

**CITY OF CHICO PLANNING COMMISSION
REGULAR MEETING OF
March 2, 2023
Minutes**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Toni Scott, Chair
Richard Ober, Vice Chair
Paul Cooper
Dennis Deromedi
Bryce Goldstein
Lindsay Poulin
Larry Wahl

Commissioners Absent:

Staff Members Present: Mike Sawley AICP, Principal Planner
Kelly Murphy, Senior Planner
Tina Wilson, Associate Planner
Nicole Acain, Administrative Assistant

1. CALL TO ORDER

Chair Scott called the meeting to order at 6:00 pm.

1.1 *Chair Scott led the Pledge of Allegiance.*

1.2 Commission members and staff were present as noted.

2. CONSENT AGENDA

Commissioner Poulin moved to approve the minutes from the December 1, 2022, meeting.

Commissioner Ober seconded the motion.

The motion carried by the following vote:

AYES: Scott, Ober, Deromedi, Goldstein, Poulin, Wahl.

NOES: None.

ABSTAIN: None.

ABSENT: Cooper.

3. BUSINESS FROM THE FLOOR

Sisarie Sherry shared with the Commission the need for 24-hour public bathrooms for the unhoused in the downtown area.

1.3 Selection of Primary and an Alternate Liaison for the Architectural Review and Historic Preservation Board (ARHPB)

Commissioner Paul Cooper (Primary Alternate)
Commissioner Larry Wahl (Secondary Alternate)

Announcement of Ex Parte communications:

Commissioner Poulin spoke with Architect Matt Gallaway.
Commissioner Goldstein spoke with Council member Winslow.
Commissioner Cooper recused himself for both items.

4. PUBLIC HEARINGS

4.1 Use Permit 22-11 (Cloud Chaser); 1408 Park Avenue, APNs 005-176-004 and 005-177-001:

A request for use permit approval to establish a commercial cannabis storefront retailer use in the CC (Community Commercial) zoning district. The proposed storefront retailer would be located in an existing 11,000 square foot commercial building on the southeast corner of Park Avenue and 14th Street. The project site is designated Commercial Mixed Use on the City's General Plan Land Use Diagram and zoned CC-COS-SD8 (Community Commercial with Corridor Opportunity Site and Special Design Considerations – Southwest Chico Neighborhood overlays). The project has been determined to be categorically exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15301 (Existing Facilities) and 15332 (In-Fill Development Projects). **Questions regarding this project may be directed to Senior Planner Kelly Murphy at (530) 879-6535 or Kelly.murphy@chicoca.gov.**

Senior Planner Kelly Murphy presented an overview of the project.

Chair Scott opened the public hearing and invited public comments.

Addressing the Commission on this item were: Matt Gallaway- Architect- RGA, Robert Berry – public comment, Sisarie Sherry – public comment, Susan Baldwin – public comment

With no other members of the public wishing to address the Commission, Chair Scott closed the public hearing at 6:51 pm.

Commissioner Wahl moved that the Planning Commission deny Resolution No 23-01 Use Permit 22-11 (Cloud Chaser), based on the use being inconsistent with the Federal Controlled Substances Act.

Commissioner Ober seconded the motion.

The motion was failed by the following vote:

AYES: Wahl.

NOES: Scott, Ober, Deromedi, Goldstein, Poulin.

ABSTAIN: Cooper.

ABSENT: None.

Commissioner Goldstein moved to continue the item and direct the applicant to work with staff on the issue of parking and come back to the Commission at a future date.

At 7:01p.m. Chair Scott reopened the public hearing to hear from the applicant. At 7:04 p.m. Chair Scott closed the public hearing.

Commissioner Ober seconded the motion.

The motion was failed by the following vote:

AYES: Ober, Deromedi, Goldstein.

NOES: Scott, Poulin, Wahl.

ABSTAIN: Cooper.

ABSENT: None.

