



TOWN OF PARADISE

5555 SKYWAY • PARADISE, CALIFORNIA 95969-4931

TELEPHONE (530) 872-6291 FAX (530) 877-5059

www.townofparadise.com

Planning Commission Staff:

Craig Baker, Community Development Director

Susan Hartman, Assistant Planner

Planning Commission Members:

Stephanie Neumann, Chair

Daniel Wentland, Vice-Chair

James Clarkson, Commissioner

Martin Nichols, Commissioner

PLANNING COMMISSION AGENDA

6:00 PM – July 21, 2015

In accordance with the Americans with Disabilities Act, if you need a special accommodation to participate, please contact Community Development Director Baker, at 872-6291 at least 48 hours in advance of the meeting. Hearing assistance devices for the hearing impaired are available from the Presiding Clerk. Members of the public may address the Planning Commission on any agenda item, including closed session. If you wish to address the Planning Commission on any matter on the Agenda, it is requested that you complete a "Request to Address Council/Commission" card and give it to the Presiding Clerk prior to the beginning of the Council Meeting. All writings or documents which are related to any item on an open session agenda and which are distributed to a majority of the Planning Commission within 72 hours of a Regular Meeting will be available for public inspection at the Town Hall in the Town Clerk or Community Development Services Department located at 5555 Skyway, Room 3, at the time the subject writing or document is distributed to a majority of the subject body. Regular business hours are Monday through Thursday from 8:00 a.m. to 5:00 p.m.

CALL TO ORDER

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

ROLL CALL

1. APPROVAL OF MINUTES

1a. Approve Minutes of the Regular Meeting of June 16, 2015 and Adjourned Meeting of June 22, 2015.

1b. Approve Resolution No. 15-02, A Resolution of Appreciation of Outgoing Planning Commissioner Dan Wentland.

2. OATH OF OFFICE

Oath of Office of Newly Appointed Planning Commissioners Ray Groom and Anita Towslee.

3. ROLL CALL

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

- a. Appointment of Chair (Secretary presiding)
- b. Appointment of Vice-Chair (Appointed Chair presiding)

5. COMMUNICATION

- a. Recent Council Actions
- b. Staff Comments

6. PUBLIC COMMUNICATION

Comments are limited to a maximum of five minutes duration. If more time is needed, please request staff to place the subject on an agenda for a future Commission meeting.

***** PUBLIC HEARING PROCEDURE *****

- | | |
|-----------------------------------|--------------------------------|
| A. Staff comments | C. Close hearing to the public |
| B. Open the hearing to the public | D. Commission discussion |
| 1. Project applicant | E. Motion |
| 2. Parties for the project | F. Vote |
| 3. Parties against the project | |
| 4. Rebuttals | |

NOTE: Pursuant to Planning Commission Resolution No. 96-001, any person may speak before the Commission regarding the matter under consideration for **a maximum of five minutes** unless granted additional time by the Chair. "In accordance with the Americans with Disabilities Act, if you need a special accommodation to participate, please contact the Community Development Dept., at 872-6291 at least 48 hours in advance of the meeting."

7. CONTINUED PUBLIC HEARING – None.

8. PUBLIC HEARING

- 8a. Site Plan Review permit 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.

9. OTHER BUSINESS

- a. Confirmation of Chair or Designee as Planning Commission Representative to the Town of Paradise Development Impact Fees Adjustment Board during FY 2015-2016 (Requirement of PMC Section 3.40.070)
- b. Appointment of two Planning Commission Representatives to serve upon the Town of Paradise Landscape Committee (appeals body) during the FY 2015-2016 (Requirement of PMC Chapter 15.36)

10. COMMITTEE ACTIVITIES

11. COMMISSION MEMBERS

- a. Identification of future agenda items (All Commissioners/Staff)

12. ADJOURNMENT

STATE OF CALIFORNIA)
COUNTY OF BUTTE)

SS.

I declare under penalty of perjury that I am employed by the Town of Paradise in the Town Clerk's Department and that I posted this Agenda on the bulletin Board both inside and outside of Town Hall on the following date:

TOWN/ASSISTANT TOWN CLERK SIGNATURE



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PLANNING COMMISSION MINUTES

**June 16, 2015
6:00 PM**

The June 16, 2015 Planning Commission meeting was called to order by Vice Chairman Daniel Wentland who led the Pledge of Allegiance to the Flag of the United States of America.

COMMISSIONERS PRESENT: James Clarkson, Martin Nichols and Daniel Wentland, Vice Chair.

COMMISSIONERS ABSENT: Stephanie Neumann, Chair

1. APPROVAL OF MINUTES

MOTION by Clarkson, seconded by Nichols, approved the Regular Meeting Minutes of October 21, 2014 and May 19, 2015.

2. COMMUNICATION

Community Development Director Craig Baker informed the Commission that two new Planning Commissioners, Ray Groom and Anita Towslee, were appointed by the Town Council at the June 9, 2015 meeting, to be seated July 1, 2015, to fill the vacancy that will occur due to expiration of term of office of Daniel Wentland and the vacancy created by removal of Michael Zuccolillo. The Council acknowledged receipt of the Planning Commission's General Plan Implementation Status Report for 2014 and Housing Element Progress Report for 2014.

3. PUBLIC COMMUNICATION

1. Raymond Groom introduced himself to the Planning Commissioners and stated that he has lived in Paradise for about three years and this is his favorite place of all the places he has lived. Mr. Groom provided some of his background information, including that he is a retired Air Force officer, worked for U. C. Davis as a planner and for Yolo County for a decade as the Director of General Services.

4. CONTINUED PUBLIC HEARING – None.

5. PUBLIC HEARING

Following a MOTION by Clarkson, seconded by Nichols, the following public hearing was continued to 6:00 p.m. on June 22, 2015 at 6pm by unanimous vote of those present.

5a. Hays Parcel Map Application (PL14-00316) Request for town approval of a Parcel Map application proposing to divide an existing +1.68 acre property zoned C-C (Community Commercial) into four parcels of record for commercial use located at 5400 Clark Road and is locally identified as assessor parcel number 054-120-060. The Planning Commission is being requested to make findings and to conditionally approve the project at the continued public hearing.

- 6. OTHER BUSINESS – None.**
- 7. COMMITTEE ACTIVITIES – None.**
- 8. COMMISSION MEMBERS – None.**
- 9. ADJOURNMENT**

Vice Chairman Wentland adjourned the meeting at 6:10 p.m.

Date approved:

By: _____
Chair

Joanna Gutierrez, CMC, Town Clerk



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PLANNING COMMISSION MINUTES

**June 22, 2015 Adjourned Regular Meeting
6:00 PM**

CALLED TO ORDER by Stephanie Neumann at 6:10 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

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

COMMISSIONERS ABSENT: Daniel Wentland.

1. CONTINUED PUBLIC HEARING

Community Development Director Baker reported to the Commission that the purpose of the continued public hearing is to consider the following project:

- 5a. To consider the Hays Parcel Map Application (PL14-00316) Request for town approval of a Parcel Map application proposing to divide an existing +1.68 acre property zoned C-C (Community Commercial) into four parcels of record for commercial use located at 5400 Clark Road and is locally identified as assessor parcel number 054-120-060. The Planning Commission is being requested to make findings and to conditionally approve the project.

Chair Neumann opened the public hearing. There were no speakers for or against the matter and Chair Neumann closed the public hearing.

Following a **MOTION by Nichols, seconded by Clarkson, by unanimous roll call vote of those present**, adopted the required findings as provided by staff and approve the Hays parcel map application (PL14-00316) proposing to create four parcels of record from an existing ± 1.68 acre property located at 5400 Clark Road, 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 goals and policies of the Paradise General Plan, because the resulting sizes and uses of the parcels would be consistent with existing land use in the area, and adequate infrastructure would be in place to serve the parcels.

- c. Find that the project, **as conditioned**, is consistent with the spirit and intent of the zoning district in which the project site is situated, because the land use proposed for the parcels would be commercial and parcel sizes proposed are consistent with the requirements of the zone.
- 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.**

RECOMMENDATION:

Adopt the required findings as provided by staff and approve the Hays parcel map application (PL14-00316) proposing to create four parcels of record from an existing ± 1.68 acre property located at 5400 Clark Road, subject to the following conditions:

**CONDITIONS TO BE MET PRIOR TO RECORDATION
OF FINAL PARCEL MAP**

ROADS AND ACCESS

1. Submit three copies of engineered road construction and drainage improvement plans for the proposed on-site private road and emergency vehicle turnaround to the Engineering Division for approval. Pay appropriate plan check and inspection fees. Plans must be stamped and wet-signed by a licensed civil engineer. All elements of the engineered plans shall be designed in accordance with the requirements of the Town Engineer, based upon accepted engineering standards and the town-adopted A-2a road standard or equivalent, as determined by the Town Engineer. The project developer shall perform a drainage analysis and Road and drainage plans must be approved **PRIOR** to the construction or installation of the required facilities.
2. The design of any improvements proposed for the State-owned Clark Road/State Route 191 right-of-way shall be subject to Caltrans review and approval. Provide material evidence thereof to the Town Engineer.
3. Access to parcels for ingress and egress/public utilities shall be shown on the final parcel map in the form of a minimum thirty (30) foot-wide access and public utility easement designed to accommodate a fire and emergency vehicle turnaround that meets the Town Fire Marshal's requirements.
4. The final parcel map shall be designed in a manner that aligns the centerline of the proposed on-site private road and public utility easement with the centerline of Ewald Court.
5. Place the following notes on the final map information data sheet:

- a. “Prior to the issuance of a building permit authorizing development upon Parcel Nos. 1, 2, 3 or 4, the project developer shall apply for and secure issuance of an encroachment permit from Caltrans and construct on-site private road and drainage improvements in accordance with town-approved private road and drainage improvement plans for the Hays parcel map. The private road shall be constructed to the town-adopted A-2a standard or equivalent, as determined by the Town Engineer. Street signs and all pavement markings shall be installed as required and at the developer’s sole expense.”
 - b. “If more than 50 cubic yards of soil are displaced to accommodate road and drainage improvements, the project developer shall apply for and secure town issuance of a grading permit satisfying all engineering division requirements and the current adopted edition of the UBC and pay applicable grading permit fees per current fee schedule.”
 - c. “Prior to the commencement of construction activities associated with private road and drainage improvements, the project developer shall submit an engineered erosion and dust control plan to the Town Engineering Division for approval by the Town Engineer . All erosion control devices and sedimentation basins required by the PMC 15.04.280 shall be shown on the plan.”
 - d. “If disturbed area is greater than one acre, the project developer shall secure the issuance of a State Construction General Permit from the California Regional Water Quality Control Board.”
 - e. “Prior to construction of required site improvements, the project developer shall submit an engineered drainage analysis in accordance with the requirements of the Town Engineer and comply with all post-construction storm water design requirements. Additional storm water drainage shall have zero net impact to existing drainage facilities and downstream flows.”
6. Apply for and secure town approval for a new road name for assignment to the proposed new private road. Pay current road name review fee. Place the approved road name upon the final parcel map.
 7. Provide a recorded road maintenance agreement in a form deemed acceptable to the Town Engineer obligating all future owners of the resultant parcels to participate in the maintenance of the proposed onsite private road and drainage improvements.

