CITY OF OROVILLE
PLANNING COMMISSION MEETING MINUTES
MAY 27, 2015 – 7:00 PM

These minutes detail the action which was taken related to each particular agenda item and do not reflect any discussion that may have occurred. For information regarding what was discussed related to a particular item, if anything, you can obtain a copy of the audio recording for this meeting by sending an email to cityclerk@cityoforoville.org or by calling the Clerk's office at 530-538-2535.

The agenda for the May 27, 2015 special meeting of the Oroville Planning Commission was posted on the bulletin board at the front of City Hall and on the City of Oroville's website located at www.cityoforoville.org on Friday, May 22, 2015, at 12:30 p.m.

1. CALL TO ORDER

The May 27, 2015 special meeting of the Oroville Planning Commission was called to order by Chairperson Robison at 7:01 p.m.

2. ROLL CALL

Present: Commissioners Brand, Britton, Chapman, Jenkins, Vice Chairperson Durling, Chairperson Robison
Absent: Commissioner Vang (excused)

Staff Present:

Donald Rust, Director of Community Development
Dawn Nevers, Administrative Assistant
Luis Topete, Associate Planner
Rick Walls, Interim City Engineer

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairperson Robison.

4. RECOGNITION OF INDIVIDUALS WISHING TO SPEAK ON AGENDA ITEMS

Mark Mendez, owner of La Esmeralda Market – Item 8.1
Sandy Schlanser, owner of The Good Earth Coffee & Tea House – Item 8.1
David Schlanser, owner of The Good Earth Coffee & Tea House – Item 8.1

5. PUBLIC COMMENT - None

Allen Young – City of Paris sign and City ordinance pertaining to neon signs

6. CORRESPONDENCE - None

7. APPROVAL OF MINUTES

A motion was made by Vice Chairperson Durling, seconded by Commissioner Chapman, to:

Approve the minutes of the March 23, 2015 regular Planning Commission meeting.

The motion was passed by the following vote:

Ayes:	Commissioners Britton, Chapman, Jenkins, Vice Chairperson Durling, Chairperson Robison
Noes:	None
Abstain:	Commissioner Brand
Absent:	Commissioner Vang

8. PUBLIC HEARINGS

8.1 TSM 15-01; UP 15-01 & 15-02; VAR 15-02: New Drive-Through Restaurant and Coffeehouse - The City of Oroville Planning Commission conducted a public hearing to consider a tentative parcel map (TSM 15-01), two (2) use permits (UP 15-01 & 15-02) and a variance (VAR 15-02) request for the construction of a new drive-through restaurant and a new drive-through coffeehouse on the vacant lot identified as APN: 035-030-013 located west of Sonic Drive-In (500 Oro Dam Boulevard E) and east of La Esmeralda Market (450 Oro Dam Boulevard E) on the north side of State Route (SR) 162. The property has a zoning land use designation of Corridor Mixed-Use (MXC). The proposed land division is to subdivide the existing 2.89 acre parcel into three parcels; Parcel 1 - 0.72 acres and proposed location of a new drive-through restaurant; Parcel 2 - 0.55 acres and proposed location of a new drive-through coffeehouse; Parcel 3 - 1.56 acres and proposed to remain vacant for future development and entitlements. The proposed restaurant and coffeehouse are uses permitted by right in an MXC district. However, any drive-through in an MXC district requires a use permit. The variance request is to exceed the maximum total area allowed for all signs, to exceed the maximum sign area of a freestanding sign and to exceed the maximum height of a freestanding sign. **(Staff Report: Luis A. Topete, Associate Planner)**

Chairperson Robison opened the Public Hearing.

Mitch Engstrom, representing Engstrom Properties, Inc. and Valley Star Partners, spoke in good faith of the presented project.

Mark Mendez, owner of La Esmeralda Market, spoke in opposition of the requested Use Permits 15-01 & 15-02 and Variance No.15-02.

Sandy Schlanser, owner of The Good Earth Coffee & Tea House, spoke in opposition of Variance No. 15-02

David Schlanser, owner of The Good Earth Coffee & Tea House, spoke in opposition of Variance No. 15-02

Bill McCandless, Principal Architect of McCandless & Associates Architects, Inc. answered questions for the Commission pertaining to the signage.

Hearing no additional public comments, Chairperson Robison closed the Public Hearing.