Commissioner Poulin moved to approve Planning Commission approve Resolution No 23-01 determining the project to be categorically exempt from further environmental review pursuant to CEQA Sections 15301 and 15332 and approving Use Permit 22-11 (Cloud Chaser), subject to the recommended conditions:

1. The proposed trash enclosure shall be relocated more interior to the site.
2. Enhance pedestrian wayfinding by relocating the gate to the corner-most area of the parking lot on the secondary project parcel, near the Park Avenue crossing.
3. Enhance pedestrian wayfinding by mirroring the parking lot fencing proposed for the secondary project parcel on the primary project parcel.
4. The project's onsite traffic pattern shall receive additional review from Development Engineering staff to ensure safety and circulation has been adequately addressed.
5. To the extent feasible, parking on the primary project parcel shall be reserved for customers only. Employee parking shall be provided on the secondary project parcel.

Commissioner Scott seconded the motion.

The motion failed by the following vote:

AYES: Scott, Deromedi, Poulin.

NOES: Ober, Goldstein, Wahl.

ABSTAIN: Cooper.

ABSENT: None

Chair Scott announced that the Commission was deadlocked on this item and, hearing no objection, concluded Commission deliberations.

Chair Scott called for a 10-minute recess at 7:35 pm. The meeting was reconvened at 7:45 pm, and all members were present.

Chair Scott announced that Commissioner Cooper has revoked his recusal from the second item.

- 4.2 **General Plan Amendment 21-01, Rezone 21-01, and Vesting Tentative Subdivision Map 21-02 (PR Gosal Investments LLC); 442 E. Eaton Road, APN 007-240-034: A proposal to amend the General Plan land use designation from VLDR to LDR, rezone the property from RS-20-AOC to R1-AOC, and subdivide an approximately 2.93-acre site into 17 parcels for residential development.** The site is located on the north side of Eaton Road, east of Hicks Lane, and north of the terminus of Silverbell Road. The site is currently designated Very Low Density Residential (VLDR) on the General Plan Land Use Diagram and is zoned RS-20-AOC (Suburban Residential, 20,000 square-foot minimum lot size, with Aircraft Overflight Zone C overlay). The project proposes to amend the General Plan land use designation from Very Low Density Residential (VLDR) to Low Density Residential (LDR) and rezone to reconfigure and change the zoning district of the site from RS-20-AOC (Suburban Residential, 20,000 square-foot minimum lot size, with Aircraft Overflight Zone C overlay) to R1-AOC (Low Density Residential with Aircraft Overflight Zone C overlay). The project proposes a gross residential density of 5.7 dwelling units per acre, with the average net lot size being 5,467 square feet. The project has been determined to be categorically exempt from further environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15332 (Infill Development Projects). **Questions regarding this project may be directed to Associate Planner Tina Wilson at (530) 879-6807 or tina.wilson@chicoca.gov.**

Announcement of Ex Parte communications: None.

Associate Planner Tina Wilson presented an overview of the project.

Chair Scott opened the public hearing and invited public comments.

Addressing the Commission on this item were: Brien Hamilton - Applicant

With no other members of the public wishing to address the Commission, Chair Scott closed the public hearing at 7:53 pm.

Commissioner Deromedi moved that the Planning Commission Adopt Resolution No 23-02, recommending that the City Council approve General Plan Amendment/Rezone 21-01 and Vesting Subdivision Map 21-02 subject to the recommended conditions contained therein.

Commissioner Goldstein seconded the motion.

The motion was carried by the following vote:

AYES: Scott, Ober, Cooper, Deromedi, Goldstein, Poulin, Wahl.
NOES: None.
ABSTAIN: None.
ABSENT: None.

5. **REGULAR AGENDA**

None.

6. **REPORTS AND COMMUNICATION**

None.

7. **ADJOURNMENT**

The meeting adjourned at 7:54 pm. to the following regular meeting of Thursday, March 16, 2023.

Date Approved

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