

**PARADISE PLANNING COMMISSION**  
**September 20, 2011 - 6:00 p.m.**  
**Paradise Town Council Chambers**  
**5555 Skyway, Paradise, CA**

**M I N U T E S**

**CALL TO ORDER**

The meeting was called to order by Chair Grossberger at 6:00 p.m.

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

**ROLL CALL**

Present at roll call were Commissioners Bolin, Jones, Woodhouse, Zuccolillo and Chair Grossberger. Community Development Director Baker, was also present.

**1. APPROVAL OF MINUTES**

**a. Regular Meeting of August 16, 2011**

It was moved by Commissioner Woodhouse, seconded by Commissioner Bolin and carried by those present to approve the minutes of the August 16, 2011 regular Planning Commission meeting as submitted by staff.

**VOTE:** AYES: Commissioners Bolin, Woodhouse, Zuccolillo and Chair Grossberger.  
**NOES:** None. **ABSTAIN:** Commissioner Jones. **ABSENT:** None.

**MOTION CARRIES.**

**2. COMMUNICATION**

**a. Recent Council Actions** - Community Development Director Baker updated Planning Commissioners on Town Council actions taken at the September 6, 2011 Town Council meeting which included introduction of Ordinance No. 523 regarding Cultivation of Medical Marijuana. The Town Council concurred with the Planning Commission recommendation and only made one significant change to the Ordinance which was to make the setback requirement for medical marijuana cultivation to be 600' from any school property line. There was also a Special Town Council meeting on September 15, 2011 in which the Town Council also agreed with the Planning Commissioners recommendations regarding the Mello-Roos Policy and adopted Resolution 11-39 providing different criteria for developments. A copy of the criteria was provided for the Commissioners.

**b. Staff Comments:** None

**3. PUBLIC COMMUNICATION –None.**

**4. CONTINUED PUBLIC HEARING – None.**

**5. PUBLIC HEARING –**

Community Development Director Baker explained that on July 21, 2009, the Paradise Planning Commission conditionally approved vesting tentative subdivision map, site plan review permit and tree felling permit applications for the proposed Paradise Community Village (PCV) planned development project which entails the creation of a forty-lot mixed-use planned development subdivision on a 48.38 acre site in south-central Paradise.

At this time, the project developer has only sought and received sanction from the Town for the vesting tentative subdivision map and Phase I of the multi-family housing project, both of which will be accompanied by all necessary and appropriate phasing of infrastructure improvements, as will future phases.

Primary road access to the subdivision lots and all elements of the project are proposed to be established with the construction of a westerly extension of Village Parkway. All proposed newly constructed interior project roadways from which all lots will be directly accessed shall ultimately be offered for dedication to the Town of Paradise for inclusion into the Town's publicly maintained road system.

Since the project entitlements were approved in 2009 and modified in 2010, several circumstances have developed that have compelled PCV and Community Housing Improvement Program (CHIP) to file the modification requests with the Town. These circumstances include the changing situations for the individual member entities to trigger their respective project responsibilities and contribute to the required infrastructure improvements, the changes to the general economic climate that have influenced all aspects of the project, particularly the failing housing market that has significantly deflated the value of the proposed single family lots that were to be the primary source of infrastructure improvements funding for the project. To meet these concerns, PCV made a collective decision to refocus their immediate efforts on phasing the infrastructure in a manner that accommodates future phases as they develop.

The new preferred approach became a multi-phased project with a primary emphasis only on projects that were timely and ready to move forward. This new focus lessened the necessary scale of many of the proposed improvements. This approach is simply what has made the project approachable, because it became affordable.

As a consequence of these developments PCV and CHIP have made these modification requests primarily to allow for phasing of road and drainage improvements intended to serve the CHIP Phase I housing element, future phases and the development of an adjacent site by the Paradise Ridge Youth Soccer Club with several soccer fields and parking facilities, for which the Town has received a use permit application.

The portion of PCV's request regarding the ultimate formation of a Mello-Roos Community Facilities District for the project is driven by the change to the Town's Mello-Roos policy.

