



TOWN OF PARADISE

5555 SKYWAY • PARADISE, CALIFORNIA 95969-4931
TELEPHONE (530) 872-6291 FAX (530) 877-5059
www.townofparadise.com

PLANNING COMMISSION MINUTES

July 21, 2015
6:00 PM

The July 21, 2015 meeting was called to order at 6:00 p.m. by Chair Stephanie Neumann who led the Pledge of Allegiance to the Flag of the United States of America.

PLANNING COMMISSIONERS PRESENT: James Clarkson, Martin Nichols and Stephanie Neumann, Chair.

PLANNING COMMISSIONERS ABSENT: Daniel Wentland.

1. APPROVAL OF MINUTES

MOTION by Nichols, seconded by Clarkson, approved the Regular Meeting Minutes of June 16, 2015 and Adjourned Meeting Minutes of June 22, 2015 as amended (Neumann chaired the June 22, 2015 meeting). Roll call vote was unanimous; Wentland absent.

MOTION by Nichols, seconded by Clarkson, approved Resolution No. 15-02, A Resolution of Appreciation of Outgoing Planning Commissioner Dan Wentland. Roll call vote was unanimous; Wentland absent and not voting.

2. OATHS OF OFFICE

Town Clerk Gutierrez administered the Oaths of Office to newly-appointed commissioners Ray Groom and Anita Towslee. The Town Council appointed Mr. Groom and Ms. Towslee on June 9, 2015 to serve four-year terms on the Planning Commission commencing July 1, 2015 through June 30, 2019.

3. ROLL CALL: James Clarkson, Ray Groom, Martin Nichols, Anita Towslee and Stephanie Neumann, Chair.

4. APPOINTMENT OF CHAIR/VICE CHAIR FOR 2015/2016 FISCAL YEAR.

Town Clerk Gutierrez opened up the floor for nominations for Planning Commission Chair for a one-year term commencing July 21, 2015.

Commissioner Neumann nominated James Clarkson.

MOTION by Nichols, seconded by Neumann, closed the nominations. Roll call vote was unanimous.

Roll call vote for James Clarkson to serve as Chair for a one-year term was unanimous.

Town Clerk Gutierrez turned the meeting over to Chair Clarkson who opened the floor to nominations for Planning Commission Vice-Chair for a one-year term commencing July 21, 2015.

Commissioner Neumann nominated Martin Nichols.

MOTION by Neumann, seconded by Groom, closed the nominations. Roll call vote was unanimous.

Roll call vote for Martin Nichols to serve as Vice-chair for a one-year term was unanimous.

5. COMMUNICATION

CDD Director Baker reported that the Town Council adopted the Post Construction Standards Plan as required by the State Regional Water Quality Control Board/Town of Paradise Small SM4 Phase II Permit.

6. PUBLIC COMMUNICATION – None.

7. CONTINUED PUBLIC HEARING - None

8. PUBLIC HEARING

Assistant Planner Susan Hartman reported to the Commission regarding the Site Plan Review permit application for approval to establish two drive-in service facilities in association with a restaurant and coffee shop as part of the Lynn's Paradise Plaza development on a +/-1.7 acre property zoned Community Commercial located at 9225 Skyway, AP No. 050-011-015. The project is recommended for approval with findings and conditions as set forth in the staff report.

Chairman Clarkson opened the public hearing at 6:10 p.m.

1. Project applicant, Lynn, stated that she would like to improve this end of Paradise to match the entrance to Paradise and create more jobs in the Town.

Mr. Baker asked the applicant if she had received the staff report and Lynn confirmed that she received the report and is in agreement with the project findings and conditions.

Commissioner Nichols asked questions to confirm that the existing restaurant will receive a renovation; the pipeline mitigations will become clear after excavation; and that a secondary treatment system, Advantex (a textile media system), will be installed in addition to the leach lines; and that there will be, at minimum, an annual inspection of the system.

Jarrold Holliday, project engineer, explained how the Advantex system operates, that it is difficult to state what is the life expectancy of the system, but that the system should be good for twenty years without any components needing to be replaced. Mr. Holliday and the Town staff also answered questions as to how the stormwater runoff would be mitigated; discussed how traffic congestion was mitigated by striping the road and including a two-way left turn lane; that spaces at the site are common to all of the businesses located thereon; and, explained the difference between a sand filter and a textile media system in that the components of the textile media wastewater system can be cleaned off or replaced, whereas a failed sand filter system would have to be replaced in its entirety. The new system will serve new and existing businesses.

