

PARADISE PLANNING DIRECTOR

July 19, 2010 – 2:00 p.m.

Town Council Chambers, Room 9

5555 Skyway, Paradise

M I N U T E S

CALL TO ORDER

Planning Director Craig Baker called the meeting to order at 2:00 p.m.

1. APPROVAL OF MINUTES – May 4, 2010 meeting

The meeting minutes of May 4, 2010 were approved by the Planning Director.

2. PUBLIC COMMUNICATION – None.

3. CONTINUED PUBLIC HEARING – None.

4. PUBLIC HEARING

a. Item proposed to be determined exempt from environmental review:

**DEMONTIGNY SITE PLAN REVIEW PERMIT (PL10-00117) APPLICATION:
Proposal for Town approval to establish a dance studio within an existing 2000 sq.
ft. commercial building space on property located at 6899 Clark Road, Suite C,
Paradise, AP No. 050-081-042**

Assistant Planner Susan Hartman reviewed the project application for which staff is recommending conditional approval.

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

1. Mr. DeMontigny, applicant. Mr. DeMontigny acknowledged receipt of a copy of the staff report and concurred in general with the recommended conditions of approval. However, he requested and received clarification of conditions Nos. 4, 5, 7, 8 and 9. He thanked the Town staff for their assistance in the processing of his application.
2. Keith Sautter, Property Owner. Mr. Sautter stated that he has never had to upgrade the property when other tenants have rented the building.

Planning Director Baker explained that the tenants most likely didn't know the Town's requirements and the Town was unaware of the previous businesses that occupied the building. The building was constructed in 1979 as a warehouse/shop building occupancy and the proposed occupancy classification may have higher requirements. The Town prefers that the applicant contact an architect to draw up a set of plans to reflect any proposed changes for condition No. 4. After the applicant gets a list of proposed changes, there may be choices in those design changes that may be more economical.

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The right-of-way as described in condition No. 5 was never granted to Butte County or the Town of Paradise, as there is no recorded document. The property owner will need to have a document (including property description) prepared and recorded that deeds a right-of-way to the Town of Paradise. There will be costs to prepare the document and Butte County Recorder fees.

Planning Director Baker acknowledged that since Clark Road has been resurfaced by the Town, there may be little that needs to be done to upgrade the road. However, the Town may want to widen the road in the future and a covenant would provide that ability. The Town Engineer will determine improvements for the project. In addition, he may ask that six parking bumpers be installed to delineate the parking spaces on the project site to help satisfy the requirements of condition No. 9. Staff will assist the applicant and property owner in setting up a meeting with the Town Engineer and the Building Official.

3. Jackie Sautter, Property Owner. Mrs. Sautter discussed the excessive traffic on Forest Service Road and asked if the Town could assist some of the property owners in approaching PID, the Recreation and Park District and Cal Fire to help maintain the private road.

Planning Director Baker replied that since Forest Service Road is a private road, the Town does not have the authority to give property owners direction on road maintenance.

Planning Director Baker closed the public hearing.

The Planning Director adopted the following findings as provided by staff and approved the DeMontigny Site Plan Review Permit Application subject to the conditions listed below:

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 personal improvement land use in an area zoned for such use and within an existing structure potentially suitable for such use.
3. Find that the project, as conditioned, is in compliance with all applicable regulations of the Neighborhood Commercial zoning district.
4. Find that the project, as conditioned, will have adequate infrastructure in place to serve the proposed project.

5. Find that the project, as conditioned, will not detrimentally affect 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 and residential 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 SITE PLAN REVIEW PERMIT APPROVAL

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. Apply for and secure Town of Paradise design review approval for any new business sign structures prior to the establishment of such signs related to the proposed project building occupancy.
3. The total number of students and instructors that occupy the building proposed as a dance studio occupancy shall at no time cause the onsite wastewater disposal system to exceed the 90 gallons per day wastewater flow expressly authorized by the Town of Paradise Public Works Department (onsite sanitation division).

CONDITIONS TO BE MET WITHIN 45 DAYS OF SITE PLAN REVIEW PERMIT APPROVAL

CONSTRUCTION CODES

4. The property owner shall secure and submit an accessibility analysis of the building completed by an architect, engineer or other professional deemed appropriate by the Building Official.

ROADS AND ACCESS

5. The property owner shall deed appropriate right-of-way, as originally proposed to Butte County in 1979, from center of Clark Road to the Town of Paradise or provide a deed document verifying that this requirement has been fulfilled.

**CONDITIONS TO BE MET WITHIN 90 DAYS OF
SITE PLAN REVIEW PERMIT APPROVAL**

CONSTRUCTION CODES

6. The property owner shall apply for and secure appropriate permits to bring the building and accessibility into conformance with the appropriate occupancy classification to the satisfaction of the Building Official.

ROADS AND ACCESS

7. Construct a pro-rata share upgrade improvement to the existing adjacent private road (Forest Service Road) in accordance with the requirements of the Town Engineer.
8. Construct, or defer by covenant agreement executed with the Town of Paradise, a one-half street section upgrade improvement along the project site frontage of Clark Road to the town-adopted C-1 road standard.

SITE DEVELOPMENT

9. Establish and maintain, in a manner deemed satisfactory to the Town Engineer, an on-site parking facility in compliance with all applicable provisions of Chapter 17.38 (Off-Street Parking and Loading Regulations) of the Paradise Municipal Code.

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

5. **OTHER BUSINESS** – None.

6. **ADJOURNMENT**

The Planning Director adjourned the meeting at 2:35 p.m.



Planning Director

ATTEST:



Janna Gutierrez, Town Clerk
Planning Secretary