ensure that the required traffic signals are installed.*

Exhibit II, Conditions of Approval, is amended as follows:

- 7. All development is subject to compliance with the Mitigation Measures and Mitigation Monitoring on Exhibit I of Planning Commission Resolution No. 07-36 **with changes approved by the Planning Commission at its July 19, 2007 meeting as noted in Exhibit I.***
- 8. **Prior to the approval of the future tentative subdivision map and planned development permit of the Creekside Townhomes project, Planning Services Department staff shall consult with the U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, and the California Department of Fish and Game that the Mitigated Negative Declaration and Mitigation Monitoring Program for Parcel Map 01-18 and future Creekside Townhomes project adequately address potential impacts.***
- 9. **Prior to recordation of the future tentative subdivision map and planned development permit of the Creekside Townhomes project,***

the developer shall pay a fair share of the cost of a bicycle/pedestrian bridge across Dead Horse Slough as determined by a nexus study.

Vote: 6-0-1 (Merz opposed)

6. **BUSINESS FROM THE FLOOR** - None
7. **PLANNING UPDATE** - Planning Services Director Steve Peterson provided an update of department activities and a calendar of upcoming meetings was distributed.
8. **ADJOURNMENT** - There being no further business to come before the Commission, Chair Luvaas adjourned the meeting at 10:20 p.m. to the Regular Meeting of August 2, 2007.

June 5, 2008
Date Approved

/s/
Steve Peterson
Planning Services Director

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING OF
AUGUST 2, 2007**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Mary Brownell
Dave Kelley, Vice Chair
John Merz
Kirk Monfort
Steve O'Bryan
Jon Luvaas, Chair

Commissioners Absent: Susan Minasian

Staff Members Present: Steve Peterson, Planning Services Director
Mark Wolfe, Principal Planner
Greg Redeker, Associate Planner
Lori Barker, Assistant City Attorney
Karen Masterson, Administrative Assistant

1. CALL TO ORDER/ROLL CALL

Chair Luvaas called the meeting to order at 6:30 p.m. Commissioners and staff were present as noted.

2. DISCUSSION OF EX PARTE COMMUNICATION - None to report.

3. CONSENT AGENDA

3.1 Minutes - Regular Meeting of November 2, 2006

3.2 Minutes - Adjourned Regular Meeting of June 12, 2007

It was motioned (Brownell) and seconded (O'Bryan) to approve the consent agenda as follows:

Item 3.1, as presented

Vote: 5-0-1-1 (Minasian absent, Merz abstained)

*Item 3.2, with one correction, Page 4, Condition of Approval No. 10 is amended to read: **Require The developer shall investigate the option of constructing a traffic circle, in lieu of the installation of a traffic signal, at***

the Floral Avenue/Eaton Road intersection, subject to the review and approval of the Building and Development Services Director and Capital Project Services Director.

Vote: 4-0-1-2 (Minasian absent, Kelley and Luvaas abstained)

4. **PUBLIC HEARING ITEMS** - There were no items for this portion of the agenda.

5. **REGULAR AGENDA**

5.1 **CODE AMENDMENT WORKSHOP** - A public workshop to consider possible code amendments for the purpose of creating a more predictable and transparent decision-making process, including such items as streamlining the appeal process, providing pre-application meetings for significant projects and delegating decision-making to Planning staff for minor subdivisions and routine projects. No formal action will occur at this workshop and any recommended code amendments will be considered at future and duly-noticed public hearing(s) of the Planning Commission and the Chico City Council.

Planning Services Director Steve Peterson presented the staff report and provided an overview of the seven areas identified for possible code reforms: 1) Streamline the appeal process; 2) Bundle General Plan amendments; 3) Increase staff-level reviews; 4) Encourage pre-application meetings; 5) Delegate minor modifications to development standards; 6) Update wireless telecommunications facilities (WTF) regulations; and, 7) Voluntary conceptual review. In summary, there are 340 hours of staff time invested in a single Planning Commission meeting and this reinforces the need to use our time as efficiently as possible.

Chair Luvaas opened the workshop to public comment. Addressing the Commission in the following order were:

- **Jane Turney**, citizen, expressed concern with any reduction in the opportunity for public input
- **Alan Gair**, citizen, expressed concern with delegation, in favor of streamlining the appeal process
- **Nora Todenhagen**, citizen, expressed concern with increasing predictability
- **Jason Bougie**, representing the Building Industry Association, would like to submit a written statement addressing each of the streamlining measures
- **Harold Carlson**, citizen, expressed concern over increasing staff-level reviews

The Commission recessed at 8:30 p.m. and reconvened at 8:40 p.m. Commissioners and staff were present as noted, with the exception of Commissioner Merz who left the meeting at 8:40 p.m.



City of Chico
NOTICE OF CANCELLATION
of

August 16, 2007 Planning Commission Meeting

NOTICE IS HEREBY GIVEN that the August 16, 2007 adjourned regular meeting of the Planning Commission of the City of Chico has been canceled.

The Planning Commission will meet Thursday, September 6, 2007 for a regular meeting at 6:30 p.m. in the City Council Chambers, Chico Municipal Center, 421 Main Street.

By: Karen Masterson, Administrative Assistant

Dated: August 9, 2007

Distribution:

Council (7)
City Manager
City Clerk
PSD Peterson
ACA Barker
SDE Johnson
PLD Staff

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING OF
SEPTEMBER 6, 2007**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Jon Luvaas, Chair
Mary Brownell
Dave Kelley, Vice Chair
John Merz
Kirk Monfort (Arrived Late)

Commissioners Absent: Susan Minasian
Steve O'Bryan

Staff Members Present: Steve Peterson, Planning Services Director
Mark Wolfe, Principal Planner
Meredith Williams, Associate Planner
Jake Morley, Assistant Planner
Lori Barker, Assistant City Attorney
Matt Johnson, Senior Development Engineer
Karen Masterson, Administrative Assistant

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order at 6:30 p.m. Commissioners and staff were present as noted.

2. DISCUSSION OF EX PARTE COMMUNICATION

There was no ex parte communication to report.

3. CONSENT AGENDA

3.1 Minutes - Meeting of November 16, 2006

3.2 Minutes - Meeting of December 7, 2006

3.3 Minutes - Meeting of December 21, 2006

Due to lack of a quorum, until Commissioner Monfort arrives, the consent agenda will be addressed after the public hearing items.

4. PUBLIC HEARING ITEMS

- 4.1 Subdivision S 07-06 (Village Medical Condominiums) 1025 Village Lane, APNs 047-711-001, -002, -003, -004, and -005** (*Noticed 08-25-07*) - A request to subdivide a 17-unit office complex into 17 privately-owned condominium units and one common area parcel for joint use parking. The site is located on land designated Low Density Residential on the General Plan diagram and is in the CN Neighborhood Commercial zoning district. The project has been determined to be categorically exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities). *Planning staff recommends approval of the Condominium Subdivision Map, as conditioned.*

Assistant Planner Jake Morley presented the staff report. Chair Luvaas opened the public hearing at 6:33 p.m. Addressing the Commission in the following order were:

- James Renfro, The Engineering Group, representing the applicant, spoke in favor.

There being no further speakers, the public hearing was closed at 6:37 p.m. The public hearing was subsequently re-opened at 6:45 p.m. Addressing the Commission in the following order were:

- James Renfro, The Engineering Group, clarified the agreement between In Motion Fitness and the medical offices regarding reciprocal parking during off-peak hours
- Randall Caviness, provided a statement regarding the parking lot

The public hearing was closed at 6:48 p.m.

It was motioned (Brownell) and seconded (Kelley) that the Planning Commission adopt Resolution No. 07-21, approving the Village Medical Condominium Subdivision Map S 07-06 based on the required findings and subject to the conditions of approval contained therein.

Vote: 4-0-3 (Minasian, Monfort and O'Bryan absent)

- 4.2 MVH Subdivision Map S 07-08 (Coleman) 23 and 27 Morning Rose Way, APNs 002-660-007 and -008** (*Noticed 08-25-07*) - A request to convert two duplexes into four privately-owned condominium units on two existing lots, approximately 5,663 square feet each. The site is designated Office on the General Plan diagram and is located in the OR Office Residential zoning district. The project has been determined

to be categorically exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities). ***Planning staff recommends approval of the Condominium Subdivision Map, as conditioned.***

Associate Planner Meredith Williams presented the staff report. Chair Luvaas opened the public hearing at 6:52 p.m. Addressing the Commission in the following order were:

- Ron Coleman, Applicant, spoke in favor

There being no further speakers, the public hearing was closed at 6:55 p.m.

It was motioned (Kelley) and seconded (Brownell) that the Planning Commission adopt Resolution No. 07-39, approving MVH Condominiums Tentative Subdivision Map (S 07-08) based on the required findings, subject to the conditions of approval contained therein and with the following added condition of approval:

6. ***With respect to Chico Maintenance District CMD 542: Prior to recordation of the Final Map, the Subdivider shall prepare the necessary documents needed for the City to redistribute the CMD 542 assessments to reflect the increased number of lots.***

Vote: 4-0-3 (Minasian, Monfort and O'Bryan absent)

Commissioner Monfort arrived at 7:05 p.m.

- 4.3 Harmony Park Circle Subdivision and Planned Development Permit S/PDP 07-03 (Myers/Davenport), 2655 Cactus Avenue, APNs 016-120-020 and 016-120-021** - A request to subdivide a 3.99 acre site comprised of two adjacent parcels to create 18 lots for single-family residential uses. The project creates a gross density of 4.5 units per acre with an average lot size of 9,667 square feet. The site is located on land designated Los Density Residential on the General Plan Diagram (2.01 to 6.0 units per gross acre) and in the R1-SD-7 Low Density Residential-Special Design Criteria-7 (Cactus Avenue) 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). ***Planning Staff recommends approval of the Subdivision and Planned Development Permit, as conditioned.***

Principal Planner Mark Wolfe presented the staff report on behalf of Senior Planner Bob Summerville. Chair Luvaas opened the public hearing at 7:15 p.m. Addressing the Commission in the following order were:

- James Renfro, The Engineering Group, representing the applicant, spoke in favor
- Linda Myers, Development Partner, provided some unsolicited drawings
- Cecilia Davenport, Development Partner, responded to some of the concerns
- Jerry Olio, Cactus Avenue resident, spoke in opposition
- Linda Myers, Development Partner, responded to questions regarding setbacks
- James Renfro, The Engineering Group, stated setbacks were 4 feet on the interior, 10 feet on the side abutting other property and 15 feet in the rear.