Following discussion, a motion was made by Commissioner Brand, seconded by Vice Chairperson Durling, to:

Adopt Resolution No. P2015-03: **A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION MAKING FINDINGS AND CONDITIONALLY APPROVING TENTATIVE PARCEL MAP NO. 15-01 DIVIDING A 2.89 ACRE PARCEL (APN: 035-030-013) INTO THREE PARCELS FOR THE DEVELOPMENT OF A DRIVE-THROUGH COFFEEHOUSE, DRIVE-THROUGH RESTAURANT, AND REMAINDER PARCEL FOR FUTURE DEVELOPMENT AND ENTITLEMENTS WITH THE ADDITIONAL CONDITION THAT THERE BE A SIGN EASEMENT FOR THE MONUMENT AND FREESTANDING SIGN PRIOR TO RECORDING THE FINAL MAP.**

The motion was passed by the following vote:

Ayes:	Commissioners Brand, Britton, Chapman, Jenkins, Vice Chairperson Durling, Chairperson Robison
Noes:	None
Abstain:	None
Absent:	Commissioners Vang

Following discussion, a motion was made by Commissioner Chapman, seconded by Commissioner Jenkins, to:

Adopt Resolution No. P2015-04: **A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION MAKING FINDINGS AND CONDITIONALLY APPROVING TWO (2) USE PERMITS NO. 15-01 & 15-02 FOR THE CONSTRUCTION OF A NEW DRIVE-THROUGH COFFEEHOUSE AND NEW DRIVE-THROUGH RESTAURANT ON THE VACANT PROPERTY IDENTIFIED AS APN: 035-030-013. WITH THE AMENDED CONDITION OF APPROVAL TO REQUIRE PLACEMENT OF RIGHT TURN ONLY SIGNAGE AS RECOMMENDED BY STAFF**

The motion was passed by the following vote:

Ayes:	Commissioners Brand, Britton, Chapman, Jenkins, Vice Chairperson Durling, Chairperson Robison
Noes:	None
Abstain:	None
Absent:	Commissioners Vang

Following discussion, a motion was made by Commissioner Chapman, seconded by Commissioner Brand, to:

Adopt Resolution No. P2015-05: **A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION MAKING FINDINGS AND CONDITIONALLY APPROVING VARIANCE NO. 15-02 GRANTING THE DEVELOPMENT OF A NEW DRIVE-**

THROUGH COFFEEHOUSE AND NEW DRIVE-THROUGH RESTAURANT ON THE VACANT PROPERTY IDENTIFIED AS APN: 035-030-013 TO EXCEED THE MAXIMUM TOTAL AREA ALLOWED FOR ALL SIGNS, TO EXCEED THE MAXIMUM SIGN AREA OF A FREESTANDING SIGN AND TO EXCEED THE MAXIMUM HEIGHT OF A FREESTANDING SIGN

The motion was did not pass by the following vote:

Ayes:	Commissioners Brand, Chapman, Jenkins,
Noes:	Commissioner Britton, Vice Chairperson Durling, Chairperson Robison
Abstain:	None
Absent:	Commissioners Vang

Following discussion, a motion was made by Vice Chairperson Durling, seconded by Commissioner Britton, to:

A MOTION TO RECONSIDER

The motion was passed by the following vote:

Ayes:	Commissioners Brand, Britton, Chapman, Jenkins, Vice Chairperson Durling, Chairperson Robison
Noes:	None
Abstain:	None
Absent:	Commissioners Vang

Following discussion, a motion was made by Commissioner Jenkins, seconded by Commissioner Brand, to:

Adopt Resolution No. P2015-05: **A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION MAKING FINDINGS AND CONDITIONALLY APPROVING VARIANCE NO. 15-02 GRANTING THE DEVELOPMENT OF A NEW DRIVE-THROUGH COFFEEHOUSE AND NEW DRIVE-THROUGH RESTAURANT ON THE VACANT PROPERTY IDENTIFIED AS APN: 035-030-013 TO EXCEED THE MAXIMUM TOTAL AREA ALLOWED FOR ALL SIGNS, TO EXCEED THE MAXIMUM SIGN AREA OF A FREESTANDING SIGN AND TO EXCEED THE MAXIMUM HEIGHT OF A FREESTANDING SIGN**

The motion was passed by the following vote:

Ayes:	Commissioners Brand, Britton, Chapman, Jenkins
Noes:	Vice Chairperson Durling, Chairperson Robison
Abstain:	None
Absent:	Commissioners Vang

9. REGULAR BUSINESS

None

10. DISCUSSION ITEMS –

- City of Paris neon sign
- Live Green Recycling Center located at 1345 Feather River Boulevard
- Speed limit signs on Oro Dam Blvd. East

11. DIRECTOR'S REPORT

Don Rust, Director of Community Development updated the Planning Commission on the following:

- Possible sale of multiple RDA owned properties through the Successor Agency
- Brief update on the status of the building o n the corner of Myers St. & Montgomery St.
- Update on the Gateway Project
- Status of the Super Wal-Mart

12. CHAIRPERSON/COMMISSIONERS REPORTS – None

- Vice Chairperson Durling reported on *Power Butte* – a program to develop a solar overlay zone.

13. ADJOURNMENT

The meeting was adjourned at 9:48 p.m. A regular meeting of the Oroville Planning Commission will be held on Monday, June 22, 2015, at 7:00 p.m.

Donald Rust, Secretary

Damon Robison, Chairperson