If approved, the modification requests would result in amendments to a total of five out of 77 existing project conditions of approval and would result in the immediate development of road improvements that are adequate to serve the Phase I CHIP housing project. Town staff, including the Town Engineer/Public Works Director are supportive of these requests.

Staff has determined that the proposed modification requests are consistent with the analysis and conclusions contained within the project EIR and EA and will not result in any unforeseen or unintended environmental consequences, as the requested modifications are relatively minor in nature.

Project Applicant, Steve Gibson, Executive Director of Paradise Community Village (PCV) explained that when the project was initially proposed the vision was to have it completed within a short period of time. The economic change has also changed the direction of the project and has made it necessary to find ways to reduce challenges and still move forward with the project. He also thanked the Town staff for their hard work on the project.

David Ferrier, Executive Director of CHIP and President of Paradise Community Village, explained that there have been a lot of changes in the eight years since the beginning of the project and requested approval of the modifications.

Chair Grossberger opened the public hearing at 6:13 p.m.

1. Jon Remalia expressed concerns with the Town picking up costs of the project, thinks Mello-Roos is appropriate for this type of project, wants to know what base would be used for the access road coming in, thinks there should be a right hand turn lane from Clark Road, thinks there should be sidewalks on both sides of the street since it is a youth oriented project, asked if the fire hydrant issues from Fire Code-Appendix D had been reviewed and stated that he was concerned with the appearance of asphalt walkways.

Chair Grossberger closed the public hearing at 6:17 p.m.

Planning Commissioners asked about the changes to the road standards, if the proposed road changes would be permanent or if they were specific to the phase, what triggers the road changes, if a traffic study had been done for the entire project, if the traffic study had been revisited for this phase and also had concerns with the intersection at Clark Road.

Mr. Baker stated that a traffic study had been done in the process of developing the EIR and it recommended two traffic signals one at Village Parkway and one at Buschmann Road which are required to be installed prior to the project being built out.

Town Engineer Schmidt explained the Clark Road intersection and that there will be a sidewalk installed on the existing roadway, but is not sure how the return will be configured due to the awkward configuration. The current walkway is there due to the requirements from CalTrans when the motel was built, but is not complete. The existing roadway will have a 4' sidewalk on the North side for ADA compliance/access to Clark Road. The new portion of Village Parkway will be 24' and will be expanded when the soccer club begins development and will ultimately be 40'. Additionally, the Town will not accept maintenance of the roadways until they are built to their full dimensions and Town standards.

Planning Commissioners asked what the trigger would be to expand development of the roadway, that if there are more than the 36 units developed prior to the soccer fields being developed then the 24' roadway may not be adequate. Commissioners also wanted to know if there were other past developments that have been developed in phases.

Staff explained that subsequent phases of the PCV development, except for the single family homes, will be subject to future Planning Commission review and discussed previous developments on Bille Road Extension that were similar to PCV.

Planning Commissioners also asked about the proposed asphalt sidewalks and the Town's commitment on future development to install concrete sidewalks.

David Ferrier from CHIP stated that they are the developer and will fully maintain the apartments, streets and sidewalks and that future development may trigger a wider roadway. The sidewalk is only 600' and it is not economical to put in concrete sidewalks for such a limited amount of potential foot traffic.

Loren Gill, Assistant Town Manager, thanked the Commissioners for reviewing the project and stated that the narrowing road for the project could have a calming effect. Ms. Gill also explained that CDBG funding has a very limited usage and that the low income housing project is an appropriate use of the funds. The CDBG funds are a grant, not a loan and will help build the infrastructure for the housing project. Ms. Gill also explained low-income/affordable housing and the need for the project within the Town of Paradise to meet state requirements.

Commissioners asked about the size of the roadway, what the ideal roadway size is and if the soccer field does not go in, would the roadway remain as it is.

Mr. Schmidt stated that the proposed roadway of 24' was adequate for the size of the project and that a 40' roadway was envisioned for when the soccer field was constructed to accommodate the additional traffic to the area.

Mr. Baker stated that the subsequent phase of multi-family housing would require a subsequent site plan review permit, that the Town would have discretion to assign conditions of approval to widen the road in a manner that is consistent with additional traffic volume.

