

# **PLANNING COMMISSION MEETING MINUTES**

## **REGULAR MEETING – 6:00 PM – July 17, 2012**

### **CALL TO ORDER**

The Paradise Planning Commission meeting was called to order by Chair Grossberger at 6:00 pm.

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

### **ROLL CALL**

Present at roll call: Commissioners Greg Bolin, Jody Jones, Craig Woodhouse, Michael Zuccollilo and April Grossberger, Chair.

### **1. APPROVAL OF MINUTES - SWEAR IN - APPOINTMENT OF CHAIR/VICE CHAIR**

- 1a. MOTION by Commissioner Jones, seconded by Commissioner Bolin, approved the minutes from the Regular meeting of June 19, 2012. Ayes of Bolin, Jones, and Chair Grossberger; abstentions by Woodhouse and Zuccollilo.

MOTION by Commissioner Jones, seconded by Commissioner Bolin, approved the minutes from the Special Meeting of June 25, 2012. Ayes of Bolin, Jones, Woodhouse and Zuccollilo; abstention of Chair Grossberger.

- 1b. MOTION by Jones, seconded by Zuccollilo, adopted Resolution No. 12-02, A Resolution of Appreciation for Outgoing Planning Commissioner Craig Woodhouse. Ayes of Bolin, Jones, Zuccollilo and Chair Grossberger; abstention of Woodhouse.
- 1c. Town Clerk Gutierrez administered Oaths of Office to Newly Appointed Planning Commissioner James Clarkson and Re-Appointed Planning Commissioner Greg Bolin.
- 6d. Appointment of Planning Commission Chair and Vice-Chair for the 2012/2013 Fiscal Year.

- a. Appointment of Chairman (Secretary Presiding)

- Commissioner Grossberger nominated Greg Bolin to serve as Planning Commission Chair.

- The MOTION by Grossberger, seconded by Zuccollilo, to close the nominations was approved by unanimous vote. Roll call vote on the

nomination of Greg Bolin: Ayes of Clarkson, Grossberger, Jones and Zuccolillo; abstention of Bolin. Greg Bolin was appointed to serve as Planning Commission Chair for the 2012/2013 Fiscal Year.

b. Appointment of Vice-Chairman (Appointed Chairman Presiding)

Commissioner Grossberger nominated Jody Jones to serve as Planning Commission Vice-Chair.

The MOTION by Zuccolillo, seconded by Grossberger, to close the nominations was approved by unanimous vote. Roll call vote on the appointment of Jody Jones to serve as Planning Commission Vice-Chair: Ayes of Clarkson, Grossberger, Zuccolillo and Chair Bolin; abstention of Jones. Jody Jones was appointed to serve as Planning Commission Vice-Chair for the 2012/2013 Fiscal Year.

## **2. COMMUNICATION**

Community Development Director Baker reported that the Town Council introduced an ordinance to amend the Paradise Municipal Code relating to the regulation of off-street parking regulations, as recommended by the Planning Commission and introduced an ordinance that, if adopted, would change the regular meeting date of the Town Council from the first to the second Tuesday of each month commencing October 9, 2012.

## **3. PUBLIC COMMUNICATION - None.**

## **4. CONTINUED PUBLIC HEARING**

- 5a. Community Development Director Baker reported to the Planning Commission regarding the GRAND SIERRA LODGE General Plan Amendment/Property Rezone (PL12-00075), Conditional Use Permit (PL12-00073) and Tree Felling Permit (PL12-00074) applications seeking site development design and site improvement/building construction approval from the Town of Paradise to authorize the development of a vacant 1.66 acre property with a 19,972 square foot assisted living facility consisting of one single story building containing thirty bedrooms, along with related site improvements on property located at 6983 Pentz Rd, Paradise, AP No. 050-082-023. An adjacent property (AP No. 050-082-105) currently developed for religious assembly purposes is also proposed to be rezoned to better accommodate and recognize the existing land use and approve Resolution No. 12-03, a Resolution of the Paradise Planning Commission recommending Town Council adoption of a Paradise General Plan Land use Map Amendment and Rezoning of Certain Real Property with the Town of Paradise (Martin; PL12-00075).

