



TOWN OF PARADISE

5555 SKYWAY • PARADISE, CALIFORNIA 95969-4931

TELEPHONE (530) 872-6291 FAX (530) 877-5059

www.townofparadise.com

Planning Commission Staff:

Craig Baker, Community Development Director
Susan Hartman, Assistant Planner

Planning Commission Members:

Stephanie Neumann, Chair
Anita Towslee, Vice Chair
James Clarkson, Commissioner
Ray Groom, Commissioner
Kim Morris, Commissioner

PLANNING COMMISSION AGENDA

6:00 PM – June 19, 2018

In accordance with the Americans with Disabilities Act, if you need a special accommodation to participate, please contact Community Development Director Baker, at 872-6291 at least 48 hours in advance of the meeting. Hearing assistance devices for the hearing impaired are available from the Presiding Clerk. Members of the public may address the Planning Commission on any agenda item, including closed session. If you wish to address the Planning Commission on any matter on the Agenda, it is requested that you complete a "Request to Address Council/Commission" card and give it to the Presiding Clerk prior to the beginning of the Council Meeting. All writings or documents which are related to any item on an open session agenda and which are distributed to a majority of the Planning Commission within 72 hours of a Regular Meeting will be available for public inspection at the Town Hall in the Town Clerk or Community Development Services Department located at 5555 Skyway, 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.

CALL TO ORDER

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

ROLL CALL

1. APPROVAL OF MINUTES

1a. Approve the Regular Meeting Minutes of May 15, 2018.

2. COMMUNICATION

- 2a. Recent Council Actions
- 2b. Staff Comments

3. PUBLIC COMMUNICATION

Comments are limited to a maximum of five minutes duration. If more time is needed, please request staff to place the subject on an agenda for a future Commission meeting.

*** * * PUBLIC HEARING PROCEDURE * * ***

- | | |
|-----------------------------------|--------------------------------|
| A. Staff comments | C. Close hearing to the public |
| B. Open the hearing to the public | D. Commission discussion |
| 1. Project applicant | E. Motion |
| 2. Parties for the project | F. Vote |
| 3. Parties against the project | |
| 4. Rebuttals | |

NOTE: Pursuant to Planning Commission Resolution No. 96-001, any person may speak before the Commission regarding the matter under consideration for a maximum of five minutes unless granted additional time by the Chair. "In accordance with the Americans with Disabilities Act, if you need a special accommodation to participate, please contact the Community Development Dept., at 872-6291 at least 48 hours in advance of the meeting."

4. CONTINUED PUBLIC HEARING - None

5. PUBLIC HEARING

5a. Item determined to be exempt from environmental review:

JEROME BALASEK GENERAL PLAN AMENDMENT/REZONE APPLICATION (PL 18-00093) Planning Commission consideration of a resolution recommending Town Council approval of a General Plan amendment (RR to TR) and rezone application (RR-1 to TR-1/2) to accommodate a lot line adjustment, establish common zoning on both sides of the road and make three adjoining parcels conforming in terms of lot size. No physical development, land division or increase in residential density is proposed or envisioned. The project site properties are located at 6635 and 6639 View Acres Drive; 797 Wagstaff Road and are further identified as Assessor Parcel Nos. 051-050-074, 075 & 076. (Roll Call Vote)

5b. Item for which a proposed mitigated negative declaration document regarding environmental impacts is proposed to be adopted

WOODVIEW RETIREMENT COTTAGES ADMINISTRATIVE PERMIT (PL17-00272) & TREE FELLING APPLICATIONS (PL18-00028) The project proponent is requesting Town of Paradise approval of an administrative permit application, and associated tree felling, proposing the establishment of fifty-six (56), 1-bedroom senior housing units, ranging in size from 420-540 sq ft., on a \pm 3.3 acre property zoned Multiple Family Residential (MF) and located at 926 Buschmann Road, further identified as Assessor Parcel No. 054-090-075. (Roll Call Vote)

6. OTHER BUSINESS

7. COMMITTEE ACTIVITIES

8. COMMISSION MEMBERS

8a. Identification of future agenda items (All Commissioners/Staff)