SITE DEVELOPMENT

8. All easements of record shall be shown on the final parcel map.
9. Indicate a fifty foot building setback line measured from the center line of Clark Road and thirty foot building setback line measured from the center of the proposed on site private road easement.
10. The proposed on-site private road and public utility easement shall encumber all private road and drainage improvements.
11. Indicate on the final parcel map a 60 dB L_{dn} noise contour line measured 144 feet from the centerline of Clark Road/State Route 191.
12. Place the following notes on the final map information data sheet:

- a. “Development of parcels created by recordation of the Hays parcel map shall not result in a net increase in storm water discharge into drainage facilities located within the Caltrans-owned right-of-way of Clark Road/State Route 191. Such drainage facilities shall not have their capacities reduced as a result of development of the Hays parcel map. Any work in the Caltrans-owned right-of-way will require a Caltrans-issued encroachment permit.”
- b. “Prior to the issuance of building permits authorizing residential development of Parcels 1, 2, 3 or 4, the project developer shall submit a storm water mitigation plan that minimizes any adverse effects of increased storm water run-off upon adjacent properties and meets the requirements of the Town Engineer.”
- c. “Prior to the issuance of building permits authorizing construction of buildings (or portions thereof) within 144 feet of the center of Clark Road, the project developer shall submit material evidence demonstrating to the satisfaction of the Town Building Official that interior spaces of such buildings that are intended for occupancy shall not be exposed to noise levels exceeding those levels identified in Table 6.4-2 of the 1994 Paradise General Plan Vol. III.”

SEWAGE DISPOSAL

13. Satisfy all requirements of the Town of Paradise Onsite Sanitary Official concerning the design of the final parcel map.

UTILITIES

14. Meet the requirements of the Paradise Irrigation District (PID) in accordance with the comments provided by PID staff for the Hays project, dated November 20, 2014 and on file with the town Development Services Department.
15. Meet all other requirements of utility companies regarding the establishment of necessary public utility easements.

FIRE PROTECTION

16. Place the following notes on the final map information data sheet:
 - a. “The design of proposed private road access improvements shall be constructed in accordance with the requirements outlined within the Fire Marshal’s memorandum regarding the Hays parcel map dated November 25, 2014, on file in the Town Development Services Department and shall include an adequate turnaround facility at its eastern terminus to accommodate fire and emergency vehicle access in accordance with town adopted road standards.”

OTHERS

17. Provide written documentation verifying payment of current property taxes and payment of any assessment liens imposed by the Town.
18. Provide monummentation as required by the Town Engineer in accordance with accepted town standards.

19. Pay appropriate funds to the local recreation district per requirements of the Paradise subdivision ordinance to offset impact (cumulative) upon area-wide recreation facilities. Provide evidence of payment to the Town Development Services Department planning division.
20. Place the following notes upon the final parcel map information data sheet:
 - a. “At the time of building permit issuance, owner will be required to pay any Town of Paradise adopted development impact fees.”
 - b. “If any archaeological resources are uncovered during the course of future development or construction activities, all work shall stop in the area of the find until a qualified archaeologist provides an appropriate evaluation of the discovery.”

2. ADJOURNMENT

Vice Chair Wentland adjourned the meeting at 6:40 p.m.

Date Approved:

By: _____
Chair

Joanna Gutierrez, Town Clerk

**TOWN OF PARADISE PLANNING COMMISSION
RESOLUTION NO. 15-02**

**A RESOLUTION OF THE PARADISE PLANNING COMMISSION
COMMENDING DAN WENTLAND FOR HIS SERVICE TO THE TOWN OF PARADISE**

WHEREAS, DAN WENTLAND has faithfully served the Town of Paradise as Planning Commissioner since February 12, 2013; and

WHEREAS, during his tenure **DAN WENTLAND** served for a specific time period as Planning Commission Chairman and Vice-Chairman; and

WHEREAS, the citizens of the Town of Paradise have benefited from the efforts of **DAN WENTLAND**; and

WHEREAS, his work as a Planning Commissioner for the Town of Paradise has been greatly appreciated; and

WHEREAS, the orderly growth of the Town of Paradise has been enhanced by his persistent efforts to pursue progressive improvement to the Town of Paradise; and

WHEREAS, the Paradise Planning Commission will greatly miss his insight concerning the needs and desires of the majority of the citizens of the town; and

WHEREAS, the Paradise Planning Commission wishes him the very best in the future.

NOW, THEREFORE, BE IT RESOLVED as follows:

THE PLANNING COMMISSION OF THE TOWN OF PARADISE hereby commends **DAN WENTLAND** with gratitude for his service to the community of Paradise.

PASSED AND ADOPTED by the Paradise Planning Commission on this 21st day of July, 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Stephanie Neumann
Planning Commission Chair

ATTEST:

Joanna Gutierrez, CMC
Town Clerk

**TOWN OF PARADISE PLANNING COMMISSION STAFF REPORT
PLANNING STAFF REPORT
MEETING DATE: JULY 21, 2015**

FROM: Susan Hartman, Assistant Planner
SUBJECT: Lynn's Paradise Plaza Site Plan Review Permit Application (PL15-00057)
DATE: July 14, 2015 **AP 050-011-015**

GENERAL INFORMATION:

Applicant: Nay Heang Leav
10197 Lott Road
Durham, CA 95938

Location: 9225 Skyway

Requested Action: Site plan review permit 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.

Purpose: To provide drive-in services to patrons of the proposed restaurant and coffee shop.

Project Density: N/A

Present Zoning: "CC" (Community Commercial)

General Plan Designation: "TC" (Town Commercial)

Existing Land Use: Restaurant, cocktail lounge, and single family residence (mobile home)

Surrounding Land Use: North: Commercial (convenience storage)
East: Skyway
South: Bader Mine Road
West: Commercial (convenience storage)

Parcel Size: ±1.70 acres

Environmental Determination: Mitigated Negative Declaration

Other: An appeal of the Planning Commission's decision can be made within seven (7) days of the decision date.

NOTE: THE APPLICANT OR A REPRESENTATIVE SHOULD BE IN ATTENDANCE OR THE PLANNING COMMISSION MAY NOT TAKE ACTION ON THIS APPLICATION.

SPECIAL INFORMATION:

The project applicant is proposing to establish two drive-in service facilities in association with the proposed establishment of a restaurant and coffee shop. The ±1.70 acre project site is located on the northwest intersection of Skyway and Bader Mine Road in upper Paradise. The site is currently developed with a restaurant, cocktail lounge and detached single family mobile home.

The proposed drive-in service facilities would be integrated with two commercial buildings, totaling 7884 square feet, to be constructed on the site and would be accessed via a new paved through circulation driveway and newly established parking facilities. The new drive-in service facilities would be accessible via two proposed commercial driveway encroachments connecting to Skyway and Bader Mine Road (one each).

The proposed hours of operation for the drive-in facilities would be from 6:00 am to 12:00 a.m., seven days per week.

Please refer to the enclosed initial study and proposed mitigated negative declaration prepared for this project for a more detailed project description and additional analysis of the project.

ENVIRONMENTAL REVIEW:

As referenced above, an initial study and proposed mitigated negative declaration document has been prepared by staff concerning the proposed project and is enclosed with this staff report for your review.

Potential environmental impacts associated with the proposed project have been identified upon the environmental review checklist form within the initial study. It has been determined that the proposed project 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 identified within the initial study. Therefore, it is recommended that the Planning Commission adopt the proposed mitigated negative declaration prepared by staff in the event that the Lynn's Paradise Plaza site plan review project is approved.

Comments received from the Paradise Irrigation District (PID) in response to circulation of the project's environmental document initially indicated a concern regarding the potential impacts of the required frontage improvements for the project upon an existing water main located within the Skyway right-of-way. However, recommended conditions of approval relative to the water main and frontage improvements have alleviated PID's concerns regarding the issue (see recommended Condition Nos. 8, 13, 14 and 15).

ANALYSIS:

Pursuant to Section 17.20.500 of the Paradise Municipal Code, the establishment of drive-in service facilities on the project site is subject to town approval of a site plan review permit.

The proposed project, if conditionally approved by the Planning Commission as recommended, is consistent with the Paradise General Plan, existing zoning and would be compatible with the surrounding land uses.

The project has received favorable responses from commenting agencies and, in consideration of the manner in which the site is configured, it is town staff's position that the project site is a reasonable location for the establishment of two drive-in service facilities if conditioned properly. The proposed function of the project is in compliance with all applicable zoning regulations and can be found to be consistent with Paradise General Plan policies applicable to community commercial land uses.

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.

RECOMMENDATION:

Adopt the required findings and the proposed mitigated negative declaration as provided by staff and approve 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:

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.