Community Development Director Baker stated that it is the current practice to recognize the church with Community Service (CS) rather than Rural Residential (R-R). Town requires a conditional use permit; thirteen

trees proposed to be felled; the facility is proposed to operate 24 hours a days with five employees for the day and two for the night for a total of twelve employees. It is staff's recommendation that the project be approved as conditioned and displayed a power point and discussed the drainage system and floor plan for the 30 room facility and referenced a memo received from Planning Commissioner Clarkson.

Commissioner Grossberger questioned the traffic ingress and egress to the facility, and Mr. Baker clarified that the proposal is to make travel through the facility one-way only, with one driveway for entrance and one for exit only. Commissioner Grossberger stated that she doesn't see a kitchen facility in the plan and is assuming that meals have been taken into consideration with regard to water usage. Mr. Baker confirmed that the engineered septic system has taken the kitchen into account and has twice the needed capacity rather than providing replacement area. Grossberger also asked what will Pentz Road look like by Apple View Way, and Mr. Baker informed that the frontage will be built to the extent that there are deceleration and acceleration built into the entrance and exits, which is included within the conditions of approval.

Commissioner Zuccolillo asked if the traffic count triggered the acceleration and deceleration lanes. Mr. Baker stated that the traffic volume did not trigger the lanes, but it makes sense to accommodate turning in and out; traffic volume generated is low; .. .. of full frontage; more appropriate to accommodate ... .. and exit.

Commissioner Clarkson confirmed the deceleration lane is southbound; Apple View located directly accross; concern about anyone exiting Apple to the left will have to be aware of any traffic exiting. Mr. Baker stated that it is not an offset intersection; traffic didn't general that type of concern.

Commissioner Bolin asked if the tree permit is the only condition with a frame. Mr. Baker stated that is correct and there would have to be due process before Town could take away zoning.

Grossberger questioned potential zoning of vacant property next to the site; thinks it would probably be TR-1/3.

Bone stated that TR 1/3 is almost impossible and Mr. Baker stated that vacant parcels would have to be 1/2 acre minim and there were three possible sites.

Chairman Bolin opened the public hearing at 6:37 pm.

Speaking in favor of the proposed project:

1. Bill Martin, WLM Construction, stated that the property is owned by trusts, introduced the project engineers and tree arborists for the project and thanked the Planning Commission for their consideration of the project.

2. Ann Martin thanked the Planning Commission for the continuance and explained the conflict that prevented her from attending the last meeting and that the continuance provided an opportunity to re-design.

Commissioner Grossberger asked questions about what would happen during transition. Jerod Holiday and Frank Sands of Rancho Engineering explained there would be minor grading at the rear of the project; the septic lines in contour; grass will come back in as it is now, and discussed the cut that will occur for a 4' retaining wall to uphold the easement.

Community Development Director Baker explained that the easement to the north is offsite and no longer part of the project, that the fire access will be paved and that waste management will not be traveling on the north side and that dust should not be an issue. Entire project has changed and is completely offsite. Engineer Frank Sands further explained the fire access and confirmed that it cannot be used for parking or any vehicles. He also discussed septic flows, that they used the actual flow from care facilities to determine daily flows per bed and interpolated that data onto this project. Engineer Jason Holiday stated that the per bed number includes the kitchen usage; onsite approval for 3,480 gallons per day; this facility will use 2,400 including kitchen. Discussed septic outfall will be through a had pipe instead of into a rock drainage ditch.

Speaking against the proposed project:

1. Charles Elder stated he lives on Mulberry on the corner, questioned the deceleration lanes as he thinks the speeds on that road are much higher than 35 mph. Concern about ingress and egress being adequate.

2. Gerald Gadbury, stated that he lives on Mulberry on the second lot and is concerned about two things: (1) Drainage - is concerned that the water will not flow as planned; and, (2) Pentz Road is so narrow two people cannot walk side by side and by off the road; doesn't think there will be enough room for deceleration and acceleration. The health club in the area had to make a deal and re-engineer so that the water would drain to the creek. Regarding leach lines and septic tank, he was required to put in a new septic tank which is another story. Stated that the Town didn't have the history of what happened to his leach lines and thinks there may not be accurate history for this project to rely on.

Commissioner Jones asked about the area that is currently the ditch outside and how much wider will it become?