9. ADJOURNMENT

STATE OF CALIFORNIA)	SS.
COUNTY OF BUTTE)	
I declare under penalty of perjury that I am employed by the Town of Paradise in the Town Clerk's Department and that I posted this Agenda on the bulletin Board both inside and outside of Town Hall on the following date:	
<hr/>	
TOWN/ASSISTANT TOWN CLERK SIGNATURE	



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P L A N N I N G C O M M I S S I O N M I N U T E S

May 15, 2018

6:00 PM

CALL TO ORDER by Chair Neumann at 6:02 p.m. who led the Pledge of Allegiance to the Flag of the United States of America.

PLANNING COMMISSIONERS PRESENT: James Clarkson, Ray Groom, Kim Morris, Anita Towslee and Stephanie Neumann, Chair.

PLANNING COMMISSIONER ABSENT: None

1. APPROVAL OF MINUTES

- 1a. **MOTION by Clarkson, seconded by Morris**, approved the Regular Meeting Minutes of March 20, 2018 Planning Commission meeting. Roll call vote was unanimous.

2. COMMUNICATION

a. Recent Council Actions

Community Development Director Baker stated that at the May 8, 2018 Town Council meeting the Council approved authorization for the Town Manager to execute the amended agreements with Safeway and Michael Baker International. Mr. Baker explained the Caltrans expressed concerns with the Pearson/Clark-191 intersection and Safeway agreed to pay for the additional analysis which should be done in about a week and then will be forwarded to Caltrans to provide comments.

b. Staff Comments

Black Olive Village Project – See above.

3. PUBLIC COMMUNICATION – None.

4. CONTINUED PUBLIC HEARING - None.

5. PUBLIC HEARING

5a. Item determined to be exempt from environmental review

CHILDREN'S COMMUNITY CHARTER SCHOOL (CCCS) SITE PLAN REVIEW MODIFICATION (PL18-00087) APPLICATION: Request for Town approval of a Site Plan Review Permit Modification application to install two additional portable classroom buildings (1,920 sq ft) and one additional restroom building (480 sq ft), with no expansion of stu

enrollment, within portions of an existing charter school facility upon a +/-4.13 acre property zoned Community Services and located at 6830 Pentz Rd in Paradise. (AP No. 050-220-126)

Assistant Planner Susan Hartman provided an overview of the Children's Community Charter School Site Plan Review Modification application. The request is a modification of an existing Site Plan Review that was issued in 2009 and is for the installation of two additional portable classroom buildings (1,920 sq. ft.) and one additional restroom building (480 sq ft.) with no expansion of student enrollment. Ms. Hartman informed the Commissioners that a copy of a letter of opposition and the original Site Plan Review Permit that was issued in 2000 was placed at their seats.

Chair Neumann recessed the meeting at 6:10 p.m. to review the additional material that was provided to the Commissioners and resumed the meeting at 6:16 p.m.

Community Development Director Baker provided background on the project. The original site plan was approved in 2000 and in December of 2017 the Town started receiving complaints from the neighbors regarding some of the conditions that were not being adhered to. The original conditions of approval were crafted to address concerns from the neighbors and are currently not being met. The item currently being addressed is for the schools site plan modification request.

The complaints received by the Town were prior to the site plan modification being submitted. One of the solutions was to try to correct issues and move forward.

Chair Neumann opened the public hearing at 6:22 p.m. and requested that project proponents speak first.

1. Alan Chambers, architect for the project, stated that the school reviewed the conditions of approval and agreed with them; stated that this is the first he has heard of any issues with the prior conditions of approval, the conditions will need to be reviewed and that the landscaping that was supposed to grow up on the chain link fence has died and is no longer there.

Commissioners asked if the trees/landscape had been removed for the purpose of turning around on Rock House Lane.

Community Development Director Baker stated that it appears that the trees in the easement have been removed to accommodate turning around on Rock House Lane for students, but the original design of the project was intended for drop-off and pick-up in front of the school.

