



TOWN OF PARADISE

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Development Services Staff:

Craig Baker, Community Development Director

Susan Hartman, Assistant Planner

PLANNING DIRECTOR MEETING AGENDA

REGULAR MEETING – 10:00 AM – May 31, 2016

In accordance with the Americans with Disabilities Act, if you need a special accommodation to participate, please contact the Town Clerk's Dept., at 872-6291 at least 48 hours in advance of the meeting. Hearing assistance devices for the hearing impaired are available from the Town Clerk. Members of the public may address the Planning Director on any agenda item, including closed session. If you wish to address the Town Council on any matter on the Agenda, it is requested that you complete a "Request to Address Council" card and give it to the Town Clerk prior to the beginning of the Council Meeting. All writings or documents which are related to any item on an open session agenda will be available for public inspection at the Town Hall in the Town Clerk Department located at 5555 Skyway, Room 3, at the time the subject writing or document is distributed to a majority of the subject body. Regular business hours are Monday through Thursday from 8:00 a.m. to 5:00 p.m.

1. OPENING

- a. Call to Order

2. MINUTES FOR APPROVAL

- a. Approval of Minutes of December 22, 2015 Regular Meeting.

3. CONTINUED PUBLIC HEARING - None.

4. PUBLIC HEARING

- a. Item for consideration: [KOJIMA](#) CONDITIONAL USE PERMIT (PL16-00148)
APPLICATION: Use permit approval to authorize the expansion of a single family residence that is an existing, legal non-conforming land use on a +0.61 ac property zoned N-C (Neighborhood Commercial) located at 1729 Bille Rd, AP No. 053-140-013.

5. ADJOURNMENT

PLANNING DIRECTOR MEETING MINUTES
REGULAR MEETING – 2:00 PM – December 22, 2015

CALLED TO ORDER by Community Development Services Director/Planning Director Craig Baker at 2:02 p.m. in the Town Council Chamber located at 5555 Skyway, Paradise, California.

STAFF PRESENT: Joanna Gutierrez, Town Clerk; Susan Hartman, Assistant Planner and Community Development Services/Planning Director Craig Baker.

1. APPROVAL OF MINUTES

Community Development Services Director/Planning Director Baker approved the minutes of the August 20, 2015 Planning Director hearing as presented.

2. CONTINUED PUBLIC HEARING – None.

3. PUBLIC HEARINGS – Two Public Hearings were scheduled: One for a conditional use permit (CNC Milling) and one for a site plan review (Tyler Edwards for site previously occupied by the Carousel Motel).

Item 3a: At 2:03 p.m., Community Development Services Director Baker opened the public hearing relating to the conditional use permit application proposing to establish a light manufacturing land use (CNC Milling) within a proposed +4,800 square foot building to be located at 5400 Clark Road, Paradise. The 1.65 acre property is zoned Community Commercial.

Assistant Planner Susan Hartman reported that Rogers (Hays) conditional use permit application is categorically exempt from the California Environmental Quality Act, that the light manufacturing proposed land use has received favorable review from all commenting agencies, that the location appears to reasonable if conditioned prudently, and informed that staff recommends approval of the application subject to the five (5) findings and twenty-nine (29) conditions of approval.

Applicant Matt Rogers confirmed that he received the information presented in the staff report and is in agreement with the conditions of use proposed for this project.

Mr. Baker closed the public hearing at 2:10 p.m.

Community Development Services Director/Planning Director Baker adopted the following five (5) findings provided by staff and approved the ROGERS (HAYS) CONDITIONAL USE PERMIT (PL15-00384) APPLICATION: Conditional Use Permit application proposing the establishment of a light manufacturing land use (CNC Milling) within a proposed +4800 square foot building space on a +1.65 acre property zoned Community Commercial (CC) and located at 5400 Clark Rd, AP No. 054-120-060 subject to the following twenty-nine (29) conditions of approval:

PL-15-00384 FINDINGS FOR APPROVAL:

1. Find that the proposed project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Section 15332 of the State CEQA Guidelines.
2. Find that the project, **as conditioned**, is consistent with the goals and policies of the Paradise General Plan because the project will result in the establishment of a commercial land use in an area zoned for such use.
3. Find that the project, **as conditioned**, is in compliance with all applicable regulations of the Community Commercial zoning district.
4. Find that adequate infrastructure is currently in place to serve the proposed project.
5. Find that the project, as conditioned, will not detrimentally affect 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 commercial and residential land uses;
 - b. No known outstanding wildlife habitat exists in the immediate project vicinity; and
 - c. No known rare or endangered plants are known to exist in the immediate project vicinity.