Chair Clarkson closed the public hearing at 6:35 p.m.

MOTION by Nichols, seconded by Neumann, adopted the following required findings and the proposed mitigated negative declaration and approved the Lynn's Paradise Plaza site plan review application (PL15-00057) to allow the establishment of two drive-in service facilities in association with the establishment of a restaurant and coffee shop subject to the following conditions:

REQUIRED FINDINGS FOR APPROVAL:

- a. Find that the proposed project, **as conditioned**, will not result in a significant adverse effect on the environment because the project developer has agreed to mitigation measures that have been identified and assigned to address potentially significant adverse impacts
- b. Find that the project, **as conditioned**, is consistent with the Town-Commercial designation as shown on the Paradise General Plan land use map; and is consistent with the development goals, objectives and policies of all applicable General Plan elements.
- c. Find that the project, **as conditioned**, is compatible with surrounding land uses and would not be detrimental to the health, safety and general welfare of the residents of the Town of Paradise.
- d. Find that the project, **as conditioned**, will not result in a significant adverse effect on existing plant and animal life in the project vicinity for the following reasons:
 1. The project site is located within an area that has been significantly altered by commercial and residential development spanning several decades.
 2. No known outstanding wildlife habitat exists in the immediate project vicinity; and
 3. No known rare or endangered plants exist in the immediate project vicinity.

GENERAL CONDITIONS

1. If any land use for which a site plan review permit has been granted and issued is not established within three years of the site plan review permit's effective date, the site plan review permit may become subject to revocation by the Town of Paradise.
2. Secure Town of Paradise design review approval for any new business signs.
3. All work within the Bader Mine Road and Skyway public right of way is subject to Town issuance of an encroachment permit, which will require that the contractor be properly licensed and bonded with the Town of Paradise.
4. Required landscape plans for the proposed commercial buildings associated with the drive-in service facilities shall be designed to provide for the installation and maintenance of street trees and landscape plantings specifically chosen and arranged to be drought-tolerant and to screen and soften the appearance of the drive-in service facilities from pedestrians and vehicular traffic along Skyway and Bader Mine Road. Landscape Plans shall be designed in accordance with the current requirements of the State of California Building Standards Commission regarding Outdoor Landscape Irrigation.

5. Outside light fixtures associated with the project shall be designed to not exceed a height of eighteen feet above finished grade and shall be shielded to prevent the direct projection of light onto adjoining and nearby properties.
6. Minor changes to the interior and/or exterior design of the project may be approved administratively by the Town Planning Director upon submittal of a written request for such changes, if the requested changes are consistent with the overall intent of the project, its environmental document and its approval action. Any requested changes deemed by the Planning Director to be major or significant shall require a formal site plan review permit modification review by the Planning Commission and the payment of the appropriate processing fees.
7. Pay development impact fees prior to issuance of building permits for project construction in accordance with Paradise Municipal Code requirements.

CONDITIONS TO BE MET PRIOR TO THE ISSUANCE OF A BUILDING PERMIT

ROADS AND ACCESS

8. Submit six (6) copies and secure Town Engineer and Paradise Irrigation District approval of engineered design plans for the construction of public street frontage improvements along Skyway, to include restriping of the Skyway lanes of traffic as outlined within the memorandum regarding the Lynn's Paradise Plaza project from Town Engineer Marc Mattox dated June 4, 2015 and on file in the Town Development Services Department.
9. Submit six (6) copies of a detailed engineered site development and improvement plan showing all project improvements and facilities as proposed and required. Plans shall be prepared by a registered civil engineer (including final parking facility design) and submitted to the Public Works Department (Engineering Division) for review and approval. Pay required site plan checking fee. Construction and drainage improvement plans must be approved **PRIOR TO CONSTRUCTION** or installation of the required facilities.

SANITATION

10. Complete the requirements of the Town Onsite Sanitary Official concerning application, final system design, and the issuance of permit approvals for installation of a sewage treatment and disposal system to serve the proposed project. Provide evidence thereof to the Town Development Services Department (Building Division).