There being no further speakers, Chair Luvaas closed the public hearing at 8:05 p.m.

It was motioned (Merz) and seconded (Luvaas) to continue this item to a future agenda, date uncertain.

Vote: 4-1-2 (Monfort opposed; Minasian and O'Bryan absent)

Following the action for this item, Chair Luvaas recited a “courtesy list” of items suggested by Commissioners for the applicant to consider in their design, specifically:

- *Orient windows to face the street
- *Include functional front porches
- *Garages should not dominate the street scape
- *Provide a high-quality design with distinctive features, diverse design and sizes
- *Provide for solar orientaion
- *Prefer that long roofs face south
- *If feasible, minimize the amount of concrete via shared driveway access
- *Provide recycling receptacles in the areas where trash receptacles are located
- *Include drought-tolerant landscaping where feasible
- *Prefer that side yard setbacks are 15-feet

5. **REGULAR AGENDA**- There were no items for this portion of the agenda.

6. **BUSINESS FROM THE FLOOR** - None

3. **CONSENT AGENDA**

3.1 **Minutes** - Meeting of November 16, 2006

3.2 **Minutes** - Meeting of December 7, 2006

3.3 **Minutes** - Meeting of December 21, 2006

It was motioned (Brownell) and seconded (Kelley) to approve the Planning Commission meeting minutes of November 16, 2006, December 7, 2006, and December 21, 2006, with one correction to the December 21, 2006 minutes, as follows:

*The vote on the motion for Wildwood Estates was omitted in error;
revise the minutes to include the vote on page 7 of 7.*

Vote: 4-0-1-1 (Minasian absent, Merz abstained)

7. REPORTS & COMMUNICATIONS/PLANNING UPDATE

7.1 Planning Commission Work Plan Update

Planning Services Director Peterson presented the staff report. The Commission was provided with a Work Plan Status Report as of August 31, 2007. The Report identified projects, staff assignments, project status and preliminary time lines.

8. ADJOURNMENT

There being no further business to come before the Commission, the meeting was adjourned at 8:57 p.m. to the adjourned regular meeting of September 20, 2007.

November 15, 2007
Date Approved

_____/s/
Steve Peterson
Planning Services Director

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE ADJOURNED REGULAR MEETING OF
SEPTEMBER 20, 2007**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Jon Luvaas, Chair
Mary Brownell
Dave Kelley, Vice Chair
John Merz
Susan Minasian
Kirk Monfort

Commissioners Absent: None (Vacancy due to Resignation)

Staff Members Present: Steve Peterson, Planning Services Director
Mark Wolfe, Principal Planner
Brendan Vieg, Senior Planner
Mike Sawley, Associate Planner
Lori Barker, City Attorney
Amie Steel, Development Engineer
Karen Masterson, Administrative Assistant

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order at 6:30 p.m. Commissioners and staff were present as noted.

2. DISCUSSION OF EX PARTE COMMUNICATION

Brownell: Tom DiGiovanni, New Urban Builders (NUB); **Kelley:** Tom DiGiovanni and David Kim, NUB; **Merz:** Tom DiGiovanni, NUB; **Minasian:** Tom DiGiovanni, NUB; **Luvaas:** Tom DiGiovanni and John Anderson, NUB and Rupert McDowell, citizen, regarding Tuscan Village.

3. CONSENT AGENDA - There were no items for the Consent Agenda.

4. PUBLIC HEARING ITEMS

4.1 Meriam Park Phases 1-4 Vesting Tentative Subdivision Map S 07-09 (Meriam Park, LLC), located adjacent to the north side of East 20th Street, south of Little Chico Creek, west of Bruce Road, and east of Bedford Drive (APNs Various) (Noticed 09-10-07) - A proposal to subdivide a 45-acre portion of the larger 270-acre Meriam Park site into 151 lots to be developed under the recently-adopted "Traditional

Neighborhood Development” (TND) code. In addition to the tentative subdivision map, a Regulating Plan and Circulation Plan will be considered. The Regulating Plan generally establishes the intensity of future development, and the Circulation Plan specifies the types of streets that will make up the emergency response network. The proposed tentative map implements the Meriam Park Master Plan approved by the City Council in July of 2007. The subject site is zoned TND Traditional Neighborhood Development and is designated SMU Special Mixed-Use on the General Plan diagram. An Environmental Impact Report (EIR) was certified by the City Council during the approval process for the Meriam Park Master Plan. The project will not result in any new significant impacts that were not previously evaluated in the EIR, and pursuant to Section 15162 of the California Environmental Quality Act (CEQA) Guidelines, no further environmental review is required. ***Planning staff recommends that the Planning Commission adopt Resolution No. 07-41, approving the Meriam Park Phases 1-4 Vesting Tentative Subdivision Map (S 07-09), based on the findings contained therein and subject to the attached conditions of approval.***

Associate Planner Mike Sawley presented the staff report. Chair Luvaas opened the public hearing at 6:47 p.m. Addressing the Commission in the following order were:

- **John Anderson**, New Urban Builders, representing the Applicant, spoke in favor
- **Tom DiGiovanni**, New Urban Builders, representing the Applicant, spoke in favor

There being no further speakers to come before the Commission, Chair Luvaas closed the public hearing at 7:40 p.m.

It was motioned (Monfort) and seconded (Kelley) that the Planning Commission adopt Resolution No. 07-41, approving the Meriam Park Phases 1 through 4 Vesting Tentative Subdivision Map (S 07-09), based on the required findings, subject to the conditions of approval contained therein and including the following amendments:

Condition No. 9 is modified to read: East 20th Street shall be widened to five lanes between the future roundabout (Street “H”); Notre Dame Boulevard and Bruce Road concurrently with the installation of frontage improvements along that segment.

Highlight, for the record, the Applicant’s statements that:

- ***The proposed modifications to the TND Designations will not affect timing of improvements of the parks and greens; and,***
- ***Approximately fifty percent (50%) of Lot A on S 07-09 will be developed with a rose garden.***

Chair Luvaas re-opened the public hearing at 8:10 p.m. Addressing the Commission were:

- **John Anderson**, New Urban Builders, responded to a question regarding the TND “CORE” designations at the southern edge of the Regulating Plan
- **Tom DiGiovanni**, New Urban Builders, provided additional comments

Chair Luvaas re-closed the public hearing at 8:16 p.m.

*A roll call vote was taken for the motion, and amendments, on the floor.
Vote: 5-1 (Commissioner Merz opposed)*

The Planning Commission recessed at 8:27 p.m. and reconvened at 8:37 p.m. Commissioners and staff were present as noted.

4.2 Meriam Park Phases 5-7 Vesting Tentative Subdivision Map S 07-10 (Meriam Park, LLC), located adjacent to the north side of East 20th Street, south of Little Chico Creek, west of Bruce Road, and east of Bedford Drive (APNs Various) (Noticed 09-10-07) - A proposal to subdivide a 26.6-acre portion of the larger 270-acre Meriam Park site into 124 lots to be developed under the recently-adopted “Traditional Neighborhood Development” (TND) code. In addition to the tentative subdivision map, a Regulating Plan and Circulation Plan will be considered. The Regulating Plan generally establishes the intensity of future development, and the Circulation Plan specifies the types of streets that will make up the emergency response network. The proposed tentative map implements the Meriam Park Master Plan approved by the City Council in July of 2007. The subject site is zoned TND Traditional Neighborhood Development and is designated SMU Special Mixed-Use on the General Plan diagram. An Environmental Impact Report (EIR) was certified by the City Council during the approval process for the Meriam Park Master Plan. The project will not result in any new significant impacts that were not previously evaluated in the EIR, and pursuant to Section 15162 of the California Environmental Quality Act (CEQA) Guidelines, no further environmental review is required. *Planning staff recommends that the Planning Commission adopt Resolution No. 07-42, approving the Meriam Park Phases 5-7 Vesting Tentative Subdivision Map (S 07-10), based on the findings contained therein and subject to the attached conditions of approval.*

Associate Planner Mike Sawley presented the staff report. Chair Luvaas opened the public hearing at 8:40 p.m. Addressing the Commission was:

- **John Anderson**, New Urban Builders, representing the Applicant, spoke in favor

The public hearing was closed at 8:47 p.m.

It was motioned (Monfort) and seconded (Brownell) that the Planning Commission adopt Resolution No. 07-42, approving the Meriam Park Phases 5-7 Vesting Tentative Subdivision Map (S 07-10), based on the findings and subject to the conditions of approval contained therein.

The public hearing was re-opened at 8:52 p.m. Addressing the Commission was:

- **John Anderson**, New Urban Builders, representing the Applicant, responded to a question regarding Phase 6 tree removal

The public hearing was closed at 8:54 p.m.

The motion on the floor was modified to include the following:

Condition of Approval No. 11 (“The roundabout at the intersection of East 20th Street and Street H shall be constructed prior to completion of Phase 7, if completion of Phase 7 also constitutes the completion of Stage 3 of the Meriam Park Master Plan.”) is deleted in its entirety.