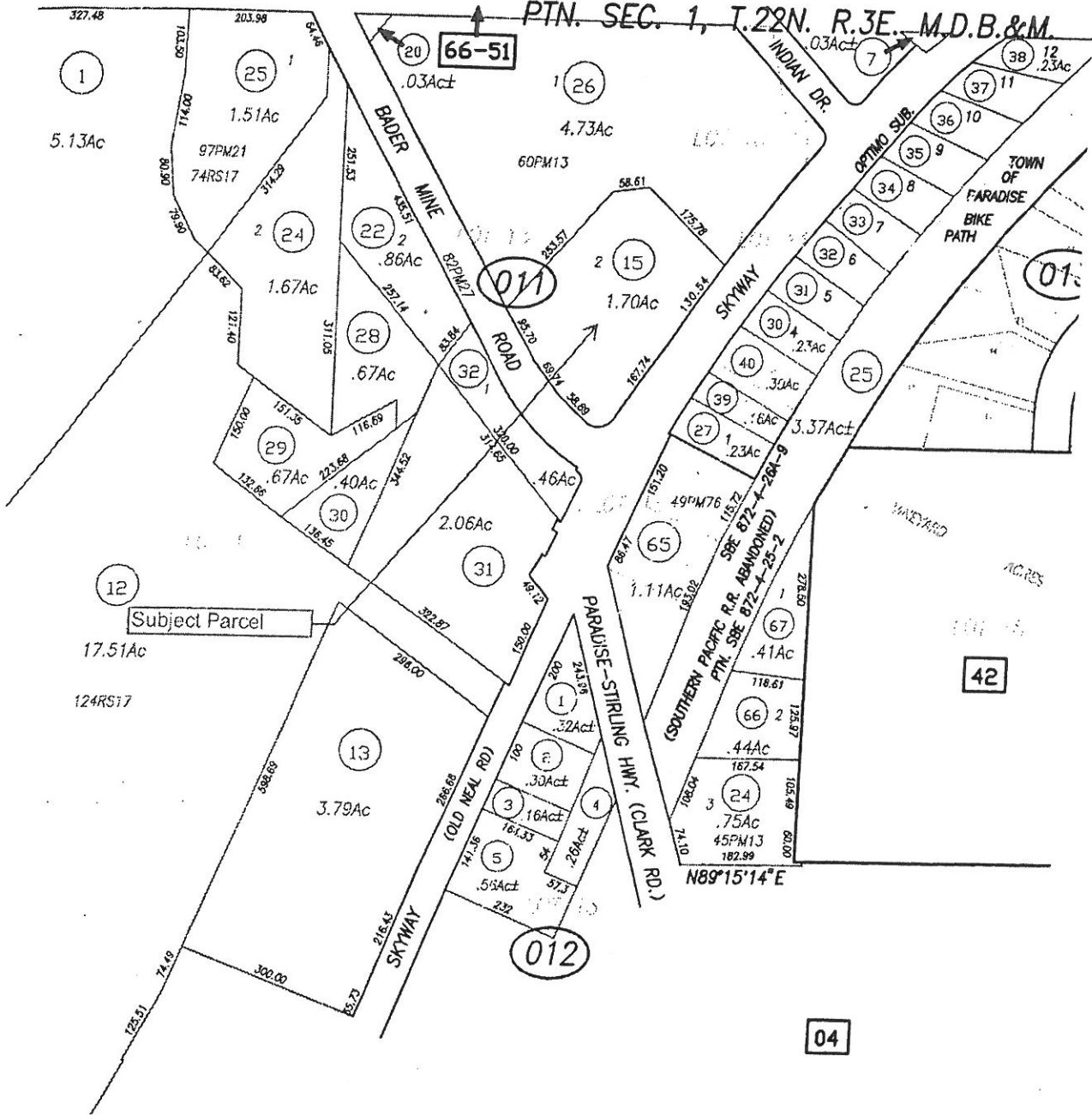
CONDITIONS OF LAND USE OPERATION

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.

**ATTACHMENTS FOR
PLANNING COMMISSION AGENDA**

1. Project vicinity map.
2. Notice of environmental document availability and public hearing for the Lynn's Paradise Plaza project.
3. List of property owners and agencies notified of the public hearing regarding the Lynn's Paradise Plaza project.
4. Email comments dated July 9, 2015 from Caltrans representative Martin Earles.
5. Comments dated June 25, 2015 from P.I.D. representative Neil Essila.
6. Email comments dated July 14, 2015 from P.I.D. representative Neil Essila.
7. Comments from Onsite Official Doug Danz dated April 21, 2015.
8. Comments dated June 4, 2015 from Town Engineer Marc Mattox.
9. Comments dated March 24, 2015 from Northern Recycling & Waste Services General Manager Doug Speicher.
10. Letter from Regional Water Quality Control Board representative Scott Zaitz R.E.H.S. dated May 22, 2015.
11. Initial Study and Mitigated Negative Declaration developed by staff for the Lynn's Paradise Plaza project.
12. Site plan submitted by Rancho Engineering on March 19, 2015.

PTN. SEC. 1, T.22N. R.3E. M.D.B.&M.



APPLICANT: Nay Heang Leav		9225 Skyway
OWNER: Same		
REQUEST: Site plan review permit application proposing to construct and establish two drive through service facilities on a 1.7 acre property.		
Zoning: CC	GENERAL PLAN: TC	FILE NO. PL15-00057
ASSESSOR PARCEL: 050-011-015		MEETING DATE: July 21, 2015

TOWN OF PARADISE

Date: June 18, 2015

NOTICE OF ENVIRONMENTAL DOCUMENT AVAILABILITY AND PUBLIC HEARING
TOWN OF PARADISE PLANNING COMMISSION

NOTICE IS HEREBY GIVEN by the Planning Director that a public hearing will be held on Tuesday, July 21, 2015 at 6:00 p.m. in the Town Hall Council Chambers, 5555 Skyway, Paradise, California, regarding the following project:

- Project title:** Lynn's Paradise Plaza Site Plan Review Permit Application (PL15-00057)
- Project location:** 9225 Skyway, Paradise; Assessor Parcel No. 050-011-015
- Description of project:** The project proponent is requesting Town of Paradise approval of a Site Plan Review Permit application to construct and establish two drive-through food service facilities associated with a coffee shop and a restaurant on a +/-1.7 acre property zoned Community Commercial (CC). The project is associated with a proposed commercial development comprised of land uses that are permitted by right in the CC zone.

Address where document may be reviewed: Town of Paradise
Development Services Department
5555 Skyway, Paradise, CA 95969

Public review period: *Begins:* June 19, 2015; 8:00 a.m.
Ends: July 20, 2015; 5:00 p.m.

The environmental document and project file are available for public inspection at the Development Services Department in Paradise Town Hall. Any person wishing to respond to the proposed environmental document may file written responses no later than **July 20, 2015, at 5:00 p.m.** with the Paradise Development Services Department.

If you challenge this project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Town Planning Director at, or prior to, the public hearing. For further information please contact the Development Services Department at (530) 872-6291, extension 111.

CRAIG BAKER
Planning Director

050-011-015-000
LING FAMILY TRUST
1251 BILLE RD
PARADISE CA 95969

050-011-022-000
TERRY ANGELINA ETAL
1490 BADER MINE RD
PARADISE CA 95969

050-011-026-000
ACORN LLC
1750 HUMBOLDT RD
CHICO CA 95928

050-011-028-000
HALL JEOFFRIE C
PO BOX 1264
MURPHY CA 95247

050-011-029-000
NEVES EDWARD & BEATRICE
LIVING TRUST
1500 BADER MINE RD
PARADISE CA 95969

050-011-030-000
HALL JEOFFRIE C
P O BOX 1264
MURPHYS CA 95247

050-011-031-000
SKYWAY LAND PROJECT LLC
1090 VALLOMBROSA AVE
CHICO CA 95926

050-011-032-000
COX FRANKLIN D REV LIVING
TRUST
5081 WILDERNESS WY
PARADISE CA 95969

050-013-027-000
HARRIS CARL W & DOROTHY A
ETAL
6727 CHAPMAN LN
PARADISE CA 95969

050-013-030-000
HASS JEFFERY T
622 EASTWOOD DR
OXNARD CA 93030

050-013-031-000
WILLIAMS JOSEPH EDWARD &
BARBARA LEE
1754 PINEY RIDGE
PARADISE CA 95969

050-013-032-000
MUNJAR STEVEN & TERESA
180 HARRIS LN
PARADISE CA 95969

050-013-033-000
MUNJAR STEVEN & TERESA
180 HARRIS LN
PARADISE CA 95969

050-013-034-000
MUNJAR STEVEN & TERESA
180 HARRIS LN
PARADISE CA 95969

050-013-039-000
HARRIS CARL W & DOROTHY A
ETAL
6727 CHAPMAN LN
PARADISE CA 95969

050-013-040-000
MANGRUM CHRISTOPHER F
PO BOX 3061
PARADISE CA 95967

050-013-065-000
FASTRIP OIL CO. L.P.
P O BOX 82515
BAKERSFIELD CA 93380

Rancho Engineering
5550 Skyway, Ste. C
PARADISE, CA 95969

Butte Environmental Council
116 W. 2nd Street #3
Chico, CA 95928

Pacific Gas & Electric
Laird Oelrichs, Land Agent
350 Salem St.
Chico, CA 95928

Paradise Unified School District
6696 Clark Road
Paradise, CA 95969

Paradise Irrigation District
6332 Clark Road
Paradise, CA 95969

Paradise Recreation & Park Dist.
6626 Skyway
Paradise, CA 95969

Paradise Ridge Chamber of
Commerce
5550 Skyway
Paradise, CA 95969

Paradise Board of Realtors
6178 Center Street
Paradise, CA 95969

Paradise Downtown Business
Association
c/o Fir Street Gallery/Pam Funk
6256 Skyway
Paradise, CA 95969

Butte County Planning
Courier

Paradise Cemetery District
980 Elliott Road
Paradise, CA 95969

Butte Co. Air Quality Mgmt. Dist.
629 Entler Ave., Suite 15
Chico, CA 95928

Baker, Craig

From: Mattox, Marc
Sent: Thursday, July 09, 2015 2:03 PM
To: Baker, Craig; Hartman, Susan
Subject: FW: The review of the "Lynn's Paradise Plaza" Initial Study

See below from Caltrans. I tend to agree with this comment and think it would be a positive change for operations.

Marc Mattox
(530) 872-6291 x125

From: Earles, Marty B@DOT [<mailto:marty.earles@dot.ca.gov>]
Sent: Thursday, July 09, 2015 1:59 PM
To: Mattox, Marc
Subject: The review of the "Lynn's Paradise Plaza" Initial Study

Mr. Mattox,

I am reviewing the Initial Study for Lynn's Paradise Plaza for the Highway Operations team of Caltrans District 3. The project is located over 3.5 miles north of the terminus of Route 191, so I don't have any concerns about impacts to the state highway.

I'll be surprised if anyone from Caltrans has any comments. However, I have one unofficial, informal recommendation. You can ignore it if you wish. 😊

The mitigation measure for Item 6 – Transportation/Circulation is:

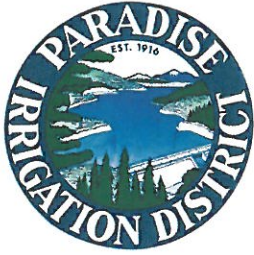
...establish a northbound protected 12'-wide left turn pocket, a 12'-wide northbound lane, a 12'-wide southbound lane, and two paved shoulders ...