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 Clark Road public right of way is subject to Caltrans issuance of an encroachment permit.
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. Any 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. All activities on the site shall be conducted in a manner that is in compliance with the Town's Noise Ordinance Regulations (PMC Chapter 9.18).
7. Secure Town of Paradise design review approval for any new business signs prior to the establishment of such signs on the site.
8. Maintain the property in a manner consistent with the Design Standards of the Clark Road Corridor.
9. Secure the issuance of a town-approved tree felling permit prior to the felling of any qualifying trees.
10. 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.
11. 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

12. Secure issuance of an approved encroachment permit from Caltrans relating to proposed work in the right-of-way.

DRAINAGE

13. Prior to construction of any required site improvements, the project developer shall submit an engineered drainage analysis in accordance with the requirements of the Town Engineer and comply with all post-construction storm water design requirements

SANITATION

14. 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 division).

SITE DEVELOPMENT

15. 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.
16. 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 Clark Road. Show a minimum 25-foot setback between storm drainage facilities and leach fields (primary and replacement).
17. If necessary, 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.
18. Submit a detailed storm water pollution prevention plan (**SWPPP**) to the State Regional Water Quality Control Board (along with the appropriate filing fee), if disturbing more than one acre. Provide a copy of this approved plan, if required, 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 building permit applications and all applicable Town adopted construction and fire code requirements.

FIRE PROTECTION

22. Meet the project requirements of the Building Official/Fire Marshal comments/conditions dated November 20, 2015 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.

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

ROADS AND ACCESS

23. Construct and install required project site frontage improvements in accordance with the approved Caltrans permit. Provide evidence thereof to the Town Development Services Department.

SITE DEVELOPMENT

24. 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.
25. 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).
26. 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.
27. 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 division) staff.

FIRE PROTECTION

28. Meet all other project requirements of the Building Official/Fire Marshal comments/conditions dated November 20, 2015 and any revisions thereto on file with the Town Development Services Department.

SANITATION

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

Item 3b: At 2:12 p.m., Community Development Services Director Baker opened the public hearing regarding the site plan review permit application from Tyler Edwards

proposing the conversion of an existing motel to 14 units of multi-family housing on a +1.14 acre property zoned Community Commercial (CC) and located at 4758 Skyway, AP No. 051-230-041.

Assistant Planner Susan Hartman reported that the Edwards Site Plan Review Permit application is exempt from the California Environmental Quality Act (CEQA) regulations, that the conversion of an existing motel on a +/- 1.14 acre property at 4758 Skyway into 14 units of multi-family housing has received favorable review from all commenting agencies, and that the proposed project, if conditionally approved by the Planning Director as recommended, would be consistent with the Paradise General Plan and existing zoning and would be compatible with the surrounding land uses. Staff recommends adopting the four findings and approving the Edwards Site Plan Review application subject to twenty-five (25) conditions of approval.

Speaking in favor of the project:

1. Tyler Edwards confirmed that he received all the information in the agenda packets and is in agreement with the assigned conditions of approval and acknowledged that pursuant to the density bonus agreement, an annual report to the Town is required, that the Town Engineer will require angled parking to point people in the right direction onto Skyway, and the trash receptacle will have to be relocated as requested by the solid waste collection service, NRWS. Mr. Edwards stated that he would like to start work on this project in January and is waiting on permit approval.
2. Ivan Amy is in favor of the project, reminded the Planning Director that there is a light manufacturing operation located next to this proposed development, and that he would like the record to reflect that the developer is aware that the manufacturing can be conducted in accordance with the Town's noise ordinance, from 7am to 10 pm.
3. Bill Smith owns the first house downhill from the site and asked what is planned for this project.