Engineer Sands stated that it will be widened to the Town Engineer standards, 10' lanes.

Commissioner Jones asked if that meant 10' of additional pavement and Engineer Sands stated that asphalt will be added. Grossberger stated that is covered in condition #10.

Community Development Director Baker stated that the design right-of-way is 60'; margin of space between each and parking looks like a little over the 20', is subject to the Town Engineer approval and either the County or Cal Trans standard will be required, that the majority of the area will have improved traffic safety, and there will be a 5' landscape before the parking between facility and edge of pavement.

Commissioner Jones noted that the CalTrans standard is 12'. Staff and Commission discussed the length of right of between the street and improvements. CDD Director Baker stated there is a requirement for a right of way dedication that will provide the town a minimum of 2.5 feet clear public right-of-way for frontage improvements. Commissioner discussed that the project will result in improvement walking area.

Community Development Director Baker noted that one of the reason the Town moved away from frontage improvements, requiring sidewalks, is the result would provide a disjunct feature to the area as it would be the only one in the area.

Commissioner Bolin asked if the lanes could be extended to Kingdom Court and Mr. Baker stated that the frontage improvement plans have not been finalized and that could be included.

3. Pastor Sorenson stated that the Church on Kingdom Court has a fire hydrant that he thinks will probably have to be moved if the ingress and egress to the project is changed to accommodate longer lanes and stated he is also concern about the enormous amount of water that accumulates at times at 6955 Pentz Road, not just affecting Kingdom Court, and that they had to put in a sidewalk because of the garbage trucks knocking down the road.

Engineer Holiday stated that they would look at effects beyond the proposed lanes; CDD Director Baker informed the Planning Commission that the fire hydrant is off site and out of the way.

Commissioner Jones stated that she would like to see the lanes extended. Commissioner Grossberger asked if the church would be responsible for any additional cost of the lane extension and Mr. Baker stated that the work would be confined to the right-of-way and the project applicant would be responsible for any additional cost.

4. Sandy Ostrander stated that she is the third property owner on Mulberry Lane, that she is concerned about the number of employees required at the facility that will create additional traffic in addition to the garbage and delivery trucks; and, that she will be at the end of the drainage for the project and is concerned about the impact on her leach lines. Ms. Ostrander stated she would like the Rural Residential zone kept and is also concerned about noise from the facility that would impact her property value.

5. John Selberg stated that he lives below the project site and is concerned about failure of the leach field and there are leach lines in the area that have failed.

Engineers Holiday and Sands explained that the types of system proposed was designed as a closed system similar to what is used at Feather River Hospital; is a pod, rather than a filter system of sand and gravel; includes a grease traps to three septic tanks - a three-day detention field system to a pump system; and has two ratched field stated, each of which can hold 100% of the effluent, and that the system is already over sized, capable of 870 gallons per day per filed, and the need is 620 per day (oversized by 1/3 or by 200 gpd). Commissioner Zuccolillo noted that if one field fails, the other field is sufficient in size to handles the waste water while the failure is beng repaired.

Engineer Sands also explained how pressured distribution systems operate and Engineer Holiday stated the likelihood of overload is minimal; discussed the pods will have to be installed above ground, 50% imbedded, probably 2 feet out of the groun. Sands informed there will only be one tank.

Commissioner Clarkson asked how the per bed usage was calculated, was it an average or was a maximum used, and is there enough room even if the maximum is used as a factor.

Engineer Sands explained that they used winter monthly water records (to factor out landscape water) from both Paradise Irrigation District and the City of Chico for a three month time period for facilities such as the one proposed and came up with a 54 gallon per day per bed average with a 1.5 factor applied. The variances were between 45 and 80 with a range between 50 and 65, and stated that that this system will accommodate a maximum and they were asked to take the middle out to accommodate that possibility.

Commissioner Grossberger asked, in light of mandates that adjoining properties are not to be affected, if the adjoining properties would be taking on any excess drainage.

Community Development Director Baker stated that he thinks it is fair to state that this project will decrease the drainage from other adjoining parcels.

6. Lucy Vettie stated that she attend the church in the area and is speaking in favor of the projects as she thinks ti will be an enhancement.