2. Greg Weddig, parent volunteer, is helping manage the school project. He stated that irrigation was a problem with the plants, it has not been corrected, they will be investigating how to redo the irrigation and re-establishing the plants, but no action has been taken yet. He explained that his understanding is that there is currently pick up activity on Rock House Lane; the school needs to study the pick-up/drop-off and parking area and determine the best solution that is in compliance with the previous conditions without using Rock House Lane.

Community Development Director Baker stated that in 2000, the use of Rock House Lane was never proposed and strongly discouraged by the Planning Commission, so it was never analyzed by staff as part of the project.

3. Carol Krabbenhoefstated that the neighbors and the school have peacefully coexisted for the last 17 years, and this last summer/fall the school removed the noise attenuating landscape which was comprised of large boulders, berms and plants. There is nothing left of the landscaping that prevented the area from being a parking lot, which is what it looks like now. She disagrees with the area being a parking lot and stated that the previous list of conditions; Site Development cond

#25 – has entirely been removed and Conditions of Land Use condition #32 regarding vehicle parking, has been entirely changed.

Chair Neumann clarified that Ms. Krabbenhoeft was stating that the previous Site Plan Review Permit, issued in 2000, was violated due to the conditions stated (#25 & #32) and asked what measures could be taken to assure the neighbors that the school was adhering to the conditions.

Ms. Krabbenhoeft stated that she wants the school to put the driveway on their property to drop-off/pick-up students safely, replace the landscape and no longer use Rock House Lane as a turn around. She stated that there is a gate on the school property that accesses Rock House Lane and it is monitored by the school.

Commissioners suggested that signage be put up on Rock House Lane to inform parents that there is not access from Rock House Lane and asked if it was a fire lane.

Mr. Baker stated that it will be a fire lane and that the landscaping was installed, but it did not survive.

Chair Neumann stated that the current issue at hand is the approval of the Children's Community Charter School Site Plan Review Modification.

4. John Van Order stated that the landscaping was never completed, it died on the fence and the rest of the landscaping was removed in the last two months without consulting anyone. He is concerned with the way the school is operating and would like them to restore the landscaping to keep the noise and dust down.
5. Steve Warner lives directly across from the school and does not have a problem with the school. He stated that there was a barrier/berm, full grown walnut trees and things to help with the noise. There is now a tremendous amount of traffic with people turning around and thinks that planting needs to be re-done to absorb the sound.

Commissioner Morris asked Mr. Weddig why the boulders and barriers were removed.

Mr. Weddig stated that he understands that the barriers were removed to relieve parking in the front of the building, they were trying to get people to keep from parking in the gym lot and that it created stress in front of the building.

Mr. Warner stated that he was at the meeting in 2000 and the neighbors concerns was the use of Rock House Lane and sections 25-33 clearly spell out the conditions they would like adhered to.

Mr. Chambers stated that he noticed that the parking lot shown on his current plan is different from what was approved in 2000. He also suggested, for the fire lane, to possibly put barriers in front of Rock House Lane with locking gate, but the Fire Marshal would have to approve that. There are currently signs, but people do not adhere to the signs.

Mr. Baker stated, that since the plan was approved and the school established, there was a zoning ordinance adopted that requires written consent from property owners on a private road when a barrier is put up across the road.

Ms. Krabbenhoeft stated that the school does not communicate with the neighbors and they would like to be informed about what the school is doing because it is difficult to trust them.

Ms. Hartman stated that the Fire Marshal was available for questions.

Chair Neumann closed the public hearing at 7:04 p.m.

Planning Commissioners asked the Fire Marshal about Rock House Lane, if it is a hard-surfaced road, about gates/easements and the landscaping.

Fire Marshal Anthony Lindsey stated that a fire lane has to support a 75,000 lb capacity and be an all weather surface, discussed gates/easements and fire codes.

Mr. Baker stated that the landscape plan has been approved and the school needs to replace all the plants that are on the landscape plan.

Chair Neumann stated that the only issue before the Planning Commission tonight is the requested two new classrooms and bathroom.

Ms. Hartman stated that the Children's Community Charter School is still bound by the conditions of the 2000 permit that was issued and that if the conditions are not satisfied the school could receive notices of violation.

