Commissioners Present: Dan Allmon, Kathy Barrett, John Merz, Mike O’Donnell and Chair Dave Kelley.

Commissioners Absent: Matt Juhl-Darlington and Ken Rensink

Staff Members Present: Mark Wolfe, Planning Services Director; Roger Wilson, Assistant City Attorney; Matt Johnson, Senior Development Engineer; Mike Sawley, Associate Planner; and, Mary Fitch, Administrative Analyst.

1. **CALL TO ORDER AND ROLL CALL**
   Chair Kelley called the meeting to order at 6:30 p.m. Commissioners and staff were present as noted.

2. **EX PARTE COMMUNICATION**
   - Allmon: Skyway House – received message from Jim Stevens, met with Jennifer Carvola. Chico Scrap – onsite meeting with Kim Scott and tour of facility.
   - Barrett: Skyway House - Spoke with Jim Stevens (engineer of record) and missed the appointment made with Jennifer Carvola (Skyway House).
   - Merz: Skyway House - spoke with Jim Stevens and Jennifer Carvola also drove by and walked the site.
   - Kelley: Skyway House – Spoke with Jim Stevens, Ron Sherman (concerns of neighborhood) and Jennifer Carvola. Chico Scrap – Spoke with Kim Scott.

3. **CONSENT AGENDA** - There were no items for this agenda.

4. **PUBLIC HEARING ITEMS**

4.1 Use Permit 11-13 (Skyway House), 3105 Esplanade, APN 006-500-013
A request to establish a residential drug and alcohol treatment facility for up to 22 clients, on a developed site located on Esplanade between Amber Grove and Greenfield Drives. The site is designated Office Mixed-Use on the General Plan diagram, and is located in the OR (Office Residential) zoning district. **Planning staff recommends that the Planning Commission adopt the findings contained in the agenda report and approve Use Permit 11-13 (Skyway House) subject to the recommended conditions of approval.**
Associate Planner Sawley presented the staff report and answered questions from the Commission. Following initial discussion by the Commission, Chair Kelley opened the public hearing at 6:50 p.m. and invited the applicant to make a presentation. Applicant representative Jennifer Carvalho presented information and answered questions about the project.

Addressing the Commission, in the following order, were:
• Mark Adams, NorthStar Engineering, spoke in favor.
• Mike Peters, Skyway House Board of Directors President, discussed the Skyway’s House desires to work with the neighbors to build bridges with other community organizations and work towards what will be best for the community.
• Linda Knapp, neighbor, spoke in favor of the project.
• David Wilkinson, neighbor, spoke in opposition.
• Robert Cardwell, neighbor, spoke in opposition.
• Mary Lu Campbell, neighbor, spoke in opposition.
• Jean Leek Ping, neighbor, spoke in opposition.
• Sue Hubbard, neighbor, spoke in opposition.
• David Burke, Skyway House employee, spoke in favor of the project.
• Heather Burnett, treatment provider for Butte County, spoke in favor of the project.
• Rosalind Reed, CSUC professor and member of Skyway House Board of Directors, spoke in favor of the project.
• Dianne Wilkinson, neighbor, spoke in opposition.
• Carol Marler, neighbor, spoke in opposition.
• Nancy Henry, neighbor, spoke in opposition.
• Dorothy Domish, neighbor, spoke in opposition.
• Mark Ping, neighbor, spoke in opposition.
• Dave Matson, treasurer of Skyway House Board of Directors, spoke in favor of the project.
• Rick Madison, neighbor, spoke in opposition.
• Chris Pilgrim, neighbor, spoke in opposition.

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The Planning Commission recessed at 8:07 p.m. and reconvened at 8:22 p.m. Commissioners and staff were present as noted.

Bill Bragdon, neighbor, spoke in opposition.
Dale Wymore, neighbor, spoke in opposition.
Kim Jergentz, neighbor, spoke in opposition.
Jim Nicholas, neighbor, spoke in opposition.
Gregory Anderson, neighbor, spoke in opposition.
Colleen Cecil, neighbor, spoke in opposition.
Annette Friendshieu, a Skyway House graduate, spoke in favor of the project.
Robert Jeffers, neighbor, spoke in opposition.
Joyce Gonzales, neighbor and member of Skyway House Board of Directors, spoke in favor of the project.
Blaire Mootz, neighbor and owns a neighboring business, spoke in opposition.
Ron Howard, neighbor, spoke in opposition.