Commissioners expressed concern with future development, prior to soccer field construction that there would be adequate traffic to warrant the 40' roadway and sidewalk improvements.

Mr. Baker stated that the Town Engineer, prior to recordation of subsequent phase, would have discretion to require widening and additional text could be included to bolster the idea that there may be additional requirements to accommodate additional development.

Commissioners asked about where the initial financing for the project was supposed to come from.

Mr. Gibson stated that at the beginning of the project conventional funding was originally being discussed with the S.H. Cowell Foundation and Butte Community Bank with the intent to sell the lots in order to repay the loans, but the down turn in the economy changed the direction of the project.

Commissioners asked if PCV was requesting for this phase to be exempt from the Mello-Roos.

Mr. Baker stated that the Town has some discretion regarding the Mello-Roos and that Condition No. 38 of the Modified Conditions of Vesting Tentative Map Approval is worded as follows:

38. Execute and record an agreement with the Town of Paradise in a form approved by the Town Attorney in which the developer agrees to form a Mello-Roos community facilities district affecting all lands within the Paradise Community Village project in accordance with the Town's goals, policies and procedures for use of Mello-Roos community facilities district financing. [Map Phases II, III & IV only.]

Jon Remalia stated that CA Fire Code Appendix D was adopted by the Town of Paradise which deals with ingress/egress and fire hydrants mandating a 26' wide paved area and suggested a trigger of 250 trips per day.

Mr. Baker stated that the Fire Marshall has reviewed the plans and Fire Code Appendix D states that you can have smaller roads as long as "no parking signs" are posted on both sides of the road and that any applicable Fire Codes will be applied.

Mr. Baker asked that on the Modified Condition of Vesting Tentative Map Approval, the Planning Commissioners add the word "Phases" to the end of the titles so that it would read, "Conditions to be Met Prior to Recordation of Final Subdivision Map Phases."

Mr. Baker read the proposed additional language for Condition 3 of modified conditions of vesting tentative map approval (to replace strikeout text at the end of the condition)[final sentence]:

*Recordation of future vesting tentative map phases resulting in additional vehicle or pedestrian trips along Village Parkway may require additional on or off-site road, pedestrian and drainage improvements in accordance with current town standards to safely accommodate projected pedestrian and traffic volumes.*

It was moved by Commissioner Jones, seconded by Commissioner Woodhouse to adopt the required findings as provided by staff, with the changes read into the record by Mr. Baker, and approve the Paradise Community Village Vesting Tentative Map and Site Plan Review Permit Modification Applications (PL11-00260 & PL11-00248) affecting property identified as Assessor Parcel Nos. 054-380-001 and 002 subject to the amended list of project conditions contained within the attached documents entitled "Modified Conditions of Vesting Tentative Map Approval" and "Town of Paradise Modified Site Plan Review Permit"

**VOTE:** AYES: Commissioners Bolin, Jones, Woodhouse, Zuccolillo and Chair Grossberger. NOES: None. ABSTAIN: None. ABSENT: None.

**MOTION CARRIES.**

Community Development Department Director Baker announced that the Planning Commission decision for the Town of Paradise Modified Site Plan Review Permit may be appealed to the Town Clerks office within seven days of the date of the decision and the Modified Conditions of Vesting Tentative Map Approval may be appealed to the Town Clerk's office with ten days of the date of the decision.

6. **OTHER BUSINESS** – Informed Commissioner Jones that she had been assigned to the Town of Paradise Landscape Committee (appeals body) during the FY 2011-2012 (Requirement of PMC Chapter 15.36)

7. **COMMITTEE ACTIVITIES - None**

**8. COMMISSION MEMBERS**

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

Mr. Baker stated that there will be a request to modify mitigation measures assigned to the Paradise Community Village Project on the October meeting agenda.

**9. ADJOURNMENT**

The Planning Commission meeting was adjourned at 7:18 pm.

APPROVED: October 18, 2011



April Grossberger, Chair

Attest:



Joanna Gutierrez, Town Clerk