Commissioner Grossberger asked Commissioner Clarkson if the concerns he expressed in his memo were addressed. Commissioner Clarkson explained that his concern manifested from a personal experience where his car was broken into while he parked at a facility such as the one

proposed, that the Town's General Plan has a Safety Element and in light of that, would like to initiate discussion as to whether or not it would be prudent for the Planning Commission to consider requiring installation of cameras to protect this type of unguarded facility. Commissioner Clarkson discussed the effect of the State's realignment of responsibility for incarceration of prison, the resulting early release of certain types of criminals and the resulting increase in crime. He stated that he realizes this is a little out of step with tradition, is interested in discussion of the proposal, and think sit would also augment safety of the facility and also provide monitoring for the safety of the residents during the day.

Commissioner Bolin asked is this was something the Town would jurisdiction over and CDD Baker stated that it could be, and cited unstaffed mini-storage facility are required to install security lighting. Commissioner Grossberger stated that lighting hasn't been discussed and would that issue addressed.

7. Ann Martin stated that the safety of the residents is of the utmost importance and explained the various state agencies that have oversight for the licensing of these facilities and that while it is fair to discuss safety and lighting issues she thinks it is best to defer security issues to the State agencies, and that privacy standards are also addressed by the State licensing boards. Lighting must be done carefully to accommodate comfort of the residents. Light glare and pools of light are unwanted; consistent light is desirable. People need to be able to sleep.

Commissioner Clarkson stated he is more concerned about security cameras as he thinks a well-financed facility, such as the one proposed, will draw a criminal element and it might be an advantage to discuss the installation of security cameras.

8. Ann Martin stated that there is a trend for establishing these types of facilities in smaller communities because the facility will be smaller and easy to monitor the safety of the residents

o. Pastor Sorenson stated there is a element that will not be stopped by security cameras, it is more the type of people that live in the area that have the influence on the neighborhood, and that they have security lighting at the church. He further stated that the hope we don't become a police state or a police community; his big concern is the plan doesn't show the location of the kitchen or the laundry.

10. Bill Martin stated that the purpose of the floor plan was to show there is room for the thirty bedrooms and that there is enough square footage to accommodate other needs of the facility, such as the kitchen and laundry.

11. Jim Harding stated that he has been on both side of the septic issues, design and performance and maintenance, that his experience is that 50-70% of the flow actually hits the fields, that this facility is proposing

a "Mercedes" system, that the engineers have a good reputation, and the Town has high standards.

Chairman Bolin closed the public hearing at 7:35 p.m.

Commissioner Zuccolillo stated that his concern is with the rezone in the event that this plan does not go through for this type of facility and asked if the project could be approved with a variance instead of a zone change.

Community Development Director Baker stated that a variance is not available to this project, that it only might be available if the facility is smaller; and if a physical characteristic exists that would have to act as a constitutional safety valve if the property is limited by characteristics different from those in the surrounding area. The Commission could possibly entertain a use permit. A finding must be made that a characteristic exist that deprives a property rights enjoyed by surrounding property owners.

Commissioner Jones stated that all of her questions have been answered; that the project seems to be a good one that is very well planned; and, would like to see the acceleration/decelerations lanes extend to Kingdom Court.

Commissioner Clarkson stated that this will be a beautiful facility that fits into our community and appreciates the work and preparation of the developers.

Commissioner Grossberger stated that she appreciates and recognizes the safety and privacy concerns, and also the concerns of a police state mentioned by Pastor Sorenseon; that she doesn't want to be monitored as a volunteer working at a facility and doesn't think security cameras are a deterrent to crime; recognizes the State oversight of these types of facilities; and stated that the medical facility established on Bille Road Extension is an example of a successful project and that none of the concerns expressed by the neighbors manifested. Commissioner Grossberger stated that she thinks a empty lot might be more of a draw for a criminal element that would the building of this facility, and, that this project is consistent with the build-out that exists along Pentz Road.

Commissioner Bolin stated that he would like to see the acceleration/deceleration lanes extended to Kingdom Court and would like to see the septic tanks in the back shielded from public view.

Community Development Department Director Baker stated that the most recent amendments to the Town's Onsite Manual for treatment of wastewater require screening and landscaping for these types of treatment systems.