Congratulations on wisely requiring mitigation. Some of the jurisdictions we work with are so eager for development that they neglect mitigation, which leads to long-term problems.

My recommendation is to have the project proponent stripe the area between the northbound and southbound lanes as a two-way left-turn lane, rather than as a left-turn lane. That will be better for all drivers in the area, for both safety and operations.

Best regards,

Martin Earles
Associate Transportation Engineer
530-741-5744
Caltrans / District 3 / Highway Operations
703 B Street / Marysville, CA 95901



PARADISE IRRIGATION DISTRICT

6332 Clark Road, Paradise CA 95969 | Phone (530)877-4971 | Fax (530)876-0483

TOWN OF PARADISE
COMMUNITY DEVELOPMENT DEPT.

JUN 29 2015

RECEIVED

June 25, 2015

Paradise Development Services Department
Attn: Craig Baker, Planning Director
5555 Skyway
Paradise, CA 95969

Subject: Draft Initial Study, Lynn's Paradise Plaza, APN 050-011-015

Dear Craig:

Thank you for providing the draft initial study for Lynn's Paradise Plaza to Paradise Irrigation District (PID) for review. I am concerned that the environmental checklist form and the associated discussion make no mention of the project's potential impact to PID's underground facilities adjoining the project site.

Preliminary project plans prepared for the applicant indicate that frontage improvements are proposed along the northwesterly side of the Skyway. PID has a 12-inch water main in the immediate area where these improvements are delineated. Considering the depth and the proximity of this existing water main it seems very likely that it will pose a conflict during construction of the frontage improvements.

The water main in question is a critical portion of the District's distribution system within its "A" pressure zone. Removing it from service is not an option. In the event that subsequent detailed project plans are unable to resolve the current conflict, this water main would need to be replaced with a new, similarly sized pipeline, within the Skyway right of way. The project applicant would be financially responsible for this water main replacement. Therefore, for Item 12.g. I submit that the impact is "potentially significant unless mitigation is incorporated."

Please contact me if you have any questions or would like further information on this matter. Thank you.

Sincerely,

Neil J. Essila
Assistant Engineer

Baker, Craig

From: Neil Essila [nessila@paradiseirrigation.com]
Sent: Tuesday, July 14, 2015 6:46 AM
To: Baker, Craig
Subject: RE: Optimo Pipeline

Craig,

Looks good to me. I added one word below (see highlighted text). Thank you.

Neil Essila
Assistant Engineer

Paradise Irrigation District
6332 Clark Road
Paradise, CA 95969-4146
(530) 876-2037
Fax (530) 876-0483
nessila@paradiseirrigation.com

From: Baker, Craig [mailto:cbaker@townofparadise.com]
Sent: Monday, July 13, 2015 3:42 PM
To: Neil Essila
Cc: Hartman, Susan
Subject: Optimo Pipeline

Neil,

Here's some language I drafted for the pipeline issue at Optimo. The red text is added. Let me know what you think. Feel free to edit.

CONDITIONS TO BE MET

PRIOR TO THE ISSUANCE OF A BUILDING PERMIT

ROADS AND ACCESS

8. Submit and secure Town Engineer and Paradise Irrigation District approval of six (6) copies of design plans for the construction of public street frontage improvements along Skyway, to include the restriping of the Skyway lanes of traffic as outlined within the memorandum regarding the Optimo project from the Town Engineer Marc Mattox dated June 4, 2015 and on file in the Town Development Services Department.

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 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 the Paradise Irrigation District with a pipeline replacement and / or relocation at the sole expense of the project developer.

Thanks!



Craig Baker
Community Development Director
Town of Paradise
5555 Skyway
Paradise, CA 95969
Phone: (530) 872-6291
Fax: (530) 877-5059



TOWN OF PARADISE

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

April 21, 2015

Jarrold Holliday PE
Rancho Engineering
5550 Skyway
Paradise CA 95969

Re: LUR approval for 9225 Skyway, Lynn's Paradise Plaza. APN; 050-011-015

Thank you for the revised site map and other information as requested for the referenced land use review. The land use review documents have all been submitted and are in order. All requested revisions, corrections and additions have been made. The leachfield has been reconfigured and expanded, thus partially extended into the northernmost parking area.

This division approves the parcel for the development of a shopping center with an existing bar/restaurant and the new addition of a coffee shop, fast food restaurant and office/retail suites. The commercial center shall have a total wastewater design flow of 4000 gallons per day. The wastewater generated shall undergo secondary treatment with effluent quality to meet Town of Paradise requirements. The wastewater dispersal area shall be as per identified on the 4/2/15 Septic Plan site map as per Rancho Engineering, roughly in the northwest corner of the parcel. Original and replacement leachtrenches shall be constructed with a total of 1000 linear feet of leachline with 3 feet of total leachrock.

The owner is now able to submit a construction application for the onsite sewage disposal system, most if not all of which plans have already been designed and submitted by Rancho Engineering.

Please call me with any questions you may have.

Doug Danz
Onsite Sanitary Official
Town of Paradise
530-872-6291, x113

Cc: Craig Baker, Community Development Director



TOWN OF PARADISE
5555 Skyway
Paradise, CA 95969
(530) 872-6291

MEMO

Date: June 4, 2015
To: Craig Baker, Community Development Director
From: Marc Mattox, Town Engineer
RE: Circulation Mitigation – Lynn’s Paradise Plaza / 9225 Skyway

Upon the request of the project applicant, the Town of Paradise Public Works Department has reviewed the existing conditions relating to access at 9225 Skyway near Bader Mine Road. After review of the proposed project to approve and construct two drive-thru / fast food establishments, the following conditions shall be met as mitigation for the increased traffic and circulation concerns.

The 2014 Average Daily Traffic of Skyway north of Clark Road is 15,998 vehicles per day.

The Institute of Transportation Engineer’s Trip Generation Rates for the project are listed below:

Building A:

- (1) Fast Food Restaurant with Drive-Through Window is 33.84 trips per 1,000 SF at 880 SF = 29.77 Trips
- (4) Retail Spaces or Shopping Center is 3.71 trips per 1,000 SF at 3,960 SF = 14.69 Trips

Building B:

- (1) Coffee Shop with Drive-Through Window is 42.8 trips per 1,000 SF at 1,320 SF = 56.50 Trips
- (2) Retail Spaces or Shopping Center is 3.71 trips per 1,000 SF at 1,760 SF = 6.52 Trips

Total Building A and Building B is 109 trips per PM peak hour.

Using the above information, a mitigation requirement for the project approval shall be the modification of the street configuration for the established primary Skyway entrance/exit to the project. The final project configuration shall re-establish lane lines to establish a northbound protected left turn pocket (12’), a northbound lane (12’), a southbound lane (12’) and two paved shoulders (2’) to adjacent curbs. The final plan delineation and transitions shall be subject to the review and approval by the Town Engineer. Existing striping shall be completely obliterated and re-established to the satisfaction of the Town.

TOWN OF PARADISE
COMMUNITY DEVELOPMENT DEPARTMENT
DEVELOPMENT REVIEW REQUEST

REVISED

TO: ENGINEERING, ONSITE, CSS, POLICE, PID, & NRWS
FROM: SUSAN HARTMAN, ASST PLANNER (872-6291 x114)
REQUEST: Review and Comment

DESCRIPTION OF PROJECT: Two proposed drive-in facilities associated with a restaurant and coffee shop as part of the Lynn's Paradise Plaza development on property zoned Community Commercial.

LOCATION: 9225 Skyway

ASSESSOR PARCEL NO.: 050-011-015

APPLICANT: Jarrod Holliday (Rancho Engineering)

CONTACT PHONE: 530-877-3700

TOWN OF PARADISE
COMMUNITY DEVELOPMENT DEPT.

MAR 24 2015

RECEIVED

DATE DISTRIBUTED: March 20, 2015

RETURN DATE REQUESTED: March 27, 2015

DOES YOUR AGENCY HAVE THE CAPACITY TO SERVE THIS PROJECT?

YES YES, WITH CONDITIONS NO (EXPLAIN BELOW)

COMMENTS AND/OR RECOMMENDED CONDITIONS IF NECESSARY:

BOTH TRASH ENCLOSURES MUST HAVE CONCRETE FLOOR
& LESS THAN 1% GRADE WITH CONTINUOUS 8' APPROACH.
WE ASSUME UNDERGROUND TANKS ARE ENGINEERED FOR
40K LB. LOADS.

NO RESPONSE FROM YOUR AGENCY MAY BE CONSTRUED THAT YOUR AGENCY HAS ABILITY TO SERVE THIS PROJECT. PLEASE MAKE A COPY FOR YOUR RECORDS.

j:\cdd\planning\shartman\drres\PL15-00057 OPTIMO REV

Doug SPEICHER
NRWS, GM
530-876-3355
Doug@NorthernRecycling.Biz

Central Valley Regional Water Quality Control Board

9 July 2015

Ms. Susan Hartman
Town of Paradise
5555 Skyway
Paradise, CA 95969

TOWN OF PARADISE
COMMUNITY DEVELOPMENT DEPT.
JUL 13 2015
RECEIVED

COMMENTS ON THE MITIGATED NEGATIVE DECLARATION FOR PROPOSED LYNN'S PARADISE PLAZA PROJECT, ASSESSORS PARCEL NUMBER 050-011-015, PARADISE, BUTTE COUNTY

The Central Valley Regional Water Quality Control Board (Central Valley Water Board) is a responsible agency for this project, as defined by the California Environmental Quality Act (CEQA). On 22 June 2015, we received your request for comments on the Mitigated Negative Declaration for the Lynn's Paradise Plaza Project.

The proposed project entails construction and establishment of two drive-through facilities associated with a restaurant and a coffee shop. The project also includes a paved on-site parking facility containing 59 marked spaces, and engineered on-site wastewater treatment and disposal system, an on-site storm water detention facility, two commercial driveway encroachments connecting to Skyway and Bader Mine Road and on-site landscaping as required.

