

**CITY OF OROVILLE PLANNING COMMISSION
1735 MONTGOMERY STREET, OROVILLE, CA 95965-4897**

**PUBLIC HEARING AND REGULAR MEETING
MINUTES – October 9, 2006, 7:00 P.M.**

The meeting was called to order at 7:00 p.m. by Chairperson Frazier.

ROLL CALL

Present: Ronda Brunson, Rochelle Frazier, Dan Gordon, Michael Howard, Damon Robison, Janel Tarczy, Thil Wilcox

Excused:

Absent:

Others Present: Eric Teitelman, Community Development & Public Works Director
Jake Morley, Assistant Planner
Craig Sanders, Planning Consultant
Sandy Ostrander, Admin Assistant

PLEDGE OF ALLEGIANCE

Chairperson Frazier led the pledge.

MINUTES

Commissioner Gordon made a motion, seconded by Commissioner Robison, to approve the minutes of September 11, 2006.

AYES: Dan Gordon, Michael Howard, Damon Robison, Janel Tarczy, Thil Wilcox

NOES:

ABSTAIN: Ronda Brunson, Rochelle Frazier

EXCUSED:

ABSENT:

PUBLIC HEARING

1. **TSM 05-02** (Baker Estates) Applicant is proposing to create 31 building lots from a portion of three adjoining properties that total 6.8 acres (APNs 031-030-033 and 031-063-005; R-1 zone). One of the properties abuts Table Mountain Boulevard, southeast of Jasmine Court. The adjoining property abuts the Power Canal. Applicant is also seeking a

Variance from required lot depth of 80 for lots 2 through 6, which are proposed at 74.5 feet deep. CEQA Determination: Mitigated Negative Declaration.

Assistant Planner Morley reported that the application for a Variance has been withdrawn because the plans have been re-configured, and all of the lots now meet the minimum depth requirement. There will also now be 30 lots, instead of the previously proposed 31. A letter of concern from one of the neighbors to the project was received, & is included with the staff report.

The public hearing was opened.

1. Mark Risso, architect for the project, reported he was available to answer any questions commissioners may have.
2. Cindy Byrns, 332 Table Mtn. Blvd. – stated she had previously asked that this project be rejected. She hasn't had time to review the newest map submittal. One of her issues of concern is the water main behind her property. She is hoping to receive a written easement so she can access it if there is a problem with it in the future. She is also concerned about the safety because of cars turning off Table Mountain Blvd. into the subdivision.
3. Rhonda Brandt, 352 Table Mtn. Blvd. – stated she is pleased that the applicant no longer needs part of her property frontage. She requests that this item be continued.
4. Nick Brandt, 352 Table Mtn. Blvd. – stated he didn't understand why the southerly road is so narrow.

In response, Director Teitelman stated that the minimum requirement for a street in a residential area is 60 feet. He also stated that the road section is the same as has been approved for other subdivisions in the City.

Mr. Brandt asked that this item be continued.

5. Mark Risso spoke again. He stated that a water easement will be created and maintained by the applicant for maintenance. The dedicated easement will not cross Ms. Byrns' landscaping.
6. Ms. Byrns spoke again, stating her concern about the hazard of cars parking on both side of the street.
7. Mr. Brandt spoke again, asking why Mr. Baker doesn't need part of his property now.

Assistant Planner Morley responded that the design of the roadway has been altered slightly, eliminating the need for frontage from other properties.

The public hearing was closed.

After a discussion between staff & commissioners about such matters as the water supply line for Ms. Byrns, the speed of traffic making turns into the subdivision, and the short time the commissioners had to review the staff report, Commissioner Brunson made a motion to continue this item to the November 13, 2006 meeting. Motion was seconded by Commissioner Tarczy.

AYES: Brunson, Frazier, Gordon, Howard, Robison, Tarczy, Wilcox
NOES:
ABSTAIN:
EXCUSED:
ABSENT:
Motion carried.

2. UP 06-07 – (Lineman College) Applicant is proposing to conduct a Utility Lineman College located at 2000 Challenger next to Oroville Airport. (APN 030-260-067,066,060,043) Applicant will be holding indoor and outdoor instructional activities. Indoor will be a classroom setting that will house 45 students every four months, three times a year with instructors presenting material, while the outdoor activities will be the hands-on portion of the class. The school will install and remove 200 practice poles that will be 35' in height in the B1 Airport Overlay zone and 70' in height in the B2 Airport Overlay zone. FAA is requesting the applicant to install a single pole on each corner of the outdoor instructional area to be permanent and to serve as marker for pilots, all poles within that marked area will be shorter in height. CEQA Determination: Negative Declaration

Assistant Planner Morley reported that the project site is approx. 1000 feet from the runway. The poles will be installed & taken down as part of the training.

The public hearing was opened and closed.

Director Teitelman reported that there are 2 different height restrictions in the ALUC compatibility zones, & one which allows structures to 35', and one allowing structures to 70'. However, the underlying ABP zone has a 35' maximum height and supersedes the other two. Therefore, the maximum height allowed is 35 feet.

Commissioner Robison made a motion to approve Use Permit 06-07 subject to the conditions of approval described in the staff report. Motion was seconded by Commissioner Howard.