Commissioner Morris is concerned by, what appears to be an intentional change of condition #32, regarding the parking and thinks that issue needs to be addressed.

MOTION by Clarkson, seconded by Towslee to adopt the required findings as provided by staff and approve the Children's Community Charter School site plan review permit modification application (PL 18-00087), proposing a minor expansion for an existing charter elementary school facility on property located at 6830 Pentz Road (APN 050-220-126) subject to the following modified conditions. Ayes of Clarkson, Groom, Towslee and Neumann, Chair; Noes of Morris. Motion passed four to one.

Community Development Director Baker announced that an appeal of the Planning Commission decision can be made within seven (7) days of the decision date to the Town Council.

GENERAL CONDITIONS OF SITE PLAN REVIEW PERMIT APPROVAL

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

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

GENERAL

2. Secure Architectural Design Review approval for the proposed building façade.

DRAINAGE & GRADING

3. Submit a storm water mitigation plan, in the form of a Post-Construction Standards Plan, for approval by the Town Engineer. The plan must address how the additional storm water drainage from new impervious surfaces will be detained, rerouted, or otherwise mitigated to prevent adverse impacts to any downstream neighboring properties.
4. Submit an Erosion & Sediment Control Plan, for temporary construction BMPs, for approval by the Town Engineer.

5. 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.

CONSTRUCTION CODES

6. Meet the requirements of the Town Building Official regarding submittal of construction plans, building permit applications, and all applicable Town adopted construction code requirements for any construction work subject to the requirements of the Uniform Building Code including a separate accessibility site plan that is reviewed and approved by a State of California Certified Access Specialist *prior to* submission to the Town of Paradise.

SANITATION

7. Apply for, and secure an onsite sanitation permit for the connection of the restroom building to the existing septic system.

FIRE PROTECTION

8. Meet the requirements of the Paradise Fire Department, via the installation of an additional fire hydrant, to the satisfaction of the Town Fire Marshal and Paradise Irrigation District.

CONDITIONS TO BE MET PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY

SANITATION

9. Complete the connection of the restroom building to the existing sewage disposal system in a manner deemed satisfactory to the Town Onsite Sanitary Official.

FIRE PROTECTION

10. Meet all other requirement of the Paradise Fire Department in accordance with written comments received from the Town Fire Marshal dated May 3, 2018 and on file with the Town Community Development Department.

SITE DEVELOPMENT

11. Establish and maintain a fifty foot setback area between the centerline of Rock House Lane and the proposed portable classrooms.

CONDITIONS OF LAND USE

12. Activities within the proposed classroom shall not involve the use of storage of hazardous materials unless previously authorized by the Paradise Fire Department.
13. Maintain compliance with the conditions of Site Plan Review Permit SR-00-005 which authorized

establishment of a K-8 charter school.

6. OTHER BUSINESS - None

7. COMMITTEE ACTIVITIES - None

8. COMMISSION MEMBERS

8a. Identification of future agenda items (All Commissioners/Staff)

- General Plan Amendment/Rezone
- Senior housing project on Buschmann Rd
- Safeway Use Permit

9. ADJOURNMENT

Chair Neumann adjourned the meeting at 7:15 p.m.

Date Approved:

By: _____
Stephanie Neumann, Chair

Attest:

Dina Volenski, CMC, Town Clerk

**TOWN OF PARADISE PLANNING COMMISSION
PLANNING STAFF REPORT
MEETING DATE: June 19, 2018**

FROM: Craig Baker, Community Development Director **AGENDA NO.** 5(a)
SUBJECT: Balasek General Plan Amendment and Property Rezone Application (PL18-00093)
DATE: May 31, 2018 **APNs** 051-050-074, 075 & 076

GENERAL INFORMATION:

Applicant: Jerome Balasek
5974 Pentz Road
Paradise, CA 95967

Location: 6635 and 6639 View Acres Drive; 797 Wagstaff Road

Requested Action: Approval of a General Plan amendment (RR to TR) and rezone application (RR-1 to TR-1/2) to accommodate a lot line adjustment, establish common zoning on both sides of the road and make all three parcels conforming in terms of lot size. No physical development, land division or increase in residential density is proposed or envisioned.