Based on our review of the information submitted for the proposed project, we have the following comments:

Clean Water Act (CWA) Section 401, Water Quality Certification

The Central Valley Water Board has regulatory authority over wetlands and waterways under both the Federal Clean Water Act (CWA) and the California Water Code, Division 7 (CWC). Discharge of dredged or fill material to waters of the United States requires a CWA Section 401 Water Quality Certification from the Central Valley Water Board. Typical activities include any modifications to these waters, such as stream crossings, stream bank modifications, filling of wetlands, etc. 401 Certifications are issued in combination with CWA Section 404 Permits issued by the Army Corps of Engineers. The proposed project must be evaluated for the presence of jurisdictional waters, including wetlands and other waters of the State. Steps must be taken to first avoid and minimize impacts to these waters, and then mitigate for unavoidable impacts. Both the Section 404 Permit and Section 401 Water Quality Certification must be obtained prior to site disturbance.

Isolated wetlands and other waters not covered by the Federal Clean Water Act

Some wetlands and other waters are considered "geographically isolated" from navigable waters and are not within the jurisdiction of the Clean Water Act. (e.g., isolated wetlands, vernal pools, or stream banks above the ordinary high water mark). Discharge of dredged or fill material to these waters may require either individual or general waste discharge requirements from the Central Valley Water Board. If the U.S. Army Corps of Engineers determine that

isolated wetlands or other waters exist at the project site, and the project impacts or has potential to impact these non-jurisdictional waters, a Report of Waste Discharge and filing fee must be submitted to the Central Valley Water Board. The Central Valley Water Board will consider the information provided and either issue or waive Waste Discharge Requirements. Failure to obtain waste discharge requirements or a waiver may result in enforcement action.

Any person discharging dredge or fill materials to waters of the State must file a report of waste discharge pursuant to Sections 13376 and 13260 of the CWC. Both the requirements to submit a report of waste discharge and apply for a Water Quality Certification may be met using the same application form, found at:

http://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/wqc_application.pdf

General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (CGP)

Construction activity, including demolition, resulting in a land disturbance of one acre or more must obtain coverage under the CGP. The Lynn's Paradise Plaza Project must be conditioned to implement storm water pollution controls during construction and post-construction as required by the CGP. To apply for coverage under the CGP the property owner must submit Permit Registration Documents electronically prior to construction. Detailed information on the CGP can be found on the State Water Board website:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/gen_const.shtml

Post-Construction Storm Water Requirements

Studies have found the amount of impervious surface in a community is strongly correlated with the impacts on community's water quality. New development and redevelopment result in increased impervious surfaces in a community. Post-construction programs and design standards are most efficient when they involve (i) low impact design; (ii) source controls; and (iii) treatment controls. To comply with Phase II Municipal Storm Water Permit requirements the Town of Paradise must ensure that new developments comply with specific design strategies and standards to provide source and treatment controls to minimize the short and long-term impacts on receiving water quality. The design standards include minimum sizing criteria for treatment controls and establish maintenance requirements. The proposed project must be conditioned to comply with post construction standards adopted by the Town of Paradise in compliance with their Phase II Municipal Storm Water Permit.

Dewatering Alternative 1: Discharge to Storm Drains or Waters of the United States

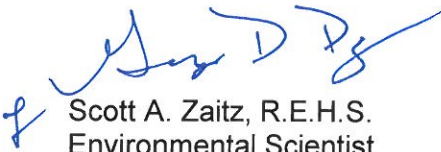
A dewatering permit, *General Order for Dewatering and Other Low Threat Discharges to Surface Waters*, (Central Valley Water Board Order No. R5-2008-0082, adopted 12 June 2008) may be required for pump testing, pipeline dewatering and/or construction activities. This general NPDES (National Pollutant Discharge Elimination System) permit covers the discharge to waters of the United States of clean or relatively pollutant-free wastewater that poses little or no threat to water quality. The following categories are covered by the dewatering permit: well development water; construction dewatering; pump/well testing; pipeline/tank pressure testing; pipeline/tank flushing or dewatering; condensate discharges; water supply system discharges; miscellaneous dewatering/low threat discharges. The dewatering permit applies only to direct discharges to waters of the United States.

Failure to obtain a dewatering permit, when required, may result in enforcement action. An application form and a copy of the permit are available at this office.

Dewatering Alternative 2: Discharges to Land

Construction and system test dewatering discharges that are contained on land (i.e., will not enter waters of the United States) are allowed under Central Valley Water Board Resolution No. 2003-0003-DWQ provided the following conditions are met: (1) the dewatering discharge is of a quality as good as or better than underlying groundwater; and (2) there is a low risk of nuisance. Examples of dewatering discharges to land include a terminal basin, irrigation (with no return to waters of the United States), and dust control. You may request written confirmation from this office that the waiver is applicable.

If you have any questions or comments regarding this matter please contact me at (530) 224-4784 or by email at szaitz@waterboards.ca.gov.



Scott A. Zaitz, R.E.H.S.
Environmental Scientist
Storm Water & Water Quality Certification Unit

SAZ:wrb:lmw

cc w/o

enclosures: Ms. Leah Fisher, U.S. Army Corp of Engineers, Sacramento
Department of Fish and Wildlife, Region 2, Rancho Cordova
State Clearing House Number (2015062051)
Nay Heang Leav, Durham

R:\RB5\RB5RSection\N Central Valley\laCross Section\Clerical\Storm_water\SZaitz\2015\CEQA Comment Lynn's Paradise Plaza Project.doc

**TOWN OF PARADISE
NEGATIVE DECLARATION REGARDING ENVIRONMENTAL EFFECT**

1. Description of Project:

Site Plan Review application (PL15-00057) proposing to construct and establish two drive-in facilities associated with the development of a permitted restaurant and coffee shop.

2. Name and Address of Project Applicant:

Nay Heang Leav
10197 Lott Rd
Durham, CA 95938

3. The Initial Study for this Project was prepared on: June 11, 2015

4. NOTICE IS HEREBY GIVEN that the Planning Director of the Town of Paradise has reviewed the project described above pursuant to the provisions of the California Environmental Quality Act of 1970 (Public Resources Code) and determined that it will not have a significant effect on the environment. An Environmental Impact Report will not be required.

5. A copy of the Planning Director's determination regarding the environmental effect of this project is available for public inspection at the Town of Paradise Development Services Department, Town Hall, 5555 Skyway, Paradise, CA. Copies thereof will be provided to any person upon payment of the established fee.

6. Any person wishing to respond to this negative declaration may file written responses no later than **July 20, 2015 by 5:00 p.m.** with the Paradise Development Services Department, Town Hall, 5555 Skyway, Paradise, CA 95969, (530) 872-6291. The Planning Director or the Planning Commission will review such comments and will either uphold the issuance of a negative declaration or require an environmental impact report to be prepared.

7. If no protest is lodged, the negative declaration may be formally adopted at the conclusion of the review period. Any negative declaration subject to state clearinghouse review shall not be formally adopted until such review has been completed.

By: _____
Craig Baker, Planning Director

Date: _____

INITIAL STUDY
FOR
LYNN'S PARADISE PLAZA SITE PLAN REVIEW (PL15-00057) APPLICATION
FOR
NAY HEANG LEAV (LYNN'S PARADISE PLAZA)

**PROJECT DESCRIPTION
AND
ENVIRONMENTAL SETTING**

**Lynn's Paradise Plaza Site Plan Review Application
PL15-00057**

PROJECT DESCRIPTION

The project proponent is seeking Town of Paradise approval for the construction and establishment of two drive-in facilities associated with a restaurant and a coffee shop as part of the Lynn's Paradise Plaza development on property zoned Community Commercial (C-C).

ENVIRONMENTAL SETTING

Location

The project site is located in the northern portion of the Paradise community at 9225 Skyway. The site is identified as Assessor Parcel Number 050-011-015 and is situated within a portion of Section 1, T22N, R3E, M.D.B.&M.

Land Use

The ±1.70 acre project site is situated within the Community Commercial (C-C) zoning district and is currently improved with a commercial building containing a restaurant and bar and detached mobile home used as a single family dwelling. Properties to the north and west are developed with commercial convenience storage. Skyway and Bader Mine Rd abut the site along its entire east and south boundaries, respectively

Topography, Soils and Vegetation

The property is situated at an approximate elevation of 2,290 feet above sea level. The site slopes between 5-9% to the southwest into an existing, town maintained drainage swale along the north shoulder of Bader Mine Rd. Soils on the project site belong to the Aiken Very Deep (AVD) soil series. These soils are well-drained, well-structured clay loam and generally exceed five feet in depth. Aiken Very Deep soils are well suited for on-site wastewater treatment. Vegetation on the site is characterized by native trees, both singularly and in small stands, along the margins of the site. A sparse and intermittent growth of various grasses, weeds and brush species also occurs along the north property line.

Public Services

Services and facilities presently available or potentially available to the project site include but are not limited to the following listing:

Access:	Skyway/Bader Mine Rd (public streets)
Communications:	AT&T Telephone/ Comcast Cable Services
Electricity:	Pacific Gas and Electric Company
Public Safety:	Town of Paradise
Recreation:	Paradise Recreation and Park District
Schools:	Paradise Unified School District
Sewage Disposal:	Onsite septic tank/leachfield systems
Water Supply:	Paradise Irrigation District

PROJECT DETAILS

The permit applicant is requesting approval from the Town of Paradise to establish a development project consisting of a two additional commercial buildings, totaling 7,884 square feet, for a restaurant, coffee shop and retail space upon property zoned Community Commercial (CC). The existing 4,525 square foot tavern will remain while the residential mobile home unit will be removed from site. The project also includes two drive through facilities (one for the new restaurant and one for the coffee shop), a paved on-site parking facility containing 59 marked spaces, an engineered on-site wastewater treatment and disposal system, an on-site, storm water detention facility, two commercial driveway encroachments connecting to Skyway and Bader Mine Road (one each) and on-site landscaping as required.

The project applicant is proposing to establish contemporary architectural building design using stone and stucco with wood beam accents.

Development of the site as proposed will result in the felling and removal of approximately two trees large enough to require town issuance of a tree felling permit prior to being felled to accommodate site improvements.