Director Baker informed that the property will be converted into 14 apartment units and there is no zone change, that a Multi-Family use in a Community Commercial zone requires a Site Plan Review. This is a certain land use in a certain location under certain terms. Mr. Baker closed the public hearing at 2:22 p.m.

Community Development Director Baker adopted the four findings provided by staff and approved the EDWARDS SITE PLAN REVIEW PERMIT (PL15-00387) APPLICATION: Site plan review permit application and authorized the establishment of a multi-family residential land use +/- 1.14 acre property zoned Community Commercial (CC) and located at 4758 Skyway, AP No. 051-230-041 subject to the following twenty-five (25) conditions:

(PL15-00387) REQUIRED FINDINGS FOR APPROVAL:

- a. Find that the proposed project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Section 15301 of the State CEQA Guidelines.
- b. Find that the project, **as conditioned**, is consistent with the Town Commercial designation as shown on the Paradise General Plan land use map; and is consistent with the development goals, objectives and policies of all applicable General Plan elements.
- c. Find that the project, **as conditioned**, is consistent with all applicable provisions of the Community Commercial zoning district.
- d. 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.

GENERAL CONDITIONS OF PROJECT APPROVAL

- 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. All work within the Skyway 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.
- 3. 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.
- 4. Maintain the property in a manner consistent with the Edwards Density Bonus Agreement dated January 6, 2015.
- 5. Pay development impact fees prior to issuance of building permits for project construction in accordance with Paradise Municipal Code requirements
- 6. 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 site plan review permit modification review and the payment of the appropriate processing fees.

CONDITIONS TO BE MET PRIOR TO ISSUANCE OF BUILDING PERMIT(S)

DRAINAGE

7. Provide a final design solution for development drainage per requirements of the Town Engineer and the town's **INTERIM DRAINAGE DESIGN GUIDELINES** prepared April 2, 1998. This final design shall be constructed in a manner that includes the establishment of all necessary drainage improvements both on and off-site to accommodate existing and additional project induced drainage flows without generating any off-site adverse effects and comply with all post-construction storm water design requirements

SANITATION

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

SITE DEVELOPMENT

9. If disturbing over an acre of land, provide evidence of submittal of a Notice of Intent (NOI) to the State of California Regional Water Quality Control Board and provide the town with a copy of the project Storm Water Pollution Prevention Plan (SWPPP).
10. Submit and secure Town Engineer approval of engineered soils erosion, sedimentation prevention and dust emission control plan for the project. Show all erosion control devices and sedimentation basins required pursuant to the PMC Sec. 15.02.300. All activities associated with project development shall be conducted in compliance with all control and prevention measures outlined in the approved plan.
11. If more than 50 cubic yards of soil is to be displaced, apply for and secure town issuance of a grading permit satisfying all engineering division requirements and the current adopted edition of the UBC. Pay applicable grading permit fees per current fee schedule.
12. Meet the requirements of the Town Building Official regarding submittal of construction plans, building permit application, and all applicable town adopted construction code requirements.
13. Submit three (3) copies of a detailed engineered site 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 submitted to the

Public Work Department (Engineering Division) for review and approval. Pay required engineered site plan checking fee. Construction and drainage improvement plans must be approved **PRIOR** to construction or installation of the required facilities.

14. Provide a final solid waste enclosure design which addresses location concerns to the satisfaction of Northern Waste and Recycling Services as outlined in comments dated December 9, 2015 and on file with the Development Services Department.
15. Secure Design Review approval for the proposed building façade.

UTILITIES

16. Meet the requirements of the Paradise Irrigation District (PID) in accordance with written communication from PID staff regarding this project, dated November 16, 2015 and on file with the Town Community Development Department.
17. Meet all other utility company requirements regarding the establishment of necessary utility easements and installation of new or expanded utility facilities. Provide evidence of compliance with these requirements to the Town Building Official.