Vote: 6-0

- 4.3 Tuscan Village Conceptual Planned Development Permit S/PDP 04-08 (Schuster and Scott) APN 007-190-022** (*Noticed 09-10-07*) - The project site is 18.3 acres of undeveloped land located on the south side of Eaton Road, between Morseman and Burnap Avenues. The Applicant is requesting conceptual review by the Planning Commission of a planned development permit which includes 155 homes along with a daycare facility and recreational amenities. Proposed homes are in duplex and multi-family configurations. The purpose of this hearing is to comment on the conceptual plan prior to preparation of more detailed plans for the project. Final plans for the proposal will be reviewed at a later date and will be the subject of a future noticed public hearing, at which time a decision on the project will be rendered. No decision on the project is to be made at the Planning Commission’s September 20, 2007 public hearing. *Planning staff recommends that the Commission review the conceptual planned development permit and provide direction to the Applicant. Final action will require the Planning Commission’s review of the final development plan and subdivision map at a future Commission meeting.*

Principal Planner Mark Wolfe presented the staff report. Chair Luvaas opened the public hearing at 9:07 p.m. Addressing the Commission in the following order were:

- **Steve Schuster**, Applicant, spoke in favor
- **Lynne Bellante**, Neighbor on Michael Way, expressed concerns
- **Chris Perrson**, Neighbor on Sandi Drive, expressed concerns
- **Andy Willhoit**, Neighbor on Sandi Drive, expressed concerns
- **Rupert McDowell**, Neighbor on Hollow Oak, expressed concerns

There being no further speakers to come before the Commission, Chair Luvaas closed the public hearing at 9:53 p.m. The public hearing was re-opened at 10:47 p.m. Addressing the Commission was:

- **Steve Schuster**, Applicant, responded regarding the housing mix

The public hearing was closed at 10:49 p.m. Because tonight's hearing is a conceptual review, no formal motion or final action will occur at this meeting. The Planning Commission provided suggestions for refinement or modifications to the project proposal as follows:

1. Recreational use (park or open space) is preferred in the area now considered for mini-storage use;
2. It was suggested the applicant contact C.A.R.D. (Steve Visconti) to inquire as to possible interest in maintenance of the small park facility the applicant plans to construct;
3. Consider on-site storm water treatment, possibly in the northeast corner;
4. Egress onto Burnap should only be permitted if the traffic issues are worked out;
5. Consider bulbing the intersection at Sandi Drive and Morseman;
6. Consider a second access onto Eaton;
7. At the next review, the Commission would like to see elevations, porches, massing and additional detail as appropriate (e.g. window detail if there are privacy issues);
8. To address the rural quality issue, perhaps one unit could be removed along Morseman, providing additional space between houses;
9. There shall be no solid wall along Eaton; articulate design is needed;
10. Consider bus pull-outs and shelters on Eaton;
11. Unit types and mix should include both 2-bedroom and 3-bedroom designs;
12. Maximize shading of the paved areas in the project's interior;
13. The Commission emphasized the importance of two topics, namely:
Item No. 8: Techniques to provide a pedestrian scale of interest along the garage facades of the multi-family structures, particularly where two garage facades face each other across alleys - Staff recommends that the final plans for the project should include a fine-grain of detail for these areas. Pavement treatments, architectural detail and textures (particularly with regard to garage doors), and landscaping will be important elements.

Item No. 9: Opportunities for preserving healthy, existing trees - Formal applications will include information concerning the location and health of on-site trees. Where feasible, the applicant is encouraged to incorporate existing healthy trees into the project design.

5. **REGULAR AGENDA** -There were no items for this portion of the agenda.
6. **BUSINESS FROM THE FLOOR** -None
7. **REPORTS & COMMUNICATIONS/PLANNING UPDATE**
Planning Services Director Steve Peterson provided a brief update of departmental activities and a calendar of upcoming meetings was distributed.
8. **ADJOURNMENT**
There being no further business to come before the Commission, the meeting was adjourned at 11:10 p.m. to the Regular Meeting of October 4, 2007.

June 5, 2008
Date Approved

/s/
Steve Peterson
Planning Services Director

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING OF
OCTOBER 4, 2007**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Mary Brownell
Dave Kelley
John Merz
Susan Minasian
Kirk Monfort
Chair Jon Luvaas

Staff Members Present: Steve Peterson, Director, Planning Services
Mark Wolfe, Principal Planner
Holly Keeler, Principal Planner
Lori Barker, City Attorney
Matt Johnson, Senior Development Engineer
Martha Wescoat-Andes, Economic Development and
Redevelopment Manager
Mike Sawley, Associate Planner
Meredith Williams, Associate Planner
Jake Morley, Assistant Planner
Karen Masterson, Administrative Assistant

1. **ROLL CALL** - Chair Luvaas called the meeting to order at 6:30 p.m. Commissioners and staff were present as noted.
2. **DISCUSSION OF EX PARTE COMMUNICATION** - Commissioner Kelley stated he spoke with Nick Ambrosia about Provincial Park Plaza.
3. **CONSENT AGENDA** - There were no items on the Consent Agenda for this meeting.
4. **INFORMATIONAL PRESENTATION**
 - 4.1 **Overview of the Emerging Economic Strategy for the City of Chico** - Martha Wescoat-Andes, the City's Economic Development and Redevelopment Manager, provided the Commission with a brief overview of some important economic trends and the emerging components of the City's strategy, including a draft economic vision for Chico and an outline of the City's leadership and support roles in the economy. She shared the identified points at which the work of Planning directly impacts the economy, and provided information on some specific areas, such as the draft inventory of vacant land for business use, long-term infrastructure planning, and the regulatory process.

5. NOTICED PUBLIC HEARING ITEMS

- 5.1 Tentative Parcel Map PM 07-04 and Use Permit UP 07-13 (Creative Lane, LLC), 4 Creative Lane, APN 015-270-057** - A proposal to subdivide a 1.28-acre parcel into four parcels and a request to modify a use permit for an existing daycare center. The site is designated Low Density Residential on the General Plan diagram and is located in the R-1 Low Density Residential zoning district. The project is categorically exempt from environmental review pursuant to Section 15301 (k) and 15332 of the California Environmental Quality Act Guidelines (Existing Facilities and Infill Development). *Planning staff recommend approval of the Tentative Parcel Map and Use Permit, as conditioned.*

Associate Planner Meredith Williams presented the staff report and took questions from the Commission. Chair Luvaas opened the public hearing at 7:12 p.m. Addressing the Commission in the following order were:

- James Renfro, The Engineering Group, representing the applicant, spoke in favor and answered questions from the Commission
- Stan Merritt, applicant, spoke in favor

There being no other speakers, the public hearing was closed at 7:33 p.m.

It was motioned (Kelley) and seconded (Monfort) that the Planning Commission adopt Resolution No. 07-43, approving Tentative Parcel Map 07-04 and Use Permit 07-13 (Creative Lane, LLC) based on the findings and subject to the conditions of approval contained therein.

Chair Luvaas re-opened the public hearing at 7:45 p.m. Addressing the Commission in the following order were:

- Stan Merritt, applicant, explained the need for daycare operating hours beginning at 6:00 a.m.

There being no other speakers, the public hearing was closed at 7:46 p.m.

The motion on the floor was modified to incorporate revisions to several staff-recommended conditions of approval, the addition of two new conditions of approval, as identified in a Staff Report Addendum provided at the meeting, and, the addition of several new conditions of approval as follows:

Conditions of Approval (COA) - Parcel Map 07-04

COA #6 is modified to remove the word "simple" from the description of the tree protection plan.

COA #11 is added: The subdivision improvement plans shall indicate irrigated ground cover and trees in all landscaped areas on the south side of Creative Lane.

COA #12 is added: A new fence, consistent with the fence described in Use Permit 07-13 COA #6, shall be installed on the southern property line along Creative Lane. All new fencing shall be indicated on the subdivision improvement plans.

COA #13 is added: Provide shade trees in the park strip along the north side of the cul-de-sac.

COA #14 is added: All landscaped areas shall be irrigated.

COA #15 is added: Preserve tree number 11, and 12, as feasible; provided, however, that necessary street and fire access is not jeopardized.

COA #16 is added: Lot 4 shall have a side yard setback of 10 feet.

Conditions of Approval (COA) - Use Permit 07-13

COA #4 is modified to read: The permittee shall limit the daycare's normal hours of operation to between 6:00 a.m. and 6:30 p.m.

COA #5 is modified to read: The permittee shall not allow children to use the outdoor play area prior to 8:00 a.m.

Motion passed 5-1 (Brownell opposed)

The Planning Commission recessed at 8:05 p.m. and reconvened at 8:15 p.m. Commissioners and Staff were present as noted.

- 5.2 Parcel Map 05-14 (Lydon/Jackson) 8 Capshaw Court and 412 W. 6th Avenue; APNs 043-740-015 and 043-740-075** - A request to subdivide two parcels totaling 1.02 acres to create four lots. The site is located on land designated Low Density Residential on the General Plan diagram and is in the R1 Low Density Residential zoning district. The project is categorically exempt from environmental review pursuant to Section 15332 of the California Environmental Quality Act Guidelines (Infill Development). *Planning staff recommend approval of the Tentative Parcel Map and Use Permit, as conditioned.*

Assistant Planner Jake Morley presented the staff report and took questions from the Commission. Chair Luvaas opened the public hearing at 8:22 p.m.

Addressing the Commission in the following order were:

- Russ Erickson, Robertson & Dominick, representing the applicant, spoke in favor and answered questions from the Commission
- George Jackson, owner at Lot 4, spoke in favor

There being no further speakers, the public hearing was closed at 8:27 p.m.

It was motioned (Kelley) and seconded (Brownell) that the Planning Commission adopt Resolution No. 07-38, approving Parcel Map 05-14 (Lydon/Jackson) based on the findings and subject to the conditions of approval contained therein.

The motion on the floor was modified to add one additional condition of approval:

COA #9 is added: Acknowledge preservation of the good oak and other trees on the map, with the exception of the magnolias on Parcel No. 1.

Motion passed 6-0

5.3 Provincial Park Plaza Planned Development Permit 07-02 and Use Permit 07-24, located at the northeast corner of Bruce Road at East 20th Street; APN 018-390-021

A request to establish the allowable range of uses for a neighborhood retail center consisting of five structures totaling approximately 27,000 square feet, multiple outdoor eating/seating plaza areas totaling approximately 3,600 square feet, and a 126-space parking area on a 2.5 acre site. The property is zoned CN Neighborhood Commercial and designated Mixed-Use Neighborhood Core on the General Plan diagram. An Environmental Impact Report (EIR) was certified by the City Council during the approval of the Warfield Lane-Doe Mill Road development, which included the project site. The project will not result in any new significant impacts that were not previously evaluated in the EIR. Pursuant to Section 15162 of the California Environmental Quality Act (CEQA) Guidelines, no further environmental review is required. ***Planning staff recommend approval of the Tentative Parcel Map and Use Permit , as conditioned.***

Associate Planner Mike Sawley presented the staff report. Chair Luvaas opened the public hearing at 8:57 p.m. Addressing the Commission in the following order were:

- Tom DeKleer, architect representing the applicant, spoke in favor and answered questions from the Commission

There being no further speakers, Chair Luvaas closed the public hearing at 9:30 p.m.

It was motioned (Monfort) and seconded (Kelley) that the Planning Commission adopt Resolution No. 07-40 approving Planned Development Permit 07-02 and approving Use Permit 07-24, subject to the conditions of approval contained therein.