Commissioner Zuccollilo asked if a condition could be added that these entitlements remain strictly for a senior facility so that it doesn't turn into another type of facility.

12. Bill Martin stated that he understands Commissioner Zuccollilo's concern is specific to potential establishment of a drug and alcohol treatment center.

Community Development Director Baker stated that a condition with language such that the facility shall be primarily comprised of the elderly or inform and shall not include any drug recovery services.

13. Ann Martin stated that she would not want any condition that would interfere with an elderly person with need for intervention services.

Community Development Director stated that certain facilities, limited guidance services for example, housing six or fewer persons are permitted by State law in all zones.

**ITEM 4a:** The MOTION by Jones, seconded by Grossberger concurred with the findings 1-6 recommended by staff and itemized below, to (1) Adopt Planning Commission Resolution No. 12-03, recommending Town Council approval and adoption of a new Community Services (CS) General Plan land use designation and new Community Services (CS) zoning to be assigned to certain real properties within the Town of Paradise; (2) To approve the proposed Grand Sierra Lodge use permit and tree felling permit applications (PL12-00073 and PL12-00074) subject to the following conditions\* 1-38 assigned to the project and itemized below; and, to (3) Modify the acceleration and deceleration lanes to extend to Kingdom Court as deemed feasible by the Town Engineer, was approved by unanimous vote.

**COMMISSION VOTE:** Ayes of Commissioner James Clarkson, April Grossberger, Jody Jones, Michael Zuccolillo and Greg Bolin, Chair. NOES: None. ABSENT: None. ABSTAIN: None.

### **FINDINGS FOR APPROVAL**

1. Find that, as conditioned, the proposed project could not have a significant effect on the environment and adopt the negative declaration prepared by staff for the Grand Sierra Lodge project.

2. Find that the project, as conditioned, is consistent with the requested Community Services land use designation and is consistent with the development goals, objectives and policies of all applicable General Plan elements.

3. Find that the project, as conditioned, is compatible with surrounding land uses and would not be detrimental to the health, safety and general welfare of the residents of the Town of Paradise.

4. Find that the project, as conditioned, will not detrimentally effect 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 agricultural, community service and residential land uses and supporting infrastructure;

b. No known outstanding wildlife habitat exists in the immediate project vicinity;

c. No known rare or endangered plants exist in the immediate project vicinity.

5. Find that the Grand Sierra Lodge tree felling permit application meets the criteria for conditional tree felling permit approval as outlined within PMC Section 8.12.090 because the proposed tree felling activity is necessary to accommodate the establishment of the proposed development project.

6. Find that the proposed tree felling activity, as conditioned, is consistent with applicable Town zoning regulations regarding commercial timber harvesting.

#### **GENERAL CONDITIONS**

1. If any land use for which a use permit has been granted and issued is not established within three years of the use permit's effective date, the use permit may become subject to revocation by the Town of Paradise.

2. Unless otherwise noted, it shall be the sole responsibility of the project developer to implement, monitor and fulfill the requirements of all conditions assigned to this use permit.

3. All work within the Pentz Road public right of way is subject to Town issuance of an encroachment permit, which will require that the contractor be properly licensed and bonded with the Town of Paradise.

4. Establish and maintain on-site parking facilities and pavement markings in accordance with all town parking ordinance regulations and the requirements of the Town Engineer.

5. Outside light fixtures associated with the project shall be designed to not exceed a height of sixteen feet above finished grade and shall be shielded to prevent the direct projection of light onto adjoining and nearby properties.

6. If any archaeological resources are uncovered during project construction activities, all work shall stop in the area of the find until a qualified archaeologist provides an appropriate evaluation of the discovery.

7. Minor changes to the interior and/or exterior design of the project may be approved administratively by the Town Planning Director upon submittal of a written request for such changes, if the requested changes are consistent with the overall intent of the project and its approval action. Any requested changes deemed by the Planning Director to be major or significant shall require a formal use permit modification review and the payment of the appropriate processing fees.

8. Pay development impact fees prior to issuance of building permits for project construction in accordance with Paradise Municipal Code requirements.