TOWN OF PARADISE

ENVIRONMENTAL CHECKLIST FORM

I. BACKGROUND

- | | |
|--|---|
| 1. Name of Proponent | Nay Heang Leav |
| 2. Address and phone number of proponent | 10197 Lott Rd, Durham CA 95938; (530) 680-9254 |
| 3. Date of checklist | June 11, 2015 |
| 4. Zoning and general plan designation | Community Commercial (CC); Town Commercial (TC) |
| 5. Name of proposal, if applicable | Lynn's Paradise Plaza (PL15-00057) |

II. ENVIRONMENTAL IMPACTS

Issues (and Supporting Information Sources):

	<u>SOURCE NO.</u>	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
1. LAND USE AND PLANNING. Would the proposal:					
a. Conflict with general plan designation or zoning?	1, 9				<u>X</u>
b. Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project?	1				<u>X</u>
c. Be incompatible with existing land use in the vicinity?	11				<u>X</u>
d. Affect agricultural resources or operations (e.g. impacts to soils or farmlands, or impacts from incompatible land uses)?	11				<u>X</u>
e. Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?	11				<u>X</u>
2. POPULATION AND HOUSING. Would the proposal:					
a. Cumulatively exceed official regional or local population projects?	1				<u>X</u>
b. Induce substantial growth in an area either directly or indirectly (e.g. through projects in an undeveloped area or extension of major infrastructure)?	12			<u>X</u>	
c. Displace existing housing, especially affordable housing?	11			<u>X</u>	
3. GEOLOGIC PROBLEMS. Would the proposal result in or expose people to potential impacts involving:					
a. Fault rupture?	1				<u>X</u>
b. Seismic ground shaking	1				<u>X</u>

		<u>SOURCE NO.</u>	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
c.	Seismic ground failure, including liquefaction?	1, 5, 7				<u>X</u>
d.	Seiche, Tsunami or volcanic hazard?	1				<u>X</u>
e.	Landslides or mudflows?	7, 10				<u>X</u>
f.	Erosion, changes in topography or unstable soil conditions from excavation, grading or fill?	11			<u>X</u>	
g.	Subsidence of the land?	5, 7				<u>X</u>
h.	Expansive soils?	7				<u>X</u>
i.	Unique geologic or physical features?	5, 11				<u>X</u>
4.	WATER. Would the proposal result in:					
a.	Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?	11			<u>X</u>	
b.	Exposure of people or property to water related hazards such as flooding?	3, 10				<u>X</u>
c.	Discharge into surface waters or other alteration of surface water quality (e.g. temperature, dissolved oxygen or turbidity)?	12			<u>X</u>	
d.	Changes in the amount of surface water in any water body?	11				<u>X</u>
e.	Changes in currents, or the course or direction of water movements?	11			<u>X</u>	
f.	Change in the quantity of groundwater, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations or through substantial loss of groundwater recharge capability?	12				<u>X</u>
g.	Altered direction or rate of flow of groundwater?	12				<u>X</u>
h.	Impacts to groundwater quality?	12			<u>X</u>	
i.	Substantial reduction in the amount of groundwater otherwise available for public water supplies?	12				<u>X</u>
5.	AIR QUALITY. Would the proposal:					
a.	Violate any air quality standard or contribute to an existing or projected air quality violation?	12, 13				<u>X</u>
b.	Expose sensitive receptors to pollutants?	12			<u>X</u>	
c.	Alter air movement, moisture, or temperature, or cause any change in climate?	14				<u>X</u>
d.	Create objectionable odors?	12			<u>X</u>	
6.	TRANSPORTATION/CIRCULATION. Would the proposal result in:					

	<u>SOURCE NO.</u>	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
a.	Increased vehicle trips or traffic congestion?	1	<u>X</u>		
b.	Hazards to safety from design features (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	11, 12			<u>X</u>
c.	Inadequate emergency access or access to nearby uses?	11			<u>X</u>
d.	Insufficient parking capacity onsite and offsite?	12		<u>X</u>	
e.	Hazards or barriers for pedestrians or bicyclists	11		<u>X</u>	
f.	Conflicts with adopted policies supporting alternative transportation (e.g. bus turnouts, bicycle racks)?	1			<u>X</u>
g.	Rail, waterborne or air traffic impacts?	11, 12			<u>X</u>
7.	BIOLOGICAL RESOURCES. Would the proposal result in impacts to:				
a.	Endangered, threatened or rare species or their habitats (including but not limited to plants, fish, insects, animals and birds)?	1, 6			<u>X</u>
b.	Locally designated species (e.g. heritage trees)?	1, 11			<u>X</u>
c.	Locally designated natural communities (e.g. oak forest, coastal habitat, etc.)?	1, 6			<u>X</u>
d.	Wetland habitat (e.g. marsh, riparian and vernal pool)?	11			<u>X</u>
e.	Wildlife dispersal or migration corridors?	1			<u>X</u>
8.	ENERGY AND MINERAL RESOURCES. Would the proposal:				
a.	Conflict with adopted energy conservation plans?	1			<u>X</u>
b.	Use nonrenewable resources in a wasteful and inefficient manner?	12			<u>X</u>
c.	Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the state?	12			<u>X</u>
9.	HAZARDS. Would the proposal involve:				
a.	A risk of accidental explosion or release of hazardous substances (including, but not limited to; oil, pesticides, chemicals or radiation)?	12		<u>X</u>	
b.	Possible interference with an emergency response plan or emergency evacuation plan?	1			<u>X</u>
c.	The creation of any health hazard or potential health hazard?	11,12			<u>X</u>
d.	Exposure of people to existing sources of potential health hazards?	12		<u>X</u>	

	SOURCE NO.	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
e. Increased fire hazard in areas with flammable brush, grass or trees?	11,12				<u>X</u>
10. NOISE. Would the proposal result in:					
a. Increases in existing noise levels?	12			<u>X</u>	
b. Exposure of people to severe noise levels?	10				<u>X</u>
11. PUBLIC SERVICES. Would the proposal have an effect upon, or result in a need for new or altered government services in any of the following areas:					
a. Fire protection?	4, 11, 12				<u>X</u>
b. Police protection?	12			<u>X</u>	
c. Schools?	12				<u>X</u>
d. Maintenance of public facilities, including roads?	11, 12				<u>X</u>
e. Other governmental services?	12				<u>X</u>
12. UTILITIES AND SERVICE SYSTEMS. Would the proposal result in a need for new systems or supplies, or substantial alterations to the following utilities:					
a. Power or natural gas?	12				<u>X</u>
b. Communications systems?	12				<u>X</u>
c. Local or regional water treatment or distribution facilities?	4				<u>X</u>
d. Sewer or septic tanks?	12				<u>X</u>
e. Storm water drainage?	3			<u>X</u>	
f. Solid waste disposal?	12				<u>X</u>
g. Local or regional water supplies?	12				<u>X</u>
13. AESTHETICS. Would the proposal:					
a. Have a substantial adverse effect upon a scenic vista or scenic highway?	1, 11				<u>X</u>
b. Have a demonstrable negative aesthetic effect?	11, 12			<u>X</u>	
c. Create light or glare?	12			<u>X</u>	
14. CULTURAL RESOURCES. Would the proposal:					
a. Disturb paleontological resources?	2, 12				<u>X</u>
b. Disturb archaeological resources?	2, 12			<u>X</u>	

	SOURCE NO.	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
c. Affect historical resources?	2, 12			<u>X</u>	
d. Have the potential to cause a physical change that would affect unique ethnic cultural values?	2, 12				<u>X</u>
e. Restrict existing religious or sacred uses within the potential impact area?	2, 12				<u>X</u>
15. RECREATION. Would the proposal:					
a. Increase the demand for neighborhood or regional parks or other recreational facilities?	1, 12				<u>X</u>
b. Affect existing recreational opportunities?	12				<u>X</u>
16. GREENHOUSE GAS EMISSIONS. Would the proposal:					
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant effect on the environment?	13, 14			<u>X</u>	
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gasses?	12, 13			<u>X</u>	
17. MANDATORY FINDINGS OF SIGNIFICANCE.					
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?					<u>X</u>
b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?					<u>X</u>
c. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connect with the effects of past projects, the effects of other current projects, and the effects of probable future projects).					<u>X</u>
d. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?					<u>X</u>

**INITIAL STUDY
STATEMENT OF ENVIRONMENTAL EVALUATION
FOR**

**Lynn's Paradise Plaza Site Plan Review Application
PL15-00057**

III. DISCUSSION OF ENVIRONMENTAL EVALUATION

1. **General Evaluation.** Potential environmental impacts associated with the proposed project have been identified upon the preceding environmental review checklist form. It has been determined that the proposed project 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 significant adverse impacts identified within this initial study. The text that follows outlines a number of areas of potential environmental issues related to the project.
 - a. **Item 1 - Land Use and Planning.** If approved, the proposed project will result in the establishment of two drive-through facilities on property currently developed with a restaurant, cocktail lounge, and a single family mobile home. The addition of two drive-through facilities is not deemed significant because the future proposed land uses, restaurant and offices, to accommodate the drive-through facilities are permitted uses consistent with the Paradise General Plan land use designation and zoning for the site. Therefore, impacts related to vehicle circulation for these uses are expected to be less than significant and no mitigation measures appear to be necessary.
 - b. **Item 2 - Population and Housing.** As indicated above, the proposed project would establish two drive-through facilities on an existing developed commercial property. Ultimately, upon full build-out, the existing single family mobile home will be removed to make room for one of the two drive-through facilities resulting in the loss of only one single-family dwelling. Therefore, impacts related to population and housing are expected to be less than significant and no mitigation measures appear to be necessary.
 - c. **Item 3 - Geologic Problems.** The project site is located in an area of relatively low seismic activity and consequently has been accorded a category of low potential earthquake hazard (Paradise General Plan, Volume III, 1994). In addition, the gentle slopes and well-structured soils on the project site do not pose a significant threat of

landslides, mudflows or subsidence. Accordingly, no significant impacts related to geologic problems are anticipated. Therefore, impacts related to geologic problems are expected to be less than significant and no mitigation measures appear to be necessary.

- d. **Item 4 - Water.** Grading activities associated with paving, utility, and drainage improvements will disturb the physical environment of the project site, creating the potential for impervious surfaces through compaction and paving of the soil which may alter drainage patterns, reduce absorption rates and increase the volume of storm water drainage from the site. However, if the Lynn's Paradise Plaza Site Plan Review permit is approved, the Town of Paradise will condition the project to require the submittal of a detailed soil erosion control plan approved by the Town Engineer prior to the conduct of construction activity associated with required site improvements. Engineered drainage plans will be required prior to the issuance of building permits authorizing future commercial construction and shall be required to be designed to prevent any off-site. Accordingly, impacts related to increased erosion and drainage patterns are expected to be less than significant and no mitigation measures appear to be necessary.