The motion was modified to incorporate eight (8) additional conditions of approval as follows:

COA #1: Remove existing contiguous sidewalk along Bruce Road and East 20th Street and replace with 5-foot separated sidewalk with a 7-foot parkway strip, dedicating right-of-way along Bruce Road as necessary.

COA #2: Provide for a future pedestrian connection, with a gate that can be locked during off-hours, through the wall adjacent to Plaza Area I to connect to the multi-family parcel to the north.

COA #3: Remove the seven (7) parking spaces along Bruce Road and relocate four (4) of the spaces to the parking lot interior.

COA #4: Move utility boxes, transformers, water back flow units, and the like, out of the public view to the extent feasible. For those areas where relocation is not feasible, effective screening shall be provided, e.g. metal trellising with landscape vine plantings.

COA #5: Relocate the two (2) trash enclosures to the interior of the parking area.

COA #6: Provide for better distribution of bicycle racks, making them available at all four (4) corners of the project site.

COA #7 Provide additional architectural treatment at Pad A on the corner of Bruce Road and East 20th Street, commensurate with its importance as a central location in southeast Chico. Suggested changes include extending the building north along Bruce Road, possibly relocating the plaza area to another elevation of the building, and/or repositioning the building so that it wraps around the corner.

COA #8 Exterior lighting shall be full cut-off or louvered.

Motion failed 2-4 (Brownell, Luvaas, Merz, Minasian opposed)

Chair Luvaas re-opened the public hearing at 10:13 p.m. Addressing the Commission in the following order were:

- Tom DeKleer, architect representing the applicant, spoke regarding removal and replacement of the existing sidewalk
- Bill Hughes, one of the project owners, spoke in favor

There being no further speakers, Chair Luvaas closed the public hearing at 10:27 p.m.

It was motioned (Monfort) and seconded (Brownell) to continue this item to the November 1, 2007 regular meeting of the Planning Commission. The eight (8) Conditions of Approval provided as part of the earlier (failed) motion shall be deemed to be recommendations and shall be considered by the applicant in development of a revised site plan and architectural details to be presented to the Commission at its November 1, 2007 meeting.

Motion passed 6-0

The Planning Commission recessed at 10:30 p.m. and reconvened at 10:40 p.m. Commissioners and Staff were present as noted.

5.4 Code Amendment A-C-ST-90 (City of Chico) Amending the Chico Municipal Code related to Streamlining the Review Process - A proposal to amend Sections 2, 18, and 19 of the Chico Municipal Code related to permit procedures for the review of development applications including changes to the appeal process, pre-application meetings with community groups, authorizing more staff level decisions for minor projects, and establishing interim processing procedures for general plan amendments during the General Plan Update. This project has been determined to be exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15061(b)(3), General Rule Exemption. *Planning staff recommend that the Planning Commission adopt Resolution No. 07-44, recommending that the City Council approve amendments to Titles 2, 18 and 19 of the Chico Municipal Code (CMC) related to improving the predictability and transparency in the decision making process.*

It was motioned (Minasian) and seconded (Kelley) to continue this item to the October 18, 2007 adjourned regular meeting of the Planning Commission.

Motion passed 6-0

6. **REGULAR AGENDA** - There were no items on the regular agenda for this meeting.

5. **BUSINESS FROM THE FLOOR** - There was no business from the floor.

PLANNING UPDATE

A schedule of upcoming meetings was provided and discussed.

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE ADJOURNED REGULAR MEETING OF
OCTOBER 18, 2007**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Jon Luvaas, Chair
Mary Brownell
Dave Kelley, Vice Chair
John Merz
Susan Minasian
Kirk Monfort

Staff Members Present: Mark Wolfe, Principal Planner
Bob Summerville, Senior Planner
Jake Morley, Assistant Planner
Lori Barker, City Attorney
Matt Johnson, Senior Development Engineer
Karen Masterson, Administrative Assistant

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order at 6:30 p.m. Commissioners and staff were present as noted.

2. DISCUSSION OF EX PARTE COMMUNICATION

Commissioner Monfort spoke with Mike Campos regarding the Cal Water Variance.

3. CONSENT AGENDA

3.1 Minutes - Meeting of October 4, 2007

*It was motioned (Monfort) and seconded (Kelley) to approve the
Planning Commission meeting minutes of October 4, 2007 as presented.*

Vote: 6-0

4. INFORMATIONAL PRESENTATION

4.1 Mitigation Monitoring Tracking Software - The Planning Commission Work Plan 2007-2008 identifies, as a high priority, the need to develop a mitigation tracking and monitoring program. Planning staff, along with PMC, will present an overview

demonstration of a web-based mitigation monitoring and tracking system. ***Planning staff recommends that the Planning Commission review and comment on the Mitigation Monitoring Electronic Database.***

Principal Planner Holly Keeler provided the staff report. Meriam Park project was chosen as the model for the program due to its complexity. Principal Planner Keeler introduced consultant Bret Sampson of PMC who provided a “live on the web” demonstration of the software. The system can track mitigation measures, conditions of approval and can be updated from the field on a real-time basis. Summary reports can be generated to show items complete or out of compliance. Maps or other documents may be attached. The Commission provided comments as follows:

- Commissioner Minasian: Would like to see a copy of the protocols for use of the system.
- Commissioner Brownell: Would like to see the public have access and the ability to provide written comments via the website.
- Commissioner Kelley: Would like a list of cities currently using this software so that the Planning Commission could take a look at the site.

Chair Luvaas asked if anyone from the public wanted to provide comments. Addressing the Commission was:

- Nora Todenhagen, spoke in favor of the software and appreciated Commissioner Brownell’s comments.

4.2 General Plan Update - Planning staff and PMC will present an overview of the Community Outreach Program for the General Plan Update including the strategy and methods designed to solicit participation from a representative cross-section of the community.

Principal Planner Holly Keeler provided the staff report and introduced Kendall Flint, PMC Director of Public Relations and Marketing. Ms. Flint stated the dedicated website for the General Plan Update is now live: www.chicogeneralplan.com. With respect to surveys, English and Spanish language versions will be available. About 400 phone surveys will be done.

The Planning Commission recessed at 7:40 p.m. and reconvened at 7:50 p.m. Commissioners and staff were present as noted.

5. PUBLIC HEARING ITEMS

- 5.1 Code Amendment A-C-ST-90 (City of Chico) Amending the Chico Municipal Code related to Streamlining the Review Process** (*Noticed 09-22-07*) (*Continued from 10-04-07*) - A proposal to amend Sections 2, 18, and 19 of the Chico Municipal Code related to permit procedures for the review of development applications including changes to the appeal process, pre-application meetings with community groups, authorizing more staff level decisions for minor projects, and establishing interim processing procedures for general plan amendments during the General Plan Update. This project has been determined to be exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15061(b)(3), General Rule Exemption. ***Planning staff recommend that the Planning Commission adopt Resolution No. 07-44, recommending that the City Council approve amendments to Titles 2, 18 and 19 of the Chico Municipal Code (CMC).***

Principal Planner Mark Wolfe requested continuation of this item, on behalf of Planning Services Director Steve Peterson, to the November 1, 2007 Regular Meeting of the Planning Commission.

- 5.2 Sierra Gardens Senior Homes Tentative Subdivision Map/Planned Development Permit S/PDP 03-24 and General Plan Amendment and Rezone GPA/RZ 07-01 (Mogavero Notestine Associates) - southeast corner of Sierra Sunrise Terrace and Idyllwild Circle, APN 018-360-002** (*Noticed 10-06-07*) A resubmittal of the Sierra Gardens Senior Homes project to allow the following: 1) amend the General Plan land use designation for a vacant 5.76 acre parcel (6.49 gross acres) from Medium-High Density Residential to Medium Density Residential; 2) rezone the property from R3 Medium-High Density Residential to R2 Medium Density Residential; 3) subdivide the site as a private-street subdivision, creating 71 lots for the construction of 55 single-family residences and 16 townhomes; and 4) a planned development permit to authorize modifications to development standards (including building setbacks and minimum lot sizes) and to authorize architectural concepts. The proposal creates a gross density of approximately 11 dwelling units per acre and is designed exclusively for use by senior citizens. The Planning Services Department is recommending that a mitigated negative declaration be adopted pursuant to the California Environmental Quality Act (CEQA). ***The Planning Commission will forward recommendations to the City Council for final action to be considered at a subsequent, noticed public hearing.***

Senior Planner Bob Summerville presented the staff report. Chair Luvaas opened the public hearing at 8:10 p.m. Addressing the Commission in the following order were:

- David Mogavero, Mogavero-Notestine, Applicant, spoke in favor
- B.T. Chapman, neighbor representing Kestrel Court, spoke in favor

- Gary Salberg, neighbor, spoke in favor, suggested offset of street at Princess TJ
- Sharon Nichols, neighbor, inquired as to type of curb planned (rolled or vertical)

There being no further speakers, the public hearing was closed at 8:50 p.m.