FIRE PROTECTION

18. Meet the applicable requirements of the Paradise Fire Department in accordance with the Fire Marshal's plan check review dated November 20, 2015, on file with the Town Development Services Department.

OTHERS

19. Pay development impact fees in accordance with Paradise Municipal Code requirements.

CONDITIONS TO BE MET PRIOR TO FINAL BUILDING INSPECTION AND CERTIFICATE OF OCCUPANCY

SITE DEVELOPMENT

20. 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.
21. If any parking spaces are proposed within the 50 foot setback from the centerline of Skyway, secure Town of Paradise Town Engineer approval and pay current

processing fee for an application for parking within the street setback review pursuant to the provisions contained within Paradise Municipal Code Section 17.38.200.H (*Basic Regulations – Vehicle Parking*).

22. Secure the issuance of a tree felling permit prior to the felling of any qualifying trees on or off-site.
23. Submit landscaping plans and application fee to the Development Services Department (planning division) in accordance with Paradise Municipal Code requirements. Landscape plans shall include provisions for the planting of tree species within landscape areas. All landscape trees shall be a minimum fifteen-gallon size and shall be selected and ultimately approved by the Town for inclusion within the landscape plan primarily based upon their ability to provide shade for the project site. Smaller ornamental tree species (i.e. dogwood, crepe myrtle) shall not be considered suitable. **IMPORTANT NOTE:** No final building inspection or occupancy shall be permitted until the landscape plans have been formally approved by the Town of Paradise and landscape materials have been installed (or bonded to guarantee installation of all approved landscaping materials).

FIRE PROTECTION

24. As determined acceptable by the Town Fire Marshal, meet all other project requirements of the Paradise Fire Department in accordance with the Fire Department development review comments/conditions dated November 20, 2015 and on file with the Town Community Development Department.

OTHERS

25. The required on-site solid waste storage and collection facility shall be constructed to the satisfaction of Northern Recycling and Waste Services (NRWS) staff. Provide evidence thereof to the Town Development Services Department.

4. ADJOURNMENT

The Planning Director announced there is a seven-day appeal period for this decision and adjourned the meeting at 2:25 p.m.

Date approved:

By: _____
Craig Baker, Community Development Director

Joanna Gutierrez, CMC, Town Clerk

**TOWN OF PARADISE PLANNING DIRECTOR
PLANNING STAFF REPORT
MEETING DATE: May 31, 2016**

FROM: Susan Hartman, Assistant Planner
SUBJECT: Kojima Use Permit Application (PL16-00148)
DATE: May 13, 2016

AGENDA NO. 4(a)

AP 053-140-013

GENERAL INFORMATION:

Applicant: Merkley Construction Co.(Mike Merkley)
527 Madrone Ave
Chico, CA 95926

Location: 1729 Bille Rd, Paradise

Requested Action: Use permit approval to authorize the expansion of a single family residence, within the Neighborhood Commercial zoning district, which is an existing, legal nonconforming use.

Purpose: To provide an additional \pm 432 square feet of living area.

Present Zoning: Neighborhood Commercial (NC)

General Plan Designation: Neighborhood Commercial (NC)

Existing Land Use: Single family residential

Surrounding Land Use:

North:	Vacant residential lot
East:	Multi-family residential
South:	Bille Road
West:	Single-family residential

Parcel Size: \pm 0.61 acre

CEQA Determination: Categorically Exempt - CEQA Section 15301 (Class 1 exemption)

Other: An appeal of the Planning Director's decision can be made within seven (7) days of the decision date.

NOTE: THE APPLICANT OR A REPRESENTATIVE SHOULD BE IN ATTENDANCE OR THE PLANNING DIRECTOR MAY NOT TAKE ACTION ON THIS APPLICATION

SPECIAL INFORMATION:

The project applicant is seeking authorization from the Town of Paradise, via use permit approval, to expand an existing, legal nonconforming single family dwelling. The ± 0.61 acre property is located at 1729 Bille Rd, a paved arterial street, and is currently developed with a single family land use.

