

**M I N U T E S**

**CALL TO ORDER**

Planning Director Al McGreehan called the meeting to order at 10:05 a.m.

**1. APPROVAL OF MINUTES – February 26, 2007**

Planning Director McGreehan approved the minutes of the February 26, 2007 Planning Director meeting as prepared and submitted by staff.

**2. PUBLIC COMMUNICATION**

1. Hollis Lundy, L & L Surveying. Mr. Lundy stated that some commercial projects have received final approval but have not been monumented to verify property corners. He suggested that a comment in the permit, if not a record of survey, require that the corners be in place at final inspection.

Planning Director McGreehan suggested Mr. Lundy follow up his comments by submitting to town staff for review a letter and material evidence.

**3. CONTINUED PUBLIC HEARING – None.**

**4. PUBLIC HEARINGS**

**a. Item determined categorically exempt from environmental review**

**Good Shepherd Communities Use Permit (UP-07-1) Application proposing to establish a community care facility/retail art gallery within an existing commercial building located at 633 Pearson Road; AP 054-040-051.**

Asst. Community Development Director Craig Baker reviewed the project application. He noted that the hours of operation will be 8:30 a.m. to 4:00 p.m. Monday through Friday, with 10-12 clients enrolled in the program. The Onsite Division has approved the project as proposed, and staff is recommending conditional approval.

Planning Director McGreehan discussed the driveway clearance between the two existing buildings. All program related vehicles other than patrons should be parking in the rear of the buildings.

The hearing was opened to the public: Appearing:

1. Kate Kelley, representing Good Shepherd Communities. Ms. Kelley acknowledged receipt of a copy of the staff report and concurred with the recommended project conditions. She asked whether the existing gate needs to be removed and whether they can be open on Saturdays.

Planning Director McGreehan responded that the gate needs to be enhanced for easy access for emergency vehicles, and a sign installed that prohibits parking in the back by patrons. There does not seem to be a concern regarding opening on Saturdays and extending the hours to 8:00 a.m. to 5:30 p.m.

2. Laura Larson. Ms. Larson stated her support for the proposed project, adding that it will create another small business such as the one in Oroville that has been very successful. She encouraged Saturday hours so the patrons can participate in festivals, etc. for selling artwork and crafts.

Planning Director McGreehan closed the hearing to the public.

The Planning Director proclaimed the adoption of findings listed below as submitted by staff and approved the Good Shepherd Communities Use Permit (UP-07-1) subject to the following amended conditions:

### **FINDINGS**

1. Concur with staff's determination that the proposed project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Section 15303 of the State CEQA Guidelines.
2. Find that the project, as conditioned, is consistent with the goals and policies of the Paradise General Plan because the project will result in the establishment of a retail industrial land use in an area zoned for such use and within an existing vacant structure suitable for such use.
3. Find that the project, as conditioned, is in compliance with all applicable regulations of the Community Commercial zoning district.
4. Find that adequate infrastructure is currently in place to serve the proposed project.
5. Find that the project, as conditioned, will not detrimentally effect existing plant and animal life in the project vicinity for the following reasons:
  - a. The project is located within an area that has been altered from its natural state by long- established commercial land uses;
  - b. No known outstanding wildlife habitat exists in the immediate project vicinity; and
  - c. No known rare or endangered plants are known to exist in the immediate project vicinity.

### **GENERAL CONDITIONS OF USE PERMIT APPROVAL**

1. If any land use for which a use permit has been granted and issued is not established within three years of the use permit's effective date, the use permit may become subject to revocation by the Town of Paradise.

2. Secure Town of Paradise design review approval for any affixed business signs prior to the establishment of such signs.
3. The total number of clients and support staff that occupy the building proposed for licensed adult day care occupancy shall at no time exceed the occupancy level expressly authorized by the Town of Paradise Public Works Department (onsite sanitation division).

## **CONDITIONS TO BE MET PRIOR TO OCCUPANCY AND PUBLIC PATRONAGE**

### **FIRE PROTECTION**

4. Establish and maintain compliance with all requirements of the Town Fire Marshal in accordance with the Paradise Fire Department plan check review for the Good Shepherd Communities project dated February 22, 2007 and on file with the Town Community Development Department.

### **CONSTRUCTION CODES**

5. Meet the requirements of the Town Building Official regarding submittal of construction plans, building permit applications, and all applicable Town adopted construction code requirements for any construction work subject to the requirements of the Uniform Building Code.

### **SITE DEVELOPMENT**

6. Maintain an on site parking facility in substantial compliance with applicable provisions of Chapter 17.38 (*Off-Street Parking and Loading Regulations*) of the Paradise Municipal Code.

### **CONDITIONS OF LAND USE**

7. All employees' vehicles and vehicles utilized for transporting clients to daily scheduled activities shall park in the rear parking lot on the site during business hours.
8. Days and hours of the authorized land use activities shall be Monday through Saturday and between the hours of 8:00 a.m. and 5:30 p.m.

It was announced that the decision of the Planning Director can be appealed within seven days of the decision date.

- b. **Item for which a proposed mitigated negative declaration document regarding environmental impact is proposed to be adopted**

**Hornback Tentative Parcel Map (PM-06-15) Application proposing to divide a  $\pm$ 1.8 acre property into three parcels of record for property located at 5977 Williams Drive; AP 053-070-019.**

Asst. Community Development Director Craig Baker reviewed the project application for which staff is recommending conditional approval.