It was motioned (Monfort) and seconded (Kelley) that the Planning Commission adopt Resolution No. 07-45 recommending City Council approval of General Plan Amendment/Rezone 07-01 and adopt Resolution No. 07-46 recommending City Council approval of the Sierra Gardens Senior Homes Tentative Subdivision Map and Planned Development Permit S/PDP 03-24 subject to the required findings, the conditions of approval contained therein and the following additional conditions of approval:

- 1. Provide larger street trees where feasible along all drive lanes. Minimize the amount of guest parking and provide required shade tree coverage for all guest parking areas.*
- 2. Specify the amenities (e.g., gazebos) for open space Lots A, B, C, D, and E.*
- 3. Drive C shall be narrowed.*
- 4. Enhance the alignment between Lots A and B for a better visual link to the tributary of Dead Horse Slough.*
- 5. Enhance the crosswalk extending from the south side of Loop B to open space Lot C and the tributary of Dead Horse Slough.*
- 6. In the Mitigated Negative Declaration, Page 3 of 8, Mitigation Measure C.1. (Biological Resources), Paragraph c) shall be amended to read: "Plastic mono-filament netting (erosion control matting) or similar material ~~should~~ **shall** not be used..."*
- 7. In the Mitigated Negative Declaration, Page 4 of 8, Mitigation Measure C.1. (Biological Resources), Paragraph h) shall be amended to read: "...shall submit a completed CNDDDB field survey form...to the Department of Fish and Game **with a copy to the City of Chico...**"*
- 8. In Exhibit II, Conditions of Approval, Page 2 of 4, Item No. 7 shall be amended to read: "...senior citizens **as defined by law.**"*
- 9. In Exhibit III, Subdivision Report, Page 5 of 9, Item D.2., add the following language: "**The new Maintenance District created by this project will include creation and maintenance of a pathway along the north side of the tributary of Dead Horse Slough.**"*
- 10. Recommend to Butte County Association of Governments (BCAG) that a covered bus stop be provided on Sierra Sunrise Terrace.*
- 11. Add 10 foot rear yard setbacks to Lots 34, 35, and 36.*
- 12. Find a way to achieve 6 foot sideyard setbacks between Lots 37 through 45 (even at the expense of eliminating a lot).*
- 13. Add benches and/or picnic tables (passive recreational amenities) at open space Lot C.*

- 14. Add benches (passive recreational amenities) at Lots D and E.*
- 15. There shall be no fencing along or near open space Lot B.*
- 16. All E-type units shall have functional front porches.*
- 17. Provide traffic-calming bulb-outs at the intersections of Street A with Idyllwild Circle and Sierra Sunrise Terrace.*

The Planning Commission recessed at 10:15 p.m. and reconvened at 10:28 p.m. Commissioners and staff were present as noted.

Chair Luvaas called for a roll call vote on the motion.

Vote: 0-6 (Merz, Brownell, Minasian, Kelley, Monfort, and Luvaas opposed)

A new motion was made (Brownell) and seconded (Minasian) that the Planning Commission CONCEPTUALLY approve the Sierra Gardens Senior Homes Tentative Subdivision Map and Planned Development Permit S/PDP 03-24 subject to the required findings, the conditions of approval contained therein and the additional conditions of approval as stated in the previous failed motion.

Vote: 4-2 (Kelley and Monfort opposed)

A motion was made (Merz) and seconded (Minasian) to continue the meeting beyond 10:30 p.m.

Vote: 6-0

5.3 Appeal of Variance 07-01 (California Water Service Company) 236 Orient Street, APN 004-093-002 - (Noticed 10-06-07) - Consideration of an appeal of a Zoning Administrator action approving a six-foot tall cyclone fence within the required front and side setbacks where a maximum height of three feet would normally apply. The site is designated as Downtown on the General Plan diagram and is in the RD Downtown Residential zoning district. The project has been determined to be categorically exempt pursuant to California Environmental Quality Act (CEQA) Guidelines, Section 15303(e), (New Construction). *Planning staff recommend that the Planning Commission deny the appeal and uphold the Zoning Administrator approval of Variance 07-01 (California Water Service Company).*

Assistant Planner Jake Morley presented the staff report. Chair Luvaas opened the public hearing at 10:38 p.m. Addressing the Commission in the following order were:

- George Matthews, Appellant, in favor of upholding the appeal
- Mike Campos, neighbor, in favor of using wrought iron for the fencing
- Ed Laughlin, citizen, in favor of using wrought iron for the fencing
- Pete Bonacich, California Water Service Co., in favor of denying the appeal
- Carol Whipple, neighbor, spoke to the historical significance of the site

There being no further speakers, the public hearing was closed at 11:00 p.m.

It was motioned (Monfort) and seconded (Kelley) to deny the appeal and uphold the Zoning Administrators approval of Variance 07-01, California Water Service Company, and further, to add the following additional conditions to the project:

Condition #3 is added: All new fencing shall be wrought iron, subject to administrative architectural review and approval. All related posts, top rails, and gates shall be wrought iron; and

Condition #4 is added: New landscape bushes shall be located behind the new fence and shall be maintained at a height not to exceed three feet. All landscaping shall be maintained in good health and vigor.

Vote: 4-2 (Merz and Luvaas opposed)

6. **REGULAR AGENDA**

There were no items for this portion of the agenda.

7. **BUSINESS FROM THE FLOOR**

None

8. **PLANNING UPDATE**

None

9. **ADJOURNMENT**

There being no further business to come before the Commission, the meeting was adjourned at 11:10 p.m. to the Regular Meeting of November 1, 2007.

December 6, 2007

Date Approved

/s/

Steve Peterson

Planning Services Director

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING OF
NOVEMBER 1, 2007**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Jon Luvaas, Chair
Mary Brownell
Dave Kelley, Vice Chair
Susan Minasian

Commissioners Absent: John Merz
(Two Vacancies due to Resignation)

Staff Members Present: Steve Peterson, Planning Services Director
Mark Wolfe, Principal Planner
Mike Sawley, Associate Planner
Lori Barker, City Attorney
Roger S. Wilson, Assistant City Attorney
Matt Johnson, Senior Development Engineer
Karen Masterson, Administrative Assistant

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order at 6:30 p.m. Commissioners and staff were present as noted.

2. DISCUSSION OF EX PARTE COMMUNICATION

There was no ex parte communication to report.

3. CONSENT AGENDA

3.1 Minutes - Adjourned Regular Meeting of January 18, 2007

3.2 Minutes - Regular Meeting of February 1, 2007

It was motioned (Minasian) and seconded (Brownell) to approve the consent agenda, as presented, and without modifications.

Vote: 4-0-1 (Merz absent)

4. PUBLIC HEARING ITEMS

- 4.1 Code Amendment A-C-ST-90 (City of Chico) Amending the Chico Municipal Code related to Streamlining the Review Process** (*Noticed 09-22-07*) - A proposal to amend Sections 2, 18, and 19 of the Chico Municipal Code related to permit procedures for the review of development applications including changes to the appeal process, pre-application meetings with community groups, authorizing more staff level decisions for minor projects, and establishing interim processing procedures for general plan amendments during the General Plan Update. This project has been determined to be exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines, Section 15061(b)(3) (General Rule Exemption). (*Continued from 10-18-07 Commission meeting*) (**Staff Report: Planning Services Director Steve Peterson**)

Planning staff recommends that the Planning Commission adopt Resolution No. 07-44, recommending that the City Council approve amendments to Titles 2, 18 and 19 of the Chico Municipal Code related to improving the predictability and transparency in the decision making process.

Planning Services Director Steve Peterson presented the staff report. Chair Luvaas opened the public hearing at 7:01 p.m. Addressing the Commission in the following order were:

- **Jason Bougie**, Building Industry Association, spoke in favor

There being no further speakers, Chair Luvaas closed the public hearing at 7:02 p.m.

It was motioned (Kelley) and seconded (Minasian) that the Planning Commission adopt Resolution 07-44, recommending that the City Council approve amendments to Titles 2, 18, and 19 of the Chico Municipal Code related to improving the predictability and transparency in the decision making process, as presented, and with the following additional conditions:

1. *References to “Director” shall be changed to read “Planning Services Director”*
2. *How and where to file an appeal shall be clearly stated*
3. *Applicant shall be encouraged to take accurate notes at pre-application meetings*
4. *Applicants shall hold pre-application meetings at such a time to allow maximum public participation, such as in the evening or on weekends*

5. *Encourage a second pre-application meeting if at the time the application is submitted there have been substantive changes to the proposed project and/or years have passed since the time of the first pre-application meeting*
6. *Exhibit II, Paragraph 1 shall be modified to read: "...While neighborhood consensus or agreement is not the goal, it is ~~not~~ required a desirable outcome..."*
7. *Exhibit IV, Paragraph A shall be modified to read: "All private development applications for a general plan amendment and application for land use entitlements, within the city limits, which require a general plan amendment..."*

Vote: 4-0-1 (Merz absent, two Commissioner vacancies)

At 7:30 p.m. City Attorney Lori Barker introduced the new Assistant City Attorney, Roger S. Wilson, and excused herself from the remainder of the meeting.

- 4.2 Provincial Park Plaza Planned Development Permit 07-02 and Use Permit 07-24, at the northeast corner of Bruce Road at East 20th Street; APN 018-390-021 (Noticed 09-22-07)** - A request to develop a neighborhood retail center consisting of five structures totaling approximately 27,000 square feet, multiple outdoor eating/seating plaza areas totaling approximately 3,600 square feet, and a 126-space parking area on a 2.5 acre site. The property is zoned CN Neighborhood Commercial and designated Mixed-Use Neighborhood Core on the General Plan diagram. An Environmental Impact Report (EIR) was certified by the City Council during the approval of the Warfield Lane-Doe Mill Road development, which included the project site. The project will not result in any new significant impacts that were not previously evaluated in the EIR. Pursuant to Section 15162 of the California Environmental Quality Act (CEQA) Guidelines, no further environmental review is required. *(Continued from 10-04-07 Commission meeting)* **(Staff Report: Associate Planner Mike Sawley)**

Planning staff recommends that the Planning Commission adopt Resolution No. 07-40 approving Planned Development Permit 07-02 and Use Permit 07-24, subject to the conditions of approval contained therein.

Associate Planner Mike Sawley presented the staff report. Chair Luvaas opened the public hearing at 7:40 p.m. Addressing the Commission in the following order were:

- **Thomas DeKleer**, representing the applicant, spoke in favor

There being no further speakers, Chair Luvaas closed the public hearing at 7:47 p.m.

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE ADJOURNED REGULAR MEETING OF
NOVEMBER 15, 2007**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Jon Luvaas, Chair
Dave Kelley, Vice Chair
Mary Brownell
Tom Hayes
John Merz
Susan Minasian

Commissioner(s) Absent: Kathy Barrett

Staff Members Present: Steve Peterson, Planning Services Director
Mark Wolfe, Principal Planner
Bob Summerville, Senior Planner
Mike Sawley, Associate Planner
Roger S. Wilson, Assistant City Attorney
Matt Johnson, Senior Development Engineer
Karen Masterson, Administrative Assistant

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order at 6:33 p.m. Commissioners and staff were present as noted.

2. DISCUSSION OF EX PARTE COMMUNICATION

There was no ex parte communication to report.