- e. **Item 5 - Air Quality.** The project will result in the temporary increase of potentially objectionable odors arising from the use of asphalt that will occur during the construction of drive-through improvements. Such impacts should be short term and should not be substantially adverse as the site is surrounded by mini-storage buildings on two sides and public streets on the other two sides. If the project is approved, the Town of Paradise will require the project developer to implement standard mitigation measures required by the Butte County Air Quality Management District. Accordingly, no significant impacts regarding air quality are anticipated by staff and no mitigation appears to be warranted.

- f. **Item 6 - Transportation/Circulation.** Existing access to the project site is provided via Skyway and Bader Mine Rd, two paved public streets. The site is currently developed with a tavern and a single-family dwelling. Currently, vehicle trips to and from the site are relatively light. As designed and submitted, this project will continue to utilize one encroachment per public street. The encroachment on Bader Mine Road is proposed to be relocated further to the west and away from the intersection to allow for adequate drive-through queuing lines on-site. Turning movements of the drive-through facilities have been designed to meet minimum turning radius standards set by the American Association of State Highway & Transportation Officials.

Based on the Institute of Transportation Engineer's Trip Generation Rates, the projected uses of the future drive-through buildings (coffee shop and fast food

restaurant) could generate up to 109 trips per PM peak hour, which is considerably higher than other retail, service and restaurant land uses otherwise permitted in the CC zone. In consideration of this circumstance, the Town Engineer has identified a traffic impact associated with the design of the encroachment onto Skyway, the high traffic volumes along the portion of Skyway fronting the project site and the design of lane striping on Skyway. Full development of the site as proposed with Two drive-through facilities may potentially result in conflicting vehicle movements, possible resulting in traffic collisions. The following mitigation measure has been developed cooperatively by the project developer and the Town Engineer to reduce any potential traffic impacts to a less than significant level:

Mitigation Measure:

1. Prior to the issuance of a certificate of occupancy for either drive-through facility, the project developer shall modify the street configuration for the established primary Skyway entrance/exit to the project. The final project configuration shall re-establish lane lines to establish a northbound protected twelve (12) foot-wide left turn pocket, a twelve (12) foot wide northbound lane, a twelve (12) foot wide southbound lane and two paved shoulders, two (2) feet wide each to adjacent curbs. The final plan delineation and transitions shall be subject to the review and approval by the Town Engineer prior to the modifications being made. Existing striping shall be completely obliterated and re-established to the satisfaction of the Town Engineer.
- g. **Item 7 - Biological Resources.** Review of the California Department of Fish and Wildlife natural diversity data base information for the Paradise area reveals that no known rare, endangered or sensitive plant or animal species exist or inhabit the project site or its immediate vicinity. Although vegetation on the site is sparse, native trees and areas of understory vegetation on the site provide limited shelter and food sources for a variety of localized bird, rodent and other animal populations, it is not anticipated that the installation of two drive-through facilities, which only requires the removal of one native pine tree, will significantly displace animal populations. Therefore, no significant adverse impacts to local animal populations are anticipated.
- h. **Item 8 - Energy and Mineral Resources.** Due to the fact that the project under review is limited to the installation of two grade-constructed drive-through facilities, the future lifecycle of which is recyclable, no significant loss or use of non-renewable resources is expected and no mitigation measures are warranted.
- i. **Item 9 - Hazards.** Since no known areas of toxic contamination exist on or in the vicinity of the project site, the project should not involve exposure of people to potential health hazards. In addition, the installation of two drive-through facilities should not pose significant or unusual health risks associated with explosions or the release of

toxic substances.

- j. **Item 10 - Noise.** The project will result in increases of existing noise levels that will occur during the construction of the drive-through facilities. Such impact should be short term and should not be substantially adverse provided permissible community noise levels as established by the town's noise ordinance are not exceeded.

Should speakers be installed for the drive-through facilities, the existing noise ordinance will control the transmission of audible sound across property lines to within permissible levels. In addition, no residential development abuts the project site that would be potentially exposed to noise impacts.

- k. **Item 11 - Public Services.**

The installation of two drive-through facilities will not have any measurable impact on public services such as fire, police, schools, or public roads as their only purpose is for vehicle circulation on a private commercial development which only involves the at-grade application of asphalt to the site.

- l. **Item 12 - Utilities and Service Systems.**

Storm water drainage: Engineering division staff determined that the project, as tentatively designed, displays compliance with the Town of Paradise storm water drainage requirements which includes on-site storm water detention so that post-development drainage levels do not exceed pre-development drainage levels. Therefore, no significant adverse effect regarding storm water drainage is foreseen and no mitigation measures appear to be necessary.

- m. **Item 13 - Aesthetics.** The project is located within an area subject to design review based upon aesthetics. The actual aesthetic impact of the project upon the immediate area should be minimal since it only involves the application of asphalt, to an existing gravel parking lot, for two drive-through facilities. There could be additional light and glare generated from the windshields and headlights of the vehicles utilizing the drive-through facilities. However, the western drive-through is nestled between a masonry wall and the backside of commercial buildings which blocks the transfer of light and glare onto adjoining properties. The eastern drive-through utilizes the strategic placement of landscaping to buffer any transfer of light or glare to southbound traffic on the Skyway. Thus, such impact is deemed to be insignificant and no mitigation is warranted.

- n. **Item 14 - Cultural Resources.** The project site is not located within an area that is identified as being sensitive for prehistoric, ethnographic, and historic cultural resources. However, a slight possibility exists that ground-disturbing activities associated with future development of the site could result in the discovery of cultural resources. Therefore, the project will be conditioned as follows:

“If any archaeological resources are uncovered during the course of future development or construction activities, all work shall stop in the area of the find until a qualified archaeologist provides an appropriate evaluation of the discovery.”

If the project is approved and conditioned accordingly, any impacts related to cultural resources are expected to be less than significant and no mitigation measures appear to be warranted.

- o. **Item 15 - Recreation.** The installation of two asphalt drive-through facilities in and of themselves will not increase the demand for recreational facilities or affect existing recreational opportunities on this site as it is currently developed with a restaurant and cocktail lounge which would be incompatible uses.

- p. **Item 16 – Greenhouse Gas Emissions.** The main sources of greenhouse gasses for this development project are from the asphalt concrete manufacturing plant, the combustion of fossil fuels from the delivery vehicle(s) traveling to the development during construction, and from passenger vehicle idling from the ultimate build-out and use of the facilities. However, in 2002 the EPA downgraded asphalt manufacturing plants to a minor Hazardous Air Pollutant (HAP) producer concluding, after 10 years of data, that emissions from these types of plants could not have the potential of emitting HAP approaching major source levels.

It is possible that through future commercial development, the use of drive-through facilities could generate greenhouse gas emissions in the form of vehicle idling. However, the Town of Paradise does not have a Greenhouse Gas Reduction Plan, the requirements of which could be violated by passenger vehicle idling. In addition, the project does not conflict with any Air Resources Board regulations regarding greenhouse gas emissions for passenger vehicle idling and as such no mitigation measures are deemed to be necessary .

2. **Mitigation Monitoring**

It shall be the responsibility of the project proponent to comply with any mitigation measures assigned to the project in a timely fashion. It shall be the responsibility of the Town of Paradise to ensure that the applicant successfully complies with any imposed mitigation measures at the appropriate milestones in the overall project review and development process.

IV. DETERMINATION.

On the basis of this initial evaluation:

- 1. I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

- 2. I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described in this document shall be added to the project. **A NEGATIVE DECLARATION WILL BE PREPARED.**

- 3. I find the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

- 4. I find that the proposed project **MAY** have a significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.

- 5. I find that although the proposed project could have a significant effect on the environment, there **WILL NOT** be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project.