Applicant representative Jennifer Carvalho provided additional clarification regarding the public hearing notice, why this location is ideal, the rules of the program with enthusiasm that the Skyway House will conduct its treatment on their property not in the neighborhood and that law enforcement supports this project.

With no further members of the public wishing to address the Commission, Chair Kelley closed the public hearing at 8:54 p.m.

Following a discussion between the Commission and staff, Commissioner Merz requested an Amendment to Condition 8, requesting a masonry wall instead of wood fencing, minimum of 8 feet in height; also should be vegetative buffer on the applicant’s side subject to staff review. The Commission held a straw poll to determine if there was support. Commissioner O’Donnell seconded the change to Condition 8 and the vote carried 4-1-2 (Kelley opposed; Rensink and Juhl-Darlington absent).

Following a brief discussion Chair Kelley re-opened the public hearing at 9:10 p.m. for the purpose of seeking clarification regarding bathroom facilities. Applicant representative Jennifer Carvalho and project engineer Mark Adams, NorthStar Engineering, answered the Commission’s question.

Chair Kelley closed the public hearing at 9:12 p.m.

It was motioned (Allmon) that a condition be included to add a bathroom in the dorm in Ph2. There was no second and the motion failed.

It was motioned (Allmon) to approve the project per the agenda report; seconded (O’Donnell) that the Planning Commission approve Use Permit 11-13 (Skyway House) subject to the following conditions:

Modified Condition No. 8 to include a masonry wall instead of wood fencing at a height of 8 feet and include a vegetative buffer on the Applicant’s side subject to staff review and approval
• Add a new Condition (Condition No. 9) that the permittee shall post a minimum of two small signs delineating the “No Smoking” area, as shown on the approved plat.
Following a brief discussion, the Motion carried by a vote of 4-1-2 (Kelley opposed; Juhl-Darlington and Rensink absent).

The Planning Commission recessed at 8:07 p.m. and reconvened at 8:22 p.m. Commissioners and staff were present as noted.

4.2 Municipal Code Text Amendment 11-01 (City of Chico)
A proposal to consider an amendment to Chico's Municipal Code which would modify the currently required amortization date of December 31, 2011 for Chico Scrap Metal at 878 East 20th Street. Under current Code requirements, the business must cease operations by the amortization date. The potential amendment would have no physical impact on the environment, and is not subject to environmental review. Planning staff recommends that the Planning Commission forward a recommendation to the City Council to amend the Municipal Code to change the current amortization date of December 31, 2011 to December 31, 2016, and eliminate the section which allows for an extension request.

Planning Services Director Wolfe presented the agenda report. There being no questions by the Commission for staff, Chair Kelley opened the public hearing at 9:40 p.m. and invited the applicant to make a presentation. Applicant representative Kim Scott presented information and answered questions about the project.

Addressing the Commission, in the following order, were:

- Patrick Kelly, adjoining neighbor, spoke in favor of the amortization extension.
- Barton Simmons, environmental consultant, expressed concerns.
- Linda Taverner, SCS Engineers for Chico Scrap Metal, spoke in favor.

With no further members of the public wishing to address the Commission, Chair Kelley closed the public hearing at 10:02 p.m.

Following a discussion between the Commission and staff, Commissioner Merz moved to continue the meeting to 10:30 p.m. Commissioner O’Donnell seconded. Motion carried 5-0-2 (Juhl-Darlington and Rensink absent).

It was motioned (Kelley) to forward a recommendation to the City Council to amend the Municipal Code to change the current amortization date of December 31, 2011 to December 31, 2016, and eliminate the section which allows for an extension request; seconded (O’Donnell)
Following a brief discussion, the Motion carried by a vote of 4-1-2 (Merz opposed; Juhl-Darlington and Rensink absent).

5. **REGULAR AGENDA** – There were no items for the Regular Agenda.

6. **BUSINESS FROM THE FLOOR** – None.

7. **REPORTS & COMMUNICATIONS** – None.

7.1 **Planning Update** - Planning Services Director Wolfe will email a schedule of upcoming agenda items.