3. CONSENT AGENDA

3.1 Minutes - Regular Meeting of September 6, 2007

*It was motioned (Minasian) and seconded (Brownell) to approve the Minutes of the Regular Meeting of September 6, 2007, with one modification as follows: Item 4.3, Harmony Park Circle, middle of Page 4, the text shall read: "Following the action for this item, Chair Luvaas recited a "courtesy list" of items **suggested by the Commissioners for the applicant to consider in their design...**"*

Vote: 4-0-1-2 (Barrett absent; Hayes and Minasian abstained)

4. PUBLIC HEARING ITEMS

- 4.1 Humboldt Trail Estates Tentative Subdivision Map S 07-01 (Miller), APNs 002-050-184, 002-050-205, and 002-050-206 (Noticed 11-05-07)** - A proposal to subdivide a 2.46-acre site comprised of three parcels to create 18 single-family residential lots with an average lot size of 4,530 square feet. The project would utilize the City's small-lot subdivision regulations and would result in a gross density of 7.0 units per acre. Located on the north side of Humboldt Road west of Forest Avenue, the project site is designated Medium Density Residential on the General Plan diagram and zoned R2 Medium Density Residential. The project has been determined to be categorically exempt from the California Environmental Quality Act (CEQA) Guidelines, Section 15332 (In-Fill Development). **(Staff Report: Associate Planner Mike Sawley)**

Planning staff recommends that the Planning Commission adopt Resolution No. 07-47, approving the Humboldt Trail Estates Tentative Subdivision Map (S 07-01), based on the required findings and subject to the conditions of approval contained therein.

Associate Planner Mike Sawley presented the staff report. Chair Luvaas opened the public hearing at 6:48 p.m. Addressing the Commission in the following order were:

- **James Renfro**, The Engineering Group, representing the applicant, spoke in favor
- **Fred Crosthwaite**, neighbor on Humboldt, asked about trees/construction noise
- **Katie Zvkoski**, neighbor on Humboldt, asked about fence height
- **Jimi Logsdon**, neighbor on Humboldt, asked about the types of units planned

There being no further speakers, Chair Luvaas closed the public hearing at 7:03 p.m.

It was motioned (Kelley) and seconded (Hayes) that the Planning Commission adopt Resolution 07-47, approving the Humboldt Trail Estates Tentative Subdivision Map (S 07-01) based on the required findings, subject to the conditions of approval contained therein, and the following amended and additional conditions of approval:

*Condition No. 10 is modified to read as follows: The proposed masonry wall shall have a **wood-toned and wood-textured**, finished appearance and include a capstone that protrudes a minimum of 3-inches toward Highway 32.*

The Planning Commission added the following additional conditions of approval:

13. *The wing-wall at the westerly end of the sound wall may terminate at a point 35 feet south of the portion parallel to Highway 32 (instead of 50 feet, as proposed). The easterly wing-wall shall remain 50 feet in length.*
14. *Following construction of the sound wall, climbing vines shall be planted on the Highway 32-side and irrigation provided as necessary. An in-lieu fee may be collected for the remainder of the required Highway 32 landscaping in order to coordinate with the Highway 32 widening project.*
15. *The future residence on Lot 1 shall present frontage (architectural elements) toward both Street A and Humboldt Road. If a 6-foot high fence is installed on the street side-yard of Lot 1 along Humboldt Road, it shall return to the residence near the rear of the residence such that 6-foot fencing is minimized along Humboldt Road.*
16. *Recommendation: Consider situating future residences to provide south-facing roof surfaces that could accommodate active solar equipment.*

Vote: 5-1-1 (Minasian opposed; Barrett absent)

The Planning Commission recessed at 7:49 p.m. and reconvened at 7:59 p.m. Commissioners and staff were present as noted.

4.2 Final Review of Harmony Park Circle Subdivision/Planned Development Permit S/PDP 07-03 (Myers/Davenport), 2655 Cactus Avenue, APNs 016-120-020 and 016-120-021 (Noticed 11-05-07) - A request to subdivide a 3.99-acre site comprised of two adjacent parcels to create 18 lots for single-family residential uses. The project creates a gross density of 4.5 units per acre with an average lot size of 9,667 square feet. The site is located on land designated Low Density Residential on the General Plan diagram (2.01 to 6.0 units per gross acre) and in the R1-SD-7 Low Density Residential-Special Design Criteria-7 (Cactus Avenue) 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). *(Continued from 09-06-07 Commission Meeting)* **(Staff Report: Senior Planner Bob Summerville)**

Planning staff recommends that the Planning Commission adopt Resolution No. 07-37, finding that the project is categorically exempt from environmental review and approving the Harmony Park Circle Subdivision/Planned Development Permit

S/PDP 07-03 (Myers/Davenport), based on the required findings and subject to the conditions of approval contained therein.

Senior Planner Bob Summerville presented the staff report. Chair Luvaas opened the public hearing at 8:08 p.m. Addressing the Commission in the following order were:

- **James Renfro**, Engineering Group, representing the applicant, spoke in favor
- **Patrick Cole**, Academy Architects, representing the applicant, spoke in favor
- **Cecilia Davenport**, applicant, spoke in favor
- **Linda Myers**, applicant, spoke in favor

There being no further speakers, Chair Luvaas closed the public hearing at 8:28 p.m.

It was motioned (Kelley) and seconded (Brownell) that the Planning Commission adopt Resolution No. 07-37, finding that the project is categorically exempt from environmental review and approving the Harmony Park Circle Subdivision/Planned Development Permit S/PDP 07-03 (Myers/Davenport), based on the required findings and subject to the conditions of approval contained therein and including amendments thereto as follows:

Condition No. 7 is amended to read: ~~A shared driveway apron shall be constructed between Lots 7, 8, and 9 and between Lots 16 and 17. Driveways on Lots 8 and 17 shall be “Hollywood strips” (parallel concrete travel strips separated by an irrigated and maintained grass strip). “Hollywood strip” driveways shall be constructed for Lots 7, 9 and 16 where feasible.~~

Condition No. 9 is amended to read: Low-level street lighting shall be installed to maintain the rural atmosphere of the area as determined by the Director of Building and Development Services and Planning Services Department staff. All street lighting within the subdivision shall be located within Parcel A (park amenity), shall be low as feasible in height with low-level intensity lamps, with a style selected by the developer. Street lighting located at the intersection of Street A and Cactus Avenue shall be bronze “shoe box-style” with full cut-off. Location and design details (including style, manufacturer, lamp type, and wattage) of all street lighting for the project shall be illustrated and described on the project improvement plans and reviewed and approved by Planning Services Department and Development Engineering staff prior to the issuance of grading permits.

Vote: 6-0-1 (Barrett absent)

5. **REGULAR AGENDA** - There were no items for this portion of the agenda.
6. **BUSINESS FROM THE FLOOR** - There was no business from the floor.
7. **PLANNING UPDATE** - Planning Services Director Steve Peterson provided an update of departmental activities and a calendar of upcoming meetings was distributed. Chair Luvaas announced that Vice Chair Kelley was nominated to serve on the General Plan Advisory Committee (GPAC).
8. **ADJOURNMENT**

There being no further business to come before the Commission, Chair Luvaas adjourned the meeting at 9:15 p.m. to the Regular Meeting of December 6, 2007.

June 19, 2008
Date Approved

/s/
Steve Peterson
Planning Services Director

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING OF
DECEMBER 6, 2007**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Jon Luvaas, Chair
Kathy Barrett
Mary Brownell
Tom Hayes
Dave Kelley, Vice Chair
John Merz
Susan Minasian

Staff Members Present: Steve Peterson, Planning Services Director (Arrived Late)
Mark Wolfe, Principal Planner
Bob Summerville, Senior Planner
Mike Sawley, Associate Planner
Jake Morley, Assistant Planner
Roger S. Wilson, Assistant City Attorney
Matt Johnson, Senior Development Engineer
Karen Masterson, Administrative Assistant

For Agenda Item 4.1 Only:

Sherry Morgado, Housing & Neighborhood Services Director
Tom Varga, Capital Project Services Director
Jaki Walker, Neighborhood Services Manager
Holly Keeler, Principal Planner
Shawn Tillman, Senior Planner, Housing/Neighborhood Services
Brendan Vieg, Senior Planner

1. ROLL CALL

Chair Luvaas called the meeting to order at 6:30 p.m. Commissioners and staff were present as noted. Chair Luvaas welcomed newly-appointed Commissioner Kathy Barrett.

2. DISCUSSION OF EX PARTE COMMUNICATION

There was no ex parte communication to report.

3. CONSENT AGENDA

Consent agenda items 3.1, 3.2 and 3.3 will be addressed following the public hearing portion of the agenda.

3.4 Minutes - Meeting of October 18, 2007

It was motioned (Kelley) and seconded (Merz) to approve the Planning Commission meeting minutes of October 18, 2007 as presented.

Vote: 5-0-0-2 (Barrett and Hayes abstained; did not attend 10-18-07 meeting)

4. PUBLIC HEARING ITEMS

- 4.1 Avenues Neighborhood Plan - Determination of General Plan Consistency and Recommendation to City Council - The Avenues Neighborhood Plan provides recommendations with regard to circulation, traffic calming, transit and parking, land use, parks and open space, building stock, infrastructure, street trees, and social issues in the 830-acre Avenues Neighborhood north of downtown Chico. *Housing and Neighborhood Services staff recommend that the Planning Commission adopt Resolution No. 07-49, determining that the Avenues Neighborhood Improvement Plan is consistent with the City of Chico General Plan, and recommending that the City Council adopt a negative declaration based on the initial study prepared for this project, and adopt the Avenues Neighborhood Improvement Plan, as prepared.*

Housing and Neighborhood Services Senior Planner Shawn Tillman presented the staff report. Chair Luvaas opened the public hearing at 6:47 p.m. Addressing the Commission in the following order were:

- Lee Laney, Chico Avenues Neighborhood Association (CANA), spoke in favor
- Fred Davis, citizen, expressed concerns regarding The Esplanade
- Susan Mason, citizen, supports the Plan, has hydrology concerns
- Debbie Villaseñor, Barber Neighborhood Association, spoke in favor

There being no further speakers, the public hearing was closed at 7:07 p.m.

It was motioned (Kelley) and seconded (Merz) that the Planning Commission adopt Resolution No. 07-49, determining that the Avenues Neighborhood Improvement Plan is consistent with the City of Chico General Plan, and recommending that the City Council adopt a negative declaration based on the Initial Study prepared for the project, and adopt the Avenues Neighborhood Improvement Plan, as prepared. The Commission was unable to reach consensus on several suggested amendments to the motion.

No vote was taken; motion was retracted.