The hearing was opened to the public by Planning Director McGreehan. Appearing:

1. Hollis Lundy, L & L Surveying, representing applicant. Mr. Lundy stated that the applicant has received a copy of the staff report and is in concurrence with the recommended project conditions.
2. John Mescall, 1020 Maples Park Drive. Mr. Mescall, who lives behind the subject property, stated that he is concerned about additional residences and the removal of trees.

Planning Director McGreehan responded that this property has been zoned for residential development.

The hearing was closed to the public by Planning Director McGreehan.

The Planning Director proclaimed the adoption of findings listed below and approved the tentative parcel map application subject to the following conditions.

### **FINDINGS**

- a. Find that the proposed project, **as mitigated and conditioned**, could not have a significant effect on the environment, and adopt a mitigated negative declaration.
- 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 residential 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 extensively altered by residential and agricultural 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.

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

#### **ROADS AND ACCESS**

1. Access to parcels for ingress and egress/public utilities shall be shown on the final parcel map.

2. Submit three copies of road upgrade improvement plans for Williams Drive and road and drainage improvements plans for construction of the on site private road to the town-adopted A-2a road standard, stamped and signed by a registered civil engineer to the Engineering Division for approval. Pay appropriate plan check and inspection fees. Street grades and all design features shall comply with town ordinances, design resolution and accepted engineering standards. Road and drainage plans must be approved **PRIOR** to the construction or installation of the required facilities. The extent of the required Williams Drive upgrade shall be based upon a prorata share of the estimated cost to upgrade the entire length of Williams Drive to the town-adopted A-3a private road standard. Location of the upgrade improvement to portions of Williams Drive shall be determined by the Town Engineer.
3. The following notes shall appear upon the final map information data sheet:
  - a.. “Prior to the issuance of a building permit authorizing residential development upon Parcel Nos. 1 or 2, the project developer shall construct the pro-rata share upgrade improvement to Williams Drive in accordance with town-approved Williams Drive upgrade improvement plans.”
  - b. “Prior to the issuance of a building permit authorizing residential development upon Parcel Nos. 1 or 2, the project developer shall construct a full width private road access for all three parcels to the Town adopted A-2a road standard including a town approved turn around facility.”
  - c. “If more than 50 cubic yards of material to be moved in association with required road and/or driveway 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 U.B.C. Pay applicable grading permit fees per current fee schedule.”
  - d. “Prior to the start of any grading operations that displace fifty cubic yards or more of material and are associated with required road and/or driveway improvements, the project developer shall submit an Erosion Control Plan to the Town Public Works Engineering Division for approval by the Town Engineer. Show all erosion control devices and sedimentation basins required by the PMC 15.04.280.
  - e. “Prior to the issuance of a building permit that results in the residential development of three parcels for which the on site private road easement provides primary access, the project developer shall apply for and secure town approval for a new road name to be assigned to the on site private road. All residences for which the on site private road provides primary access shall be addressed to the new road name, rather than Williams Drive. The project developer may also seek approval from the Town of Paradise for the new road name prior to residential development of vacant parcels.”
4. Provide a recorded road maintenance agreement(s) in a form deemed acceptable to the Town Engineer obligating all owners of the resultant parcels to participate in the maintenance of the on site private access road and Williams Drive.

### **SITE DEVELOPMENT**

5. All easements of record shall be shown on the final parcel map.
6. Indicate a thirty foot building setback line measured from the center of the on site private road.

## **DRAINAGE**

7. The design of the required engineered private roadway improvement plans shall include necessary drainage improvements both on and off site to accommodate existing and additional project induced drainage flows without generating any off-site adverse effects.
8. Place the following note on the final map information data sheet: “Prior to issuance of a building permit authorizing construction on Parcel Nos. 1 or 2, a storm water mitigation plan shall be submitted and approved by the Town Engineer. This plan must address how the additional storm water drainage from the new impervious surfaces will be detained, rerouted, or otherwise mitigated to prevent adverse impacts to the downstream neighboring properties.”

## **FIRE PROTECTION**

10. Place the following notes upon the final parcel map information data sheet:
  - a. “Future owners of parcels created via recordation of the Hornback parcel map shall implement and maintain a fuel reduction plan for the parcels meeting the requirements of the Paradise Fire Department in accordance with the Paradise Fire Department project review memorandum dated October 31, 2006 for the Hornback parcel map application and on file in the Town Community Development Department.”
  - b. “All buildings constructed upon Parcel Nos. 1 and 2 shall be built of non-combustible exterior construction meeting the requirements of the Wildland Urban Interface Code and in accordance with the Paradise Fire Department project review memorandum dated October 31, 2006 for the Hornback parcel map application and on file in the Town Community Development Department.”
11. Meet all other requirements of the Paradise Fire Department in accordance with the Plan Check Review for the Hornback project, dated October 31, 2006 and on file in the Town Community Development Department.

## **UTILITIES**

12. Meet the requirements of the Paradise Irrigation District (PID) in accordance with the letter from PID staff regarding the Hornback project dated October 31, 2006 and on file in the Town Community Development Department.

## **SEWAGE DISPOSAL**

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

## **OTHERS**

14. The following notes shall appear upon the final parcel map information 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." **[mitigation measure]**
15. Provide written documentation verifying payment of current property taxes and payment of any assessment liens imposed by the Town.
16. Provide monumentation as required by the Town Engineer in accordance with accepted town standards.
17. 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 Community Development Department planning division.

It was announced that the decision of the Planning Director can be appealed within ten days of the decision date.

**5. OTHER BUSINESS** – None.

**6. ADJOURNMENT**

The Planning Director adjourned the meeting at 10:35 a.m.

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Planning Director

**ATTEST:**

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Suzanne Whalen, Secretary