AYES: Brunson, Frazier, Gordon, Howard, Robison, Tarczy, Wilcox
NOES:
ABSTAIN:
EXCUSED:
ABSENT:
Motion carried.

3. UP 06-14 (Shawn Hayes) – Applicant is proposing to open up a youth center in an established 6,000 sq.ft. structure (APN 012-032-005) that is located in the downtown parking district, which requires no on site parking. The site is just east of a public parking

facility. The facility will ultimately be open 7 days a week Mon-Fri 3 p.m. – 8 p.m.; Saturday 10 a.m. – 10 p.m. and Sunday 8 a.m. – 3 p.m. The applicant is anticipating having a recreation aspect which includes video games, foosball, air hockey and pool. Other aspects within the structure will be dedicated to an educational aspect which will include: meeting rooms for tutoring and an area for computers. The site will offer pre-packaged foods and coffee/espresso drinks to its members and will have supporting administrative offices. Applicant is also proposing the ability to hold special events such as small concerts, bible study and fundraisers such as spaghetti/pancake feeds. At this time the applicant is not proposing any religious activities beyond what is stated above. Currently the site is zoned C2 (Heavy Commercial) and is General Planned RBS (Retail Business Services). CEQA Determination: Categorical Exemption.

Assistant Planner Morley reported that the physical address for this project is 2130 Montgomery. There is adequate parking in the streets & parking lots near the project site.

The public hearing was opened & closed.

After a brief discussion, applicant Shawn Hayse addressed the commissioners. He stated that he wants to create a safe place for teens to gather.

The issue of whether the Planning Commission has the jurisdiction over churches was discussed. Consultant Sanders reported that the zoning ordinance allows jurisdiction for the City. Director Teitelman clarified that the Planning Commission is allowed to approve land uses.

Commissioner Robison made a motion, seconded by Commissioner Howard, to approve Use Permit 06-14 subject to the conditions of approval described in the staff report.

AYES: Brunson, Frazier, Gordon, Howard, Robison, Tarczy, Wilcox

NOES:

ABSTAIN:

EXCUSED:

ABSENT:

Motion carried.

4. UP 06-15 (Verizon Wireless) Applicant is proposing to install a 60KV Belly-Tank self-contained diesel generator for back up power during commercial power disruption to “harden” the existing site. The generator will be located on a 5' x 10' concrete pad and will be located within the existing footprint of the facility. Currently the site is zoned PQ (*Public*) and is also general planned PQ (*Public*).

Assistant Planner Morley reported that this site is outside City limits, but within the Enterprise Zone. The unit is foam insulated to muffle noise. Representatives for the cemetery have requested that prior notice be given to them before the generator does test runs, so that it won't interfere with services that may be conducted during the daytime.

The public hearing was opened.

1. Tom McIver, 3756 Cano Court, Napa – reported he is the representative for Verizon Wireless. The location of the generator is far away from most of the plots, but he will try to establish a schedule for running it that will work for the cemetery district. In answer to a question, he stated that it is surrounded by a 6-foot slatted fence for security & screening purposes.

The public hearing was closed.

Commissioner Robison made a motion, seconded by Commissioner Gordon, to approve Use Permit 06-15, subject to the conditions of approval described in the attached staff report for this application.

AYES: Brunson, Frazier, Gordon, Howard, Robison, Tarczy, Wilcox

NOES:

ABSTAIN:

EXCUSED:

ABSENT:

Motion carried.

5. UP 06-13 / DRB 06-23 (Food Express) Applicant is wishing to expand the current gas station and supporting convenience store (APN 012-063-013) from servicing a total 4 vehicles with 2 dispensers, to a final total of 8 vehicles with 4 dispensers and a new canopy. The new pumps will be located on the inside of the existing pumps. The site fronts on the southeast corner of Montgomery Street and Feather River Blvd., and is zoned C2 (*Heavy Commercial*) and is general planned RBS (*Retail Business Services*). The proposal does not include any new underground storage tanks or other expansion of services.

Assistant Planner Morley reported the applicant was not present, & requested that this item be continued, so the applicant will have the opportunity to be present. Staff is recommending that this project be denied because of the small area for traffic circulation.

Commissioner Gordon reported that this site is in the Historic District, and the expansion as proposed is not appropriate for the district.

The public hearing was opened. Neither the applicant nor their representative was present to speak on the project.

Commissioner Robison made a motion, seconded by Commissioner Howard, to continue the public hearing to the adjourned meeting of November 13, 2006.

AYES: Brunson, Frazier, Gordon, Howard, Robison, Tarczy, Wilcox

NOES:

ABSTAIN:

EXCUSED:

ABSENT:

Motion carried.

ITEMS FOR CONSIDERATION – none

STAFF / COMMISSION COMMUNICATIONS – Director Teitelman reported that Assistant Planner Morley will be leaving the City of Oroville after this week. Craig Sanders of Land Works is being retained as a part-time planning consultant for the City.

HEARING OF INDIVIDUALS ON NON-AGENDA ITEMS B none

ADJOURN–The meeting was adjourned at 8:24 to Monday, November 13, 2006.