It was motioned (Kelley) and seconded (Minasian) that the Planning Commission adopt Resolution No. 07-49, determining that the Avenues

Neighborhood Improvement Plan (the Plan) is consistent with the City of Chico General Plan, and recommending that the City Council adopt a negative declaration based on the Initial Study prepared for the project, and adopt the Avenues Neighborhood Improvement Plan, as prepared, with the following amendments:

- 1. Given the importance of the Esplanade as a community-wide resource of unique concern, those recommendations in the Plan that could result in a physical change to the Esplanade should be removed from the Plan and considered by the City Council as a separate project;*
- 2. The City Council should be provided with additional clarification on the environmental review process relative to the Plan;*
- 3. Each annual implementation plan should be referred to the Planning Commission;*
- 4. The historic resources inventory identified in the implementation plan should be initiated as soon as practicable in the first year of implementation;*
- 5. The first year implementation plan should include consideration of ways to celebrate the Mechoopda culture;*
- 6. The Plan should emphasize that a 32-foot street width standard be seriously considered where feasible, excepting those streets with high traffic volume;*
- 7. The Plan should emphasize that natural drainage systems be seriously considered where feasible; and,*
- 8. The Plan should emphasize that street lighting be pedestrian-oriented, below the tree canopy and be directed to streets and sidewalks with full cut-off, recessed bulbs to avoid light spillage beyond the intended streets and sidewalks and to reduce glare.*

Vote: 7-0

It was requested that the minutes reflect that Commissioners Barrett, Hayes and Luvaas supported leaving the Esplanade in the Plan.

The Planning Commission recessed at 8:20 p.m. and reconvened at 8:40 p.m. Commissioners and staff were present as noted.

4.2 Use Permit 05-01 (The Well Ministry) 3221 Esplanade, APN 006-690-024 - A request to allow transitional housing, chapel/place of worship, vehicle sales, storage and repair and a ground level managers unit. The site is located on land designated Community Commercial on the General Plan diagram and zoned CC - Community Commercial. The project has been determined to be categorically exempt pursuant to the California Environmental Quality Act Guidelines Section 15303 (Conversion of Small Structures). *Staff recommends that the Planning Commission find that the project is categorically exempt from environmental review and approve Use Permit 05-01 (The Well Ministry) based on the findings and subject to the conditions of approval contained therein.*

Assistant Planner Jake Morley provided the staff report. Chair Luvaas opened the public hearing at 8:40 p.m. Addressing the Commission in the following order were:

- Charles S. Bertolini**, representing the applicant, spoke in favor
- Clayton Anderson**, citizen, expressed concerns over fencing and vehicle parking

Planning Services Director Steve Peterson arrived at 8:49 p.m.

There being no further speakers, the public hearing was closed at 8:58 p.m.

It was motioned (Hayes) and seconded (Kelley) that the Planning Commission find that the project is categorically exempt from environmental review and approve Use Permit 05-01 (The Well Ministry) based on the findings and subject to the conditions of approval contained therein.

The public hearing was re-opened at 9:02 p.m. to obtain a clarification from the Applicant. Addressing the Commission was:

- Charles S. Bertolini**, representing the applicant, clarified that only one vehicle would be fronting the Esplanade, leaving 178 feet of the 198 foot lot width as open frontage.

The public hearing was re-closed at 9:08 p.m.

The motion was amended to reflect additional and/or modified conditions of approval as follows:

- 1. Activities of the auto repair shop shall remain inside the building or to the north of the buildings on the south frontage;*
- 2. A 20-foot wide landscape buffer, three-feet in height, shall be added between the two entrances and to the southerly property line. Street trees shall also be added. It is noted that the landscaping will be on private*

property and will therefore be privately maintained and further, shall be maintained in accordance with City landscape maintenance standards;

3. *Staff Report Condition of Approval No. 4 (“Within 60 days of Use Permit approval, the permittee shall provide written verification from the Butte County Environmental Health Department that the existing septic system can support the proposed change in occupancy. In the event that the septic system is no longer an option, the permittee shall be required to connect all existing and proposed uses on the project site to the city sewer system.”) is eliminated; and,*
4. *Exterior lighting shall be directed downward, with full cut-off and recessed bulbs, to prevent light spillage and reduce offsite glare.*

Vote: 7-0

4.3 Martha’s Vineyard Vesting Tentative Subdivision Map 07-12 (Mariposa Vista, Inc.) 2609, 2615 and 2631 Ceanothus Avenue, APNs 016-060-057, -058 & -065

A proposal to subdivide a 1.92 acre site into 14 single-family residential lots with an average net lot size of 4,604 square feet. The project would utilize the City’s small-lot subdivision regulations and would result in a gross density of 6.17 units per acre. Located on Ceanothus Avenue, immediately south of Skywalker Court, the project site is designated Low Density Residential on the General Plan diagram and zoned R1 Low Density Residential. The project has been determined to be categorically exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15332 (In-fill Development). *Staff recommends that the Planning Commission adopt Resolution No. 07-48, approving Martha’s Vineyard Tentative Subdivision Map (S 07-12), based on the required findings and subject to the conditions of approval contained therein.*

Associate Planner Mike Sawley presented the staff report. Chair Luvaas opened the public hearing at 9:25 p.m. Addressing the Commission was:

- Tony Symmes**, Applicant, spoke in favor

There being no further speakers, the public hearing was closed at 9:30 p.m.

It was motioned (Kelley) and seconded (Hayes) that the Planning Commission adopt Resolution No. 07-48, approving Martha’s Vineyard Tentative Subdivision Map (S 07-12), based on the required findings, subject to the conditions of approval contained therein and modified to add the following additional conditions of approval:

1. *Homes built on Lots 7, 8, 9 and 14 shall front Ceanothus Avenue and shall not have 6-foot fences along Ceanothus Avenue; and,*
2. *Applicant is encouraged to include southerly facing roofs in home design to allow for use of passive solar*

Vote: 7-0

- 4.4 Sierra Gardens Senior Homes Tentative Subdivision Map/Planned Development Permit S/PDP 03-24 and General Plan Amendment/Rezone GPA/RZ 07-01 (Mogavero Notestine Associates) - southeast corner of Sierra Sunrise Terrace and Idyllwild Circle, APN 018-360-002** - The proposal involves the following requests: 1) amend the General Plan land use designation for a vacant 5.76 acre parcel (6.49 gross acres) from Medium-High Density Residential to Medium Density Residential; 2) rezone the property from R3 Medium-High Density Residential to R2 Medium Density Residential; 3) subdivide the site as a private-street subdivision, creating 71 lots for the construction of 55 single-family residences and 16 townhomes; and, 4) a planned development permit to authorize modifications to development standards (including building setbacks and minimum lot sizes) and to authorize architectural concepts. The proposal creates a gross density of approximately 11 dwelling units per acre and is designed exclusively for use by senior citizens. *Staff recommends that the Planning Commission adopt Resolution No. 07-45 recommending City Council approval of General Plan Amendment/Rezone 07-01 and adopt Resolution No. 07-46 recommending City Council approval of the Sierra Gardens Senior Homes Tentative Subdivision Map and Planned Development Permit S/PDP 03-24 with conditions.*

Senior Planner Bob Summerville presented the staff report. A citizen whose property abuts the project site at Lots 34, 35, and 36 (Vicki) was at the meeting but had to leave prior to the hearing for this item. Senior Planner Summerville spoke to her at the break and shared her concerns about the shallow rear yard setbacks with the Commission. Chair Luvaas opened the public hearing at 9:35 p.m. Addressing the Commission in the following order were:

- David Mogavero**, Applicant, requested a decision on the project in order to move the item to the City Council for consideration, then provided feedback regarding the 17 recommended modifications/conditions of approval presented by the Commission at their meeting of October 18, 2007
- B.T. Chapman**, neighbor on Kestrel Court, spoke in favor

There being no further speakers, the public hearing was closed at 10:05 p.m. A letter from the California Park Homeowner's Association was noted and the Commission voted to reopen the public hearing at 10:08 p.m. in order to hear from their representative. Addressing the Commission were:

- **Barbara Copeland**, representing Cal Park Homeowner's Association, answered questions from the Commission regarding the CC & Rs
- **B.T. Chapman**, neighbor on Kestrel Court, addressed Ms. Copeland's comments

The public hearing was re-closed at 10:15 p.m.

Discussion with the Applicant during the public hearing regarding the 17 recommended amendments presented at the October 18, 2007 meeting resulted in the following:

Amendment #1 - Unchanged - Provide larger street trees where feasible along all drive lanes. Minimize the amount of guest parking and provide required shade tree coverage for all guest parking areas.

Amendment #2 - Unchanged - Specify the amenities (e.g. gazebos) for open space Lots A, B, C, D, and E.

Amendment #3 - Deleted in its entirety - ~~Drive C shall be narrowed.~~

Amendment #4 - Amended for clarification to read: "Modify the vegetation between open space Lots A and B to open up views to the creek."

Amendment #5 - Amended for clarification to read: "Enhance the visual connection between Dead Horse Slough and Loop B."

*Amendment #6 - Unchanged - In the Mitigated Negative Declaration, Page 3 of 8, Mitigation Measure C.1. (Biological Resources), Paragraph c) shall be amended to read: "Plastic mono-filament netting (erosion control matting) or similar material should **shall** not be used..."*

*Amendment #7 - Unchanged - In the Mitigated Negative Declaration, Page 4 of 8, Mitigation Measure C.1. (Biological Resources), Paragraph h) shall be amended to read: "...shall submit a completed CNDDDB field survey form...to the Department of Fish and Game **with a copy to the City of Chico...**"*

*Amendment #8 - Unchanged - In Exhibit II, Conditions of Approval, Page 2 of 4, Item No. 7 shall be amended to read: "...senior citizens **as defined by law.**"*

*Amendment #9 - Amended for clarification to read: "In Exhibit III, Subdivision Report, Page 5 of 9, Item D.2., add the following language: **The new Maintenance District created by this project will include creation and***

maintenance of a pathway along the north side of the tributary of Dead Horse Slough. It is understood that this will not result in additional Maintenance District fees.”

Amendment #10 - Unchanged - Recommend to Butte County Association of Governments (BCAG) that a covered bus stop be provided on Sierra Sunrise Terrace.

Amendment #11 - Unchanged - Add 10-foot rear yard setbacks to Lots 34, 35 and 36.