### **CONDITIONS TO BE MET PRIOR TO THE ISSUANCE OF A BUILDING PERMIT**

#### **ROADS AND ACCESS**

9. Submit and secure Town Engineer approval of six (6) copies of design plans for the construction of public street improvements along the Pentz Road frontage of the site in accordance with the requirements of the Town Engineer. Pay appropriate fees, provide the appropriate bonds and insurance certificates, obtain town issued encroachment permit and construct all design-approved work in the right of way (including driveway approach and utility connections). All design features shall meet ADA requirements, Town ordinances, accepted engineering standards and the requirements of the Town Engineer. Street frontage and driveway improvement plans must be approved PRIOR to the construction or installation of the required facilities.

10. If deemed necessary by the Town Engineer, deed sufficient right-of-way along project frontage of Pentz Road to the Town of Paradise to provide a minimum of 2.5 feet clear public right-of-way behind new or existing street improvements.

#### **DRAINAGE**

11. Provide a final design solution for drainage per requirements of the Town Engineer and the INTERIM DRAINAGE DESIGN GUIDELINES prepared April 2, 1998. Drainage facilities shall be designed in a manner that provides for the establishment of all necessary drainage improvements to accommodate existing and additional project induced drainage flows without generating any off-site adverse effects.

#### **SANITATION**

12. Complete the requirements of the Town Onsite Sanitary Official concerning application, final system design, and issuance of permit approvals for installation of a sewage treatment and disposal system improvements to serve all proposed facilities. Provide evidence thereof to the Town Development Services Department (building safety division).

## SITE DEVELOPMENT

13. Submit three (3) copies of a detailed engineered site development and improvements plan showing all project improvements and facilities as proposed and required. Plans shall be prepared by a registered civil engineer (including final parking facility design and site drainage design) and submitted to the Public Works Department (engineering division) for review and approval. Pay required site plan checking fee. Construction and drainage improvement plans must be approved PRIOR TO CONSTRUCTION or installation of the required facilities.

14. Provide directional signs and pavement markings requiring one-way traffic flow for the on-site parking facility in a manner deemed satisfactory to the Town Engineer. Signs and markings shall designate the south driveway encroachment as an entry only and the north driveway as an exit only.

15. Show all easements of record on the site development and improvements plan as well as a fifty-foot building setback line measured from the centerline of Pentz Road. Show a minimum 25-foot setback between storm drainage facilities and leach fields (primary and replacement).

16. Apply for and secure Town issuance of a grading permit satisfying all Engineering Division requirements and the current town adopted edition of the Uniform Building Code. Pay applicable grading permit fees per current fee schedule.

17. Properly abandon or relocate any easements that conflict with the design of the project.

18. Submit a detailed storm water pollution prevention plan (SWPPP) to the State Regional Water Quality Control Board (along with the appropriate filing fee). Provide a copy of this approved plan to the Town of Paradise prior to initiation of grading activities.

19. Submit a detailed soil erosion prevention plan to the Town Public Works Department for approval by the Town Engineer PRIOR to the start of any earthwork. Show all erosion control devices and sedimentation basins required by Paradise Municipal Code Section 15.04.280.

20. Submit a detailed dust emissions control plan to the Town Public Works Department for approval PRIOR to the start of any earthwork.

21. Meet the requirements of the Town Building Official/Fire Marshal regarding submittal of construction plans, interior automatic fire sprinkler plans, building permit applications, and all applicable Town adopted construction and fire code requirements.

## FIRE PROTECTION

22. Meet the project requirements of the building safety services division development review comments/conditions dated May 30, 2012 that are required to be fulfilled prior to the issuance of a building permit and any revisions thereto on file with the Town Development Services Department.

## WATER

23. Meet all requirements of the Paradise Irrigation District () in accordance with written project review comments received from staff dated March 22, 2012 and any revisions thereto on file with the Town Development Services Department. Provide material evidence of having fulfilled this condition to the Town Development Services Department (building safety division).

## **CONDITIONS TO BE MET PRIOR TO FINAL BUILDING INSPECTION AND CERTIFICATES OF OCCUPANCY**

## ROADS AND ACCESS

24. Construct and install required project site frontage improvements in accordance with approved frontage improvement plans

25. Submit reproducible “as-built” improvement plans for Pentz Road street improvements.

## SITE DEVELOPMENT

26. Construct all necessary site, drainage, access, wastewater treatment/disposal and other facilities improvements as required by the Town Engineer and the Town Onsite Sanitary Official. All construction shall be in conformance with generally acceptable engineering and construction practices.