Butte County Assessor records show that the residence was legally established in 1954, prior to the Town's incorporation. The proposed addition includes ± 432 square feet of new living area to the existing $\pm 1,501$ square foot home and removing and replacing ± 360 square feet of decking. In addition to the residence, there is a detached ± 952 square foot garage that is not proposed to be expanded or rebuilt at this time.

ANALYSIS:

This project has been determined by planning staff to belong to a class of projects which are categorically exempt from environmental review, pursuant to the requirements of the California Environmental Quality Act (CEQA Section 15301 Class 1 *Existing Facilities*).

PMC Section 17.39.400 (*Expansion or alteration of nonconforming use*) provides that a building or structure containing a lawful nonconforming use may be added onto or enlarged upon town approval and issuance of a conditional use permit.

ANALYSIS CONCLUSION:

Based upon the circumstances outlined above and the environmental setting of the predominantly residential neighborhood, staff submits that town authorization to enlarge the single family residence is reasonable and appropriate. Therefore, staff recommends Planning Director approval of the Kojima use permit, based upon the following findings:

REQUIRED FINDINGS FOR APPROVAL:

- a. The proposed project is categorically exempt from environmental review under the provisions of the California Environmental Quality Act (CEQA), pursuant to Section 15301, (Class 1) of the CEQA guidelines

- b. Find that, as conditioned, approval of the Kojima use permit can be found to be consistent with the goals and land use policies of the current 1994 Paradise General Plan because project approval would authorize development that is in balance with the existing residential neighborhood.
- c. The proposed project, as conditioned by the Town of Paradise, will not be detrimental to the public health, safety and general welfare.

RECOMMENDATION:

Adopt the required findings for approval as provided by staff, and approve the Kojima use permit application (PL16-00148) for property located at 1729 Bille Rd (AP 053-140-013), requesting authorization to expand an existing single family residence, subject to the following conditions of approval:

CONDITIONS TO BE MET PRIOR TO ISSUANCE OF BUILDING PERMIT(S)

SITE DEVELOPMENT

- 1. Submit construction documents and meet the requirements of the Town Building Official regarding building permits and all applicable town-adopted construction code regulations including Wildland Urban Interface construction requirements.
- 2. The addition to the single family residence shall not exceed **432 square feet of conditioned living space and the replacement decking shall not exceed the square footage of the existing decking (±360 sq ft)** as identified and proposed on the site plan dated received on May 4, 2016 on file with the Development Services Department.

SANITATION

- 3. Apply for, and secure, an onsite sanitation alteration permit for the relocation of the existing pump tank to accommodate the building expansion.

UTILITIES

4. Any relocation or rearrangement of PG&E facilities to accommodate this project will be at the developer/applicant expense. There shall be no facilities construction allowed over or under any existing PG&E facilities or inside any PG&E easements affecting this property.