Amendment #12 - Amended to read as follows: “Find a way to achieve ~~6-foot~~ **5-foot** sideyard setbacks between Lots 37 through 45 (even at the expense of eliminating a lot).”

Amendment #13 - Unchanged - Add benches and/or picnic tables (passive recreational amenities) at open space Lot C.

Amendment #14 - Unchanged - Add benches (passive recreational amenities) at Lots D and E.

Amendment #15 - Unchanged - There shall be no fencing along or near open space Lot B.

Amendment #16 - Amended for clarification to read: “Attempt to provide functional front porches in the design of all E-type units.”

Amendment #17 - Unchanged - Provide traffic-calming bulb-outs at the intersections of Street A with Idyllwild Circle and Sierra Sunrise Terrace.

A roll call vote was taken based on approval of the project with the 17 amendments as modified at tonight’s meeting. No formal motion was expressed.

Vote: 3-4 (Barrett, Hayes, Luvaas, Minasian opposed)

It was motioned (Hayes) and seconded (Brownell) that the Planning Commission call for a second vote as Commissioner Hayes wishes to reconsider his decision.

Vote: 6-1 (Minasian opposed)

A roll call re-vote was taken based on approval of the project with the 17 amendments as modified at tonight's meeting. No formal motion was expressed.

Vote: 4-3 (Barrett, Luvaas and Minasian opposed)

3. CONSENT AGENDA

3.1 Appointment of Planning Commissioner Liaison to Sustainability Task Force - Chair Luvaas appointed himself to serve in this capacity.

3.2 Creation of and Appointments to Energy Efficiency Ad Hoc Committee - An Ad Hoc Committee was formed to explore the future of this 2007-2008 Work Plan Item. Chair Luvaas and Vice Chair Kelley will meet and report back to the full Commission.

3.3 Appointment of Planning Commissioner Liaison to Downtown Study Group - This item was pulled from the Consent Agenda and was not acted upon.

5. REGULAR AGENDA - There were no items for this portion of the Agenda.

6. BUSINESS FROM THE FLOOR - There was no business from the floor.

7. REPORTS & COMMUNICATIONS/PLANNING UPDATE - Planning Services Director Peterson provided an update of staff activities and reviewed the upcoming Planning Commission meeting schedule. A copy of the Commission's final 2007-2008 Work Plan was distributed. Commissioner Merz requested an updated copy of the Active Development Map and accompanying reference tables.

8. ADJOURNMENT - There being no further business to come before the Planning Commission, the meeting was adjourned at 10:50 p.m. to the adjourned regular meeting of December 20, 2007.

March 20, 2008
Date Approved

/s/
Steve Peterson
Planning Services Director

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE ADJOURNED REGULAR MEETING OF
DECEMBER 20, 2007**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Jon Luvaas, Chair
Kathy Barrett
Mary Brownell
Tom Hayes
Dave Kelley, Vice Chair
John Merz
Susan Minasian

Staff Members Present: Steve Peterson, Planning Services Director
Mark Wolfe, Principal Planner
Jaki Walker, Neighborhood Services Manager
Shawn Tillman, Senior Planner, Neighborhood Services
Greg Redeker, Associate Planner
Jake Morley, Assistant Planner
Roger S. Wilson, Assistant City Attorney
Matt Johnson, Senior Development Engineer
Karen Masterson, Administrative Assistant

For Agenda Item 7.1 Only:

Holly Keeler, Principal Planner
Brendan Vieg, Senior Planner
Meredith Williams, Associate Planner

1. ROLL CALL

Chair Luvaas called the meeting to order at 6:30 p.m. Commissioners and staff were present as noted.

2. DISCUSSION OF EX PARTE COMMUNICATION

Commissioner Minasian spoke with Fred Davis regarding Avenues Neighborhood Plan.

3. CONSENT AGENDA

3.1 Resolution: Adoption of Resolution 07-49 forwarding recommendations on the Avenues Neighborhood Plan to the City Council

Requested Action: Adopt Resolution 07-49, with recommendations

This item was removed from the Consent Agenda at the request of Commissioner Minasian. Chair Luvaas announced the item will be heard following the conclusion of the Public Hearing Items portion of the Agenda.

4. PUBLIC HEARING ITEMS

- 4.1 Use Permit 06-31 (Omnipoint Communications) 3124 Esplanade, APN 006-200-021** - *(Noticed 12-08-07)* A request to construct and operate a 63-foot slimline telecommunications tower, including associated ground-mounted equipment, within a mini-storage facility. All ground-mounted equipment will be installed inside of an existing mini-storage space. The property is designated Commercial Services on the General Plan diagram and is located in a CS Service Commercial zoning district. The property is categorically exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines, Section 15303 (New Construction or Conversion of Small Structures). *Staff recommends that the Planning Commission find the project is categorically exempt from environmental review and approve Use Permit 06-31 (Omnipoint Communications) based on the findings and subject to the conditions of approval contained in the agenda report.*

Associate Planner Greg Redeker presented the staff report. Chair Luvaas opened the public hearing at 6:47 p.m. Addressing the Commission in the following order were:

- **Jerry Jazmadarian**, Omnipoint Communications, Applicant, spoke in favor

There being no further speakers, the public hearing was closed at 6:54 p.m.

It was motioned (Kelley) and seconded (Minasian) that the Planning Commission adopt Resolution No. 07-52, approving Use Permit 06-31 (Omnipoint Communications), based on the required findings and subject to the conditions contained therein.

Vote: 6-1 (Merz opposed)

- 4.2 Planned Development Permit 07-03 & Use Permit 07-30 (Sterling Development), 2760 Esplanade, APN 006-044-002** *(Noticed 12-08-07)* - A request to construct two commercial buildings totaling 29,994 square feet (s.f.) including a drive-through pharmacy on the southeast corner of the Esplanade and Lassen Avenue. The site is designated Community Commercial on the General Plan diagram and is located in the CC Community Commercial zoning district. The project has been determined to be categorically exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines, Section 15332 (In-Fill Development). *Staff recommends that the Planning Commission adopt Resolution No. 07-51, approving Planned Development Permit 07-03 and Use Permit 07-30 (Sterling*

Development) based on the findings and subject to the conditions of approval contained therein.

Assistant Planner Jake Morley presented the staff report. Chair Luvaas opened the public hearing at 7:00 p.m. Addressing the Commission in the following order were:

- **Scott Gibson**, Architect, representing the Applicant, spoke in favor
- **George Ramsted**, Design Manager/Architect, Longs Drugs, Applicant, in favor
- **Jeff Rasak**, President, Sterling Development, representing the Applicant, in favor
- **Fran Shelton**, Commercial Real Estate Broker, spoke in favor
- **Mike Trolinder**, citizen, provided comments
- **Ken Fleming**, citizen, provided comments

There being no further speakers, the public hearing was closed at 7:53 p.m.

It was motioned (Minasian) and seconded (Kelley) that the Planning Commission adopt Resolution No. 07-51, approving Planned Development Permit 07-03, Use Permit 07-30 and Architectural Review 07-20, subject to the conditions of approval contained therein.

The Planning Commission formulated the following additional conditions of approval:

1. *Inclusion of a park strip, with shade trees planted with guidance of the City's Urban Forester, along west and north street frontages, including a setback sidewalk of 5 feet and minimum 3.5 architectural wall, design shall be compatible with the buildings.*
2. *Bicycle parking area shall be placed in usable locations, near building entrances where they can be covered.*
3. *Service truck deliveries shall be limited to between the hours of 7:00 a.m. to 8:00 p.m., Monday through Saturday.*

The public hearing was re-opened at 8:24 p.m. Addressing the Commission was:

- **George Ramsted**, Long's Drug Store, responded to questions

The public hearing was closed at 8:25 p.m. and re-opened at 8:26 p.m. Addressing the Commission was:

- **George Ramsted**, Long's Drug Store, answered questions on the drive-through

The public hearing was closed at 8:29 p.m.

The Planning Commission formulated the following additional conditions of approval:

4. *Pavement shall be minimized in the drive-through area.*
5. *A six-foot tall, masonry fence shall be installed along the eastern property line.*
6. *The Architectural Review Board (ARB) is to address the issue of preventing light spillage onto adjoining residential properties. The Planning Commission suggests to the ARB that the proposed lighting (style and height) be similar to the lighting at the East Avenue and Marigold Long's Drug store location.*
7. *Planning staff shall direct the Applicant to the local air quality district regarding the possibility of educating drive-through customers regarding idling standards.*

Vote: 6-1 (Brownell opposed)

The Planning Commission recessed at 8:50 p.m. and reconvened at 9:05 p.m. Commissioners and staff were present as noted.

5. **REGULAR AGENDA**

(Item Pulled from Consent Agenda)

5.1 **Resolution: Adoption of Resolution 07-49 forwarding recommendations on the Avenues Neighborhood Plan to the City Council**

Requested Action: Adopt Resolution 07-49, with recommendations

It was motioned (Minasian) and seconded (Merz) that this item be placed on a future agenda for reconsideration.

Vote: 6-1 (Hayes opposed)

This item will be heard at the Commission's January 17, 2008 meeting.

6. **BUSINESS FROM THE FLOOR** - There was no business from the floor.

7. **REPORTS & COMMUNICATIONS - PLANNING UPDATE**

7.1 **Five-Year Review & Annual Report on the 1994 General Plan** (*Noticed 12-08-07*)

A report summarizing implementation of Chico's General Plan, including trends in land use and housing. A summary of development activity, including General Plan amendments, is also provided in the report. *The Planning Director recommends that the Planning Commission accept the General Plan Five-Year Review and Annual Report as an information item and provide comments to staff. The report will then be forwarded to Council as an information item prior to being sent to the California Office of Planning and Research, consistent with state regulations.*

Senior Planner Brendan Vieg provided an overview of the report and its findings.

7.2 **Planning Update** - Planning Services Director Peterson provided an update on department activities and reviewed the upcoming agenda planning calendar. There was discussion regarding cancellation of the July 3, 2008 Planning Commission meeting.

8. **ADJOURNMENT** - There being no further business to come before the Planning Commission, the meeting was adjourned at 9:53 p.m. to the adjourned regular meeting of January 17, 2008.

August 7, 2008
Date Approved

_____/s/_____
Steve Peterson
Planning Services Director