27. Submit landscaping plans and application fee to the Development Services Department (planning division) in accordance with Paradise Municipal Code requirements. **IMPORTANT NOTE:** No final building inspection or occupancy shall be permitted until the landscape plans for the project have been formally approved by the Town of Paradise and landscape materials have been installed (or bonded to guarantee installation).

28. Meet the requirements of all other utility providers regarding the extension or relocation of utility service lines and the establishment of any necessary on site utility easements.

29. Meet the requirements of Northern Recycling and Waste Systems (NRWS) regarding the design and function of the solid waste/recycling enclosure and provide evidence thereof to Town Development Services Department (building safety services division) staff.

## FIRE PROTECTION

30. Meet all other project requirements of the building safety services division development review comments/conditions dated May 30, 2012 and any revisions thereto on file with the Town Development Services Department.

## SANITATION

31. Meet the requirements of Town onsite sanitation staff regarding inspection and approval for the construction and final design of the onsite sewage disposal system.

## CONDITIONS TO BE MET PRIOR TO ISSUANCE OF TREE FELLING PERMIT

32. Secure the issuance of a Town approved tree-felling permit prior to felling any qualifying trees.

33. Secure official Town Public Works Director approval for detailed and engineered project improvement plans (including drainage plans), a Town onsite septic system construction permit and submit building plans for the Grand Sierra Lodge development project.

34. Submit and secure Town Planning Director review and approval of a professionally produced "Tree Protection Plan" for the proposed project that provides for existing tree protection measures (fencing, etc.); prior to the commencement of ground disturbance site work (grading, etc.) for the project.

35. All qualifying trees proposed to be retained and any native saplings proposed to be retained on the site as replacement trees shall be protected during construction activities in a manner consistent with the Town of Paradise Suggested Practices for Protection of Trees on Commercial, Quasi-Public and Multi-Family Residential Construction Sites.

36. A certified arborist shall be engaged by the applicant to oversee the employment of tree protection measures during all related project site improvements construction that has the potential to effect trees to be retained.

37. The required landscape plan for the proposed Grand Sierra Lodge development project shall include provisions for the planting of all required replacement trees on-site and within each landscape area, particularly in areas adjacent to residential land uses and in areas plainly visible from Pentz Road. A minimum of fifty percent of required replacement trees shall be conifer species. Tree plantings shall be selected and ultimately approved by the Town for inclusion within the landscape plan primarily based upon their ability to provide summer shade for the project site.

Smaller ornamental tree species (i.e. dogwood, crepe myrtle) shall not be considered suitable for purposes of replacing native trees on the site.

38. The approval action of this tree felling permit application shall only be valid and in effect for three years (36 months) past its conditional approval date.

Community Development Director Baker announced that the Planning Commission decision on the Grand Sierra Lodge General Plan Amendment/Property Rezone and Conditional Use Permit is subject to a seven-day appeal period; and, the Tree Felling Permit Application is subject to a ten-day appeal period. The Town Council serves as the appeals board and the required appeal and fee are filed with the Town Clerk.

**5. PUBLIC HEARING – None.**

**6. OTHER BUSINESS**

6a. The Commission concurred to appoint Chairman Greg Bolin as Planning Commission Representative to the Town of Paradise Development Impact Fees Adjustment Board during FY 2012-2013 (Requirement of PMC Section 3.40.070).

6b. The Commissioners concurred to appoint Commissioner Clarkson and Commissioner Grossberger to serve upon the Town of Paradise Landscape Committee (appeals body) during the FY 2012-2013 (Requirement of PMC Chapter 15.36).

**7. COMMITTEE ACTIVITIES – None.**

**8. COMMISSION MEMBERS – None.**

**9. ADJOURNMENT**

The Planning Commission meeting was adjourned at 8:00 pm.

Date Approved: September 18, 2012

By: \_\_\_\_\_/s/\_\_\_\_\_  
Greg Bolin, Chairman

\_\_\_\_\_/s/\_\_\_\_\_  
Joanna Gutierrez, Town Clerk