OTHERS

5. Pay any applicable development impact fees in accordance with Paradise Municipal Code requirements.

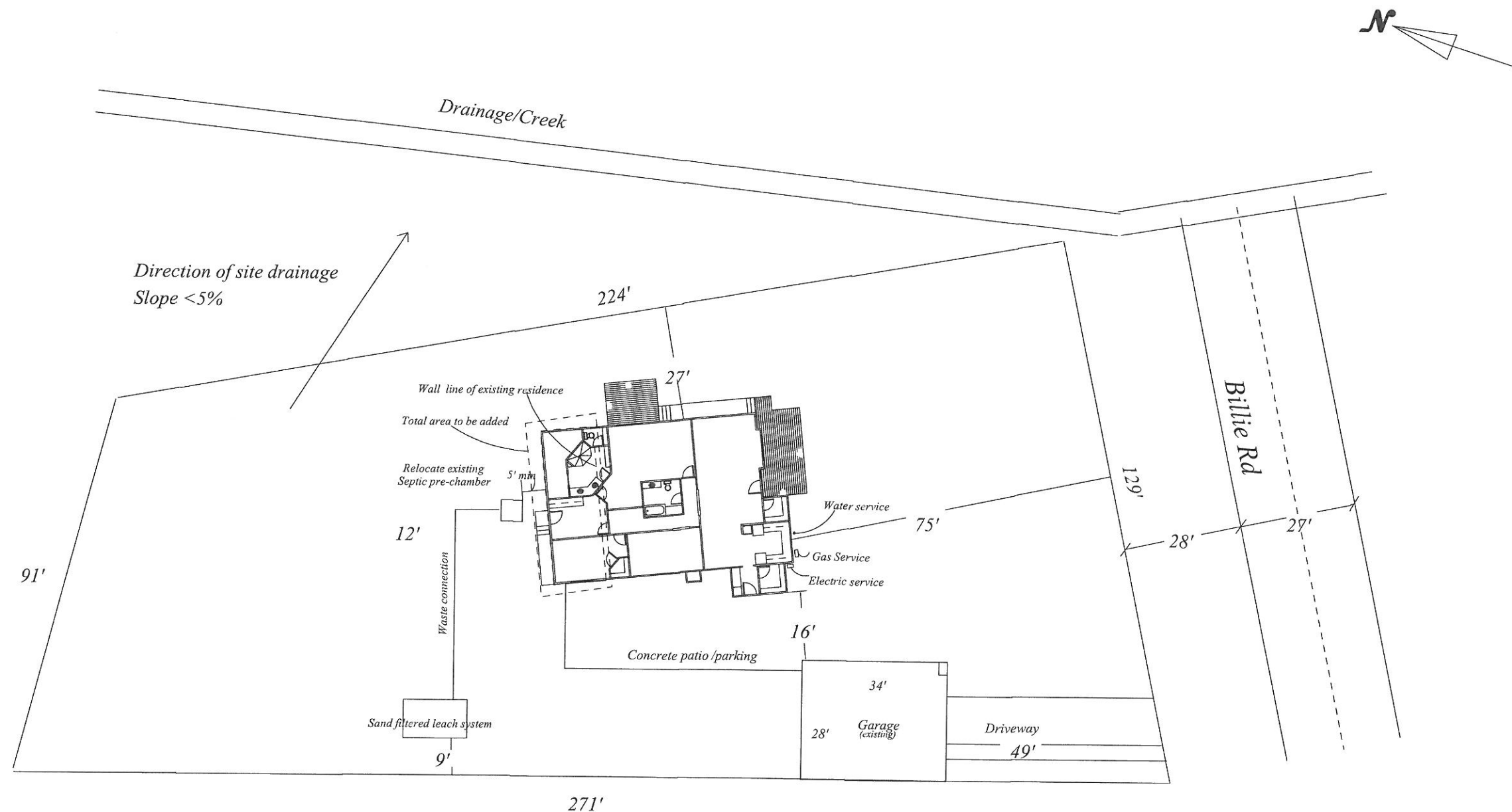
CONDITIONS TO BE MET PRIOR TO FINAL BUILDING INSPECTION AND CERTIFICATE OF OCCUPANCY

SITE DEVELOPMENT

6. Complete the project as per the Town of Paradise adopted California Building Standards and Town of Paradise approved plans and specifications
7. All flammable vegetation shall be removed at a minimum distance of one hundred (100) feet from all structures or to the property line, whichever is less.

SANITATION

8. Complete the relocation and connection of the pump tank to the existing sewage disposal system in a manner deemed satisfactory to the Town Onsite Sanitary Official.



Project Notes:

Existing house 1550 sq'

Scope of work to include:

Addition of 432 sq ft of new living area

Modify approx. 400 sq ft of existing space

Remove and replace approx 360 sq st of decking

Relocate Entry Door

Build new deck covering at front of residence

All building materials to be as dexcribed in the General Notes

date	Revisions	by

Merkley Construction Co
 527 Madrone Ave, Chico, Ca 95926
 (530) 897-0655 Lic #620673

Shigeo and Tomoyo Kojima
 1729 Billie Rd., Paradise Ca, 95969
 AP# 053-140-013

date	2/15/16
scale	1" = 15'
drawn by	MDM
job	Tomoyo
sheet	SP
of	