8. **ADJOURNMENT** - There being no further business to come before the Commission, Chair Kelley adjourned the meeting at 10:08 p.m. to the Regular Meeting of October 6, 2011 at 6:30 p.m.

Date Approved

Mark Wolfe
Community Development Director
Commissioners Present: Dan Allmon, Kathy Barrett, John Merz, Mike O’Donnell and Chair Dave Kelley.

Commissioners Absent: Matt Juhl-Darlington and Ken Rensink

Staff Members Present: Mark Wolfe, Planning Services Director; Roger Wilson, Assistant City Attorney; Matt Johnson, Senior Development Engineer; James Coles, Housing Manager; Mike Sawley, Associate Planner; and, Mary Fitch, Administrative Analyst.

1. CALL TO ORDER AND ROLL CALL
   Chair Kelley called the meeting to order at 6:30 p.m. Commissioners and staff were present as noted.

2. EX PARTE COMMUNICATION
   - Allmon: Met with Laurie Doyle to look over changes.
   - O’Donnell: Met with Laurie Doyle.

3. CONSENT AGENDA
   - There were no items for this agenda.

4. PUBLIC HEARING ITEMS

4.1 Modification of Planned Development Permit 11-01 and Use Permit 11-10 (Central California Housing Corporation), APN 006-150-119
   Proposed modifications to an approved 90-unit apartment complex located on the southerly side of W. East Avenue, between Esplanade and Holly Avenue. The revisions would modify the site layout, introduce a new building type, and would include a new 8-foot wooden fence along the westerly property line. The proposed changes are within the scope of the negative declaration adopted for the project on August 4, 2011. The site is designated Residential Mixed Use on the Chico General Plan Land Use Diagram, and is located in the OR-PD Office Residential Planned Development Overly zoning district. (Report: Associate Planner Mike Sawley). Planning staff recommends that the Planning Commission adopt the findings contained in the agenda report and approve Planned Development Permit 11-01 and Use Permit 11-10 (Central California Housing Corporation) subject to the recommended conditions of approval.
Associate Planner Sawley presented the staff report and answered questions from the Commission. Following initial discussion by the Commission, Chair Kelley opened the public hearing at 6:40 p.m. and invited the applicant to make a presentation. Applicant representative Laurie Doyle presented information and answered questions about the project.

Assistant City Attorney Roger Wilson discussed whether or not the Commission is bound by the agreement and stated while it is relevant, the Commission is not bound by it.

Addressing the Commission, in the following order, were:

- Jeff Carter, representing Pebblewood Pines, spoke in favor.
- Mark Stemen, citizen, expressed concerns about the greenhouse gas emissions and an alternative transportation stop.
- Ed Mayer, Butte County Housing Authority, spoke in favor of the project.
- Renner Johnston, project architect, discussed the loss of green space as a result of the 75’ setback

With no further members of the public wishing to address the Commission, Chair Kelley closed the public hearing at 7:08 p.m.

Following a brief discussion between the Commission and staff, it was motioned (O’Donnell) to approve the project per the agenda report, seconded (Allmon) that the Planning Commission approve Planned Development Permit 11-01 and Use Permit 11-10 (Central California Housing Corporation) subject to the following conditions:

- Modified Condition No. 10 to include continuous fencing along the westerly property line.
- Modified Condition No. 9 parking lot light standards shall be limited to no more than 12 feet in height above grade along the westerly property line.

No vote was taken.

Following additional discussion between the Commission and staff, Commissioner O’Donnell moves to modify Condition No. 9 to remove the decorative elements such as trim and cap details. Motion was seconded (Barrett) and passes 5-0-1 (Juhl-Darlington and Rensink absent).

Commissioner Kelley made a motion that the applicant consider a community garden and parking reduction. Motion carried 4-1-2 (Merz opposed; Juhl-Darlington and Rensink absent).
5. **REGULAR AGENDA** – There were no items for the Regular Agenda.


7. **REPORTS & COMMUNICATIONS** – None.

7.1 **Planning Update** - Planning Services Director Wolfe updated the Commission on the work plan.

8. **ADJOURNMENT** - There being no further business to come before the Commission, Chair Kelley adjourned the meeting at 7:32 p.m. to the Adjourned Regular Meeting of December 15, 2011 at 6:30 p.m.

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Date Approved      Mark Wolfe
Community Development Director