SITE DEVELOPMENT

11. Meet requirements of the town Development Services Department (Building Division) regarding permits authorizing project construction activity in accordance with all applicable town-adopted construction code requirements.
12. Provide a final solid waste enclosure design which addresses grade and location concerns to the satisfaction of Northern Waste and Recycling Services as outlined in written comments dated March 24, 2015 and on file with the Development Services Department.

13. Any construction within the existing utilities of Paradise Irrigation District (PID) that, in PID's judgment, adversely affects their underground facilities must be mitigated to the satisfaction of PID.

**CONDITIONS TO BE MET PRIOR TO FINAL BUILDING INSPECTION
AND CERTIFICATES OF OCCUPANCY**

ROADS AND ACCESS

14. Construct and install required project site frontage improvements in accordance with approved frontage improvement plans, and the requirements of the Town Engineer and the Paradise Irrigation District.

15. During the course of frontage improvements construction, the existing 12-inch diameter Paradise Irrigation District (PID) pipeline located within the Skyway right-of-way along the frontage of the project shall not be removed from service. Any conflicts between the design of the required frontage improvements and the water main shall be resolved to the satisfaction of PID with a pipeline replacement and / or relocation at the sole expense of the project developer.

16. Pay appropriate fees, provide the appropriate bonds and insurance certificates, obtain town issued encroachment permit and construct all design-approved work in the right-of-way (including driveway approach and utility connections). All design features shall meet ADA requirements and comply with the Caltrans A-87 standard, Town ordinances, accepted engineering standards and the requirements of the Town Engineer. Street frontage and driveway improvement plans must be approved **PRIOR** to the construction or installation of the required facilities.

17. Provide appropriate parking spaces, directional pavement markings and signage in a manner satisfactory to the Town Engineer.

SITE DEVELOPMENT

18. Construct all necessary site, drainage, access, wastewater treatment/disposal and other facilities improvements as required by the Town Engineer and the Town Onsite Sanitary Official.

19. Submit landscaping plans and application fee to the Community Development Department (Planning division) in accordance with Paradise Municipal Code requirements. **IMPORTANT NOTE:** No final building inspection or occupancy shall be permitted until the landscape plans for the project have been formally approved by the Town of Paradise and landscape materials have been installed (or bonded to guarantee installation).

SANITATION

20. Meet the requirements of Town onsite sanitation staff regarding inspection and approval for the construction and final design of the onsite sewage disposal system.

CONDITIONS OF LAND USE OPERATION

21. Any exterior speakers or communication systems installed to facilitate customer orders shall be operated in a manner that does not create noise disturbances across a real property line and in accordance with Town of Paradise noise ordinance regulations.

22. Any future function of the drive-in service facilities that contributes to or creates a traffic or pedestrian hazard shall be corrected in a timely fashion and in a manner deemed acceptable to the Town Engineer.

CDD Director Baker announced that the Planning Commission decision to approve the Lynn’s Paradise Plaza has a seven-day appeal period.

9. OTHER BUSINESS

- a. Commissioner Neumann was confirmed as the Planning Commission Representative to the Town of Paradise Development Impact Fees Adjustment Board during FY 2015-2016.
- b. Commissioner Nichols and Commissioner Groom were appointment as Planning commission Representatives to serve upon the Town of Paradise Landscape Committee (appeals body) during FY 2015-2016.

10. COMMITTEE ACTIVITIES – No reports.

11. COMMISSION MEMBERS

a. Identification of future agenda items. Commissioner Nichols asked for an update on the Carousel Hotel project as it appears there is very little activity at the site. CDD Director Baker stated that it is now the job of staff to look into the matter since the Commission brought it to his attention. The new owner has been requested to clean up the property, does have an investment in this property, and unfortunately, the receiver that handled the matter did not execute any agreement with a time table for the developer to complete the planned rehabilitation. Commissioner Neumann informed that she has had citizen complaints about the new thrift store located at Ridgecrest and Skyway and Mr. Baker stated that staff is keeping a close eye on that project.

12. ADJOURNMENT

Chair Clarkson adjourned the meeting at 6:45 p.m.

Date approved: August 18, 2015

By: _____
James Clarkson, Chair

Joanna Gutierrez, CMC, Town Clerk