_____ Date _____
Craig Baker
Planning Director for the Town of Paradise

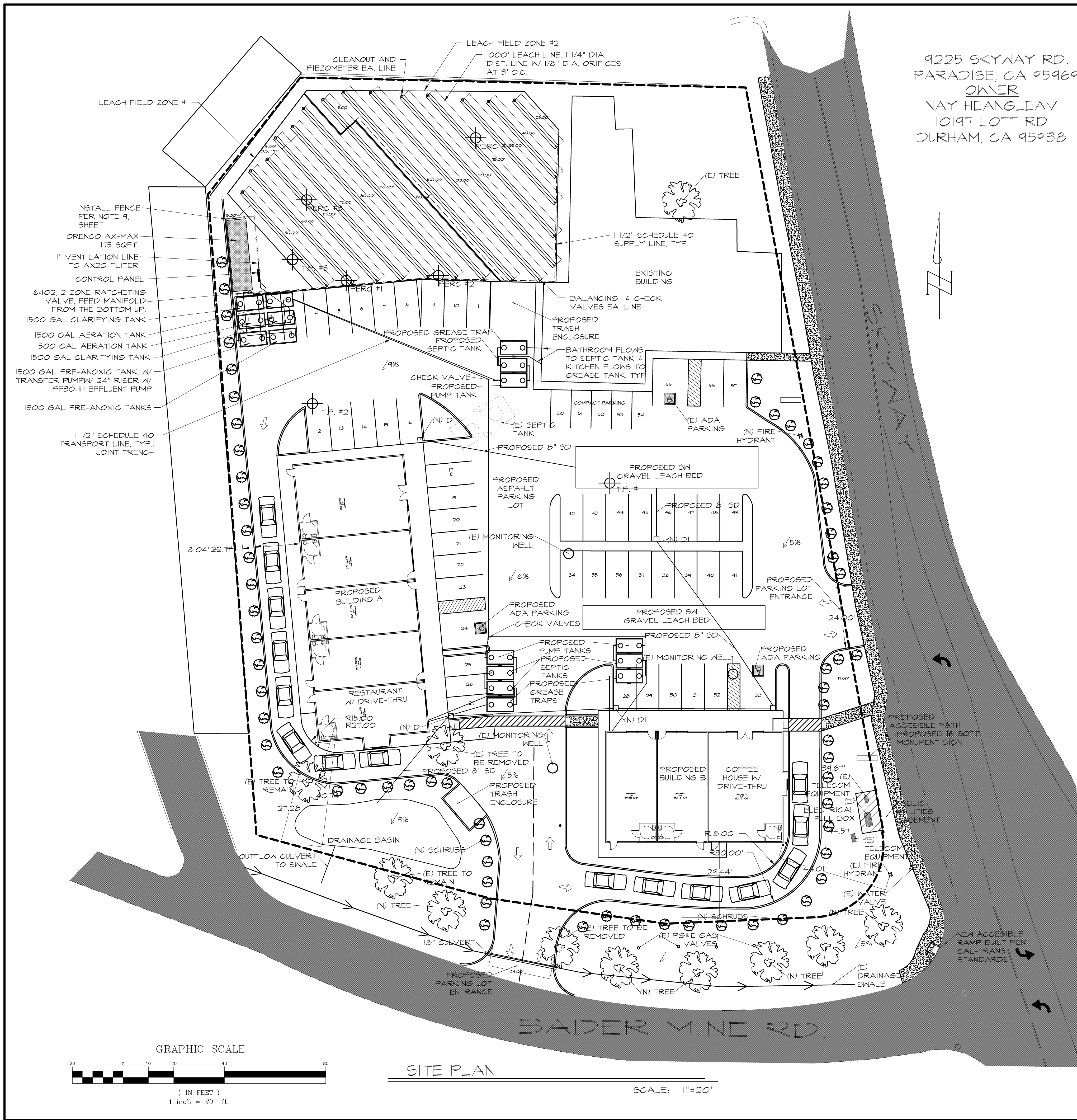
V. REFERENCES

1. Town of Paradise 1994 General Plan, Volumes I-III, Town of Paradise Community Development Department and Quad Consultants, October 1994.
2. Town of Paradise inventory map of archaeologically sensitive areas 1987, CSUC Anthropology Department
3. Master storm drainage study and facilities plan, Paradise, California, 1980, McCain Associates
4. Paradise Irrigation District water distribution map, 1993
5. USGS topographic map: Paradise East, Calif., 1969
6. The California natural diversity database, state Department of Fish and Game, 1990
7. "Soils of Paradise and Their Ability to Treat Domestic Wastewater," Wert and Associates, 1992.
8. Town of Paradise General Plan Land Use Designation Map; October, 1994
9. Town of Paradise Zoning Ordinance (Title 17 of the Paradise Municipal Code)
10. Town of Paradise General Plan Land Use Constraints Diagram; October, 1994
11. Field Inspection of project site by planning staff, April 8, 2015
12. Site Plan Review permit materials submitted to the Town of Paradise on February 17, 2015
13. EPA Compilation of State, County, & Local Anti-Idling Regulations; April 2006
14. National Emission Standards for Hazardous Air Pollutants: Revision of Source Category List Under Section 112 of the Clean Air Act; February 2002

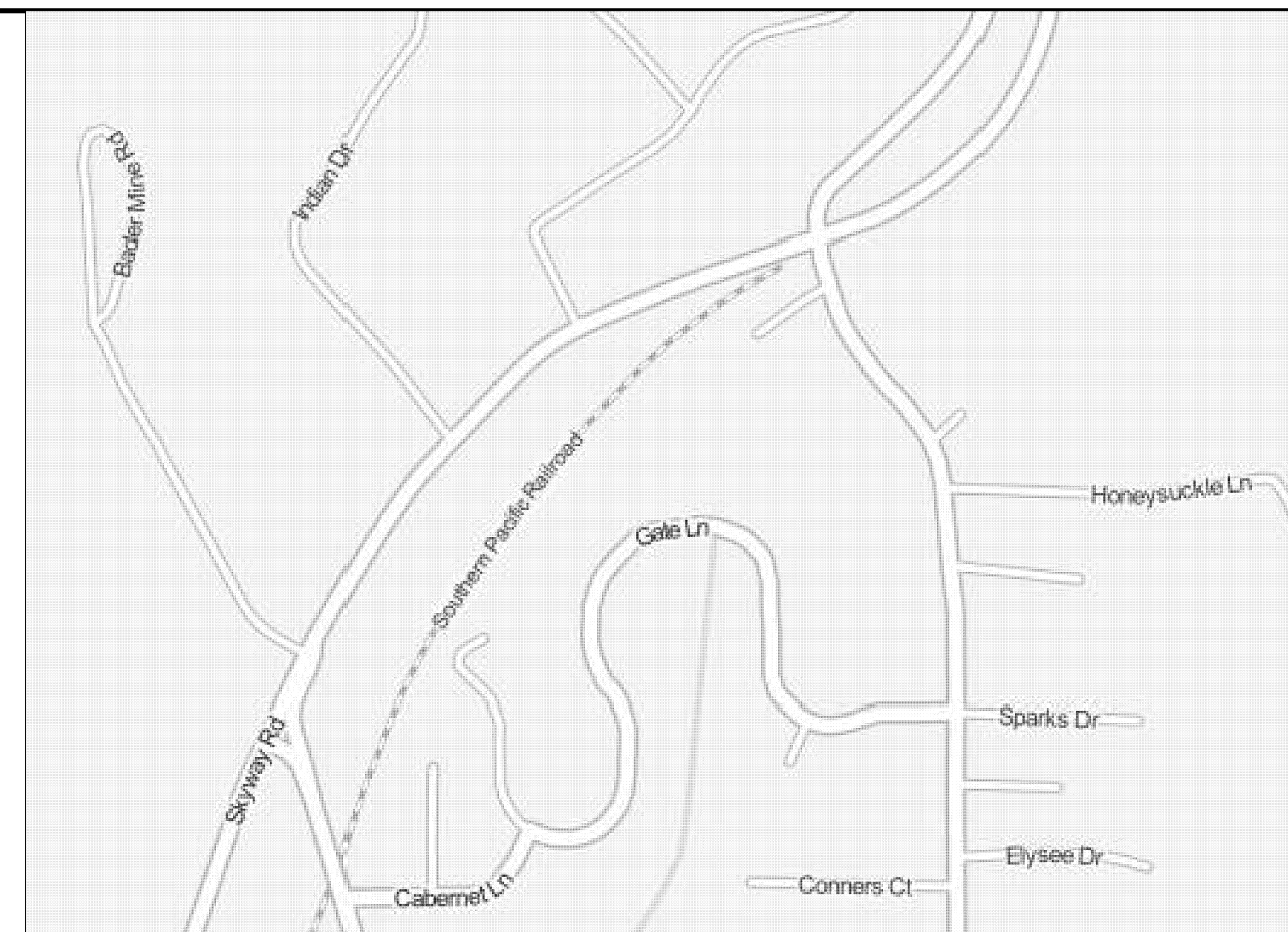
Initial Study

Prepared by: _____

Susan Hartman
Assistant Planner, Town of Paradise



9225 SKYWAY RD.
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 OWNER
 NAY HEANGLEAV
 10197 LOTT RD
 DURHAM, CA 95938

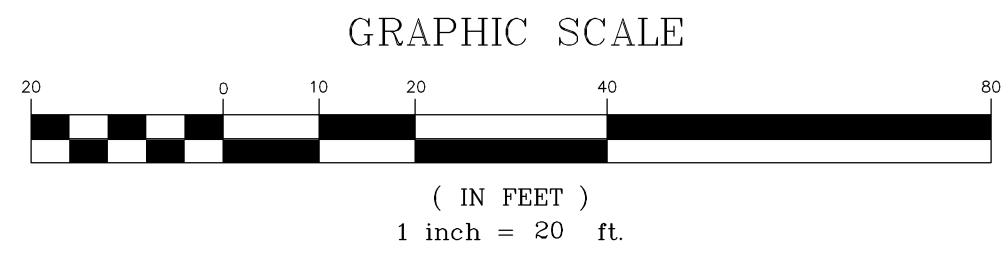


VICINITY MAP

SCOPE OF WORK

PROPOSED PROJECT WILL INCLUDE THE SITE IMPROVEMENT OF THE EXISTING OPTIMO SITE WITH TWO NEW BUILDINGS TOTALING 7920 SQUARE FEET. THIS WILL INCLUDE A COFFEE SHOP AND RESTAURANT EACH WITH DRIVE-THRUS WITH THE REMAINING 6 SPACES TO BE USED AS RETAIL/BUSINESS LOCATIONS. A NEW PAVED PARKING LOT WITH 59 PARKING STALLS TO INCLUDE 3 ADA PARKING STALLS WILL ALSO BE ADDED. AS WELL EXTERIOR IMPROVEMENTS TO THE EXISTING OPTIMO BUILDING ARE TO BE MADE TO MATCH THE NEW BUILDINGS. THE SITE WILL ALSO BE PROVIDED WITH A NEW TRASH ENCLOSURE AND A PRE-TREATED PRESSURE DOSE SEPTIC SYSTEM FOR THE ENTIRE SITE. THE PROPOSED SITE WILL GENTLY SLOPE FROM EAST TO WEST AND MAINTAIN THE EXISTING FLOW CHARACTERISTICS WITH A DISCHARGE TO THE DRAINAGE SWALE AT THE BADER MINE ROAD FRONTAGE.

BUILDING A	
(1) RESTAURANT W/ DRIVE-THRU: 880 SQFT	
(4) RETAIL SPACES: 3960 SQFT	
BUILDING B	
(1) COFFEE SHOP W/ DRIVE-THRU: 1320 SQFT	
(2) RETAIL SPACES: 1760 SQFT	
HARD SCAPE COVERAGE	
NEW CONC/AC IMP. SURFACE: 37000 SQFT	
SHEET INDEX:	
SITE PLAN	CS
BUILDING A: 4804 SQFT	
BUILDING B: 3080 SQFT	
(E) OPTIMO: 4525 SQFT	
TOTAL: 12409 SQFT	
DESIGN CODES	2013 CBC 2013 CEC 2013 CMC 2013 CPC



SITE PLAN SCALE: 1"=20'

RANCHO ENGINEERING DOES NOT REPRESENT THAT THESE PLANS OR CONNECTION THEREWITH ARE SUITABLE WHETHER OR NOT MODIFIED FOR ANY OTHER SITE THAN THE ONE FOR WHICH THEY WERE SPECIFICALLY PREPARED. RANCHO ENGINEERING DISCLAIMS RESPONSIBILITY FOR THESE PLANS IF THEY ARE USED FOR ANY OTHER SITE. THESE PLANS ARE NOT VALID UNTIL REVIEWED AND APPROVED BY APPROPRIATE GOVERNMENTAL AGENCIES.

SITE PLAN

LYNN'S PARADISE PLAZA
 9225 SKYWAY
 PARADISE, CA
 APN 050-011-015

RANCHO Engineering
 CIVIL - STRUCTURAL - BUILDING DESIGN
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RANCHO ENG. JOB: 13-235

DRAWN BY: NJM
 CKD BY: JPH
 DATE: 3/17/15
 REVISION: 2

DRAWING NUMBER
CS