Purpose: To facilitate a minor lot line adjustment

Project Density: N/A

Present Zoning: Rural Residential, 1 acre minimum (RR-1)

General Plan Designation: Rural Residential (RR)

Existing Land Use: Single-family residential

Surrounding Land Use: North: Medium density residential
East: Medium density residential
South: Wagstaff Road
West: Medium density residential

Affected land area: +/-2.1 acres

Environmental Determination: Exempt pursuant to CEQA Guidelines section 15061 (general rule exemption)

Other: An appeal of the Planning Commission'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 COMMISSION MAY NOT TAKE ACTION ON THIS APPLICATION.

SPECIAL INFORMATION:

Project applicant Jerome Balasek is seeking Town of Paradise approval of a Paradise General Plan land use designation amendment from Rural Residential (RR) to Town Residential (TR) and a zone change from Rural Residential-1 acre minimum (RR-1) to Town Residential-1/2 acre minimum (TR-1/2) for three separate residential properties totaling 2.1 acres. The properties are all developed with single-family residences and are 0.59, 0.69 and 0.82 acres in size. Two of the properties are addressed to View Acres Drive, a private road and the third is addressed to Wagstaff road, a public street. Mr. Balasek owns the two properties addressed to View Acres Drive and his neighbors, Ronald and Cheryl Winter, who have agreed with Mr. Balasek to allow their property to be included in the project application, own the property addressed to Wagstaff Road. The primary purpose of the project application is to enable Mr. Balasek to record a lot line adjustment involving the two properties he owns. There is no physical development proposed or anticipated that is associated with the General Plan land use designation amendment and zone change request.

ANALYSIS:

Surrounding land use is characterized by medium density single-family residential land uses. All three project site properties are zoned RR-1 and are therefore nonconforming with regard to the requirements of the RR-1 zone. It is this circumstance that prevents Mr. Balasek to pursue a lot line adjustment between his properties because the town is currently unable to approve a lot line adjustment that would result in one of the properties to be even more nonconforming with the requirements of the RR-1 zone. Properties to the west and north of the project site are also zoned RR-1 but are generally larger and most of their sizes are conforming with regard to the minimum lot size requirements of the RR-1 zone. Properties on the other side of View Acres drive easterly and opposite from the project site are zoned TR-1/2, as are properties to the south of the project site. Approval of the proposed project would place properties on both sides of View Acres Drive in the same zoning district, make all three of the project site properties conforming with regard to minimum lot size requirements and would allow Mr. Balasek to successfully pursue a lot line adjustment between his two properties.

Attached with this staff memorandum for your review and consideration is a copy of the application form and other application materials that were filed with the Town of Paradise by Mr. Balasek. Comments that were received from town departments and other public service agencies that reviewed the proposed project application revealed no concerns associated with the General Plan land use designation amendment and zone change request for the project site properties.

The proposed project application has been evaluated in accordance with the requirements of the California Environmental Quality Act (CEQA) and was determined to belong to a class of projects that are exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to CEQA section 15061 (General Rule Exemption). This exemption applies to the project application because there is no physical development proposed and, therefore, no possibility of any significantly adverse environmental impacts upon the existing environmental setting

This matter has been scheduled for a public hearing before the Planning Commission during its June 19, 2018 meeting. The public hearing notice has been published in the local newspaper and copies of the public hearing have been mailed to owners of properties located within 300 feet of the project site. As of the date of this staff report, no comments in opposition to the proposed project have been filed with the Community Development Department.

ANALYSIS CONCLUSION

Based upon staff's review of the project site and its environmental setting, property files for the site and applicable Paradise Municipal Code provisions, it appears that the proposed project application is free from any land use compatibility or environmental issues.

Given the circumstances outlined above, Town staff is supportive of the Planning Commission endorsing the proposed project application and adopting a formal recommendation to the Town Council for approval of a Paradise General Plan land use map designation amendment and zone change for the affected properties. Therefore, attached with this staff report for your consideration and recommended adoption is a proposed **Planning Commission Resolution No. 18-1** and its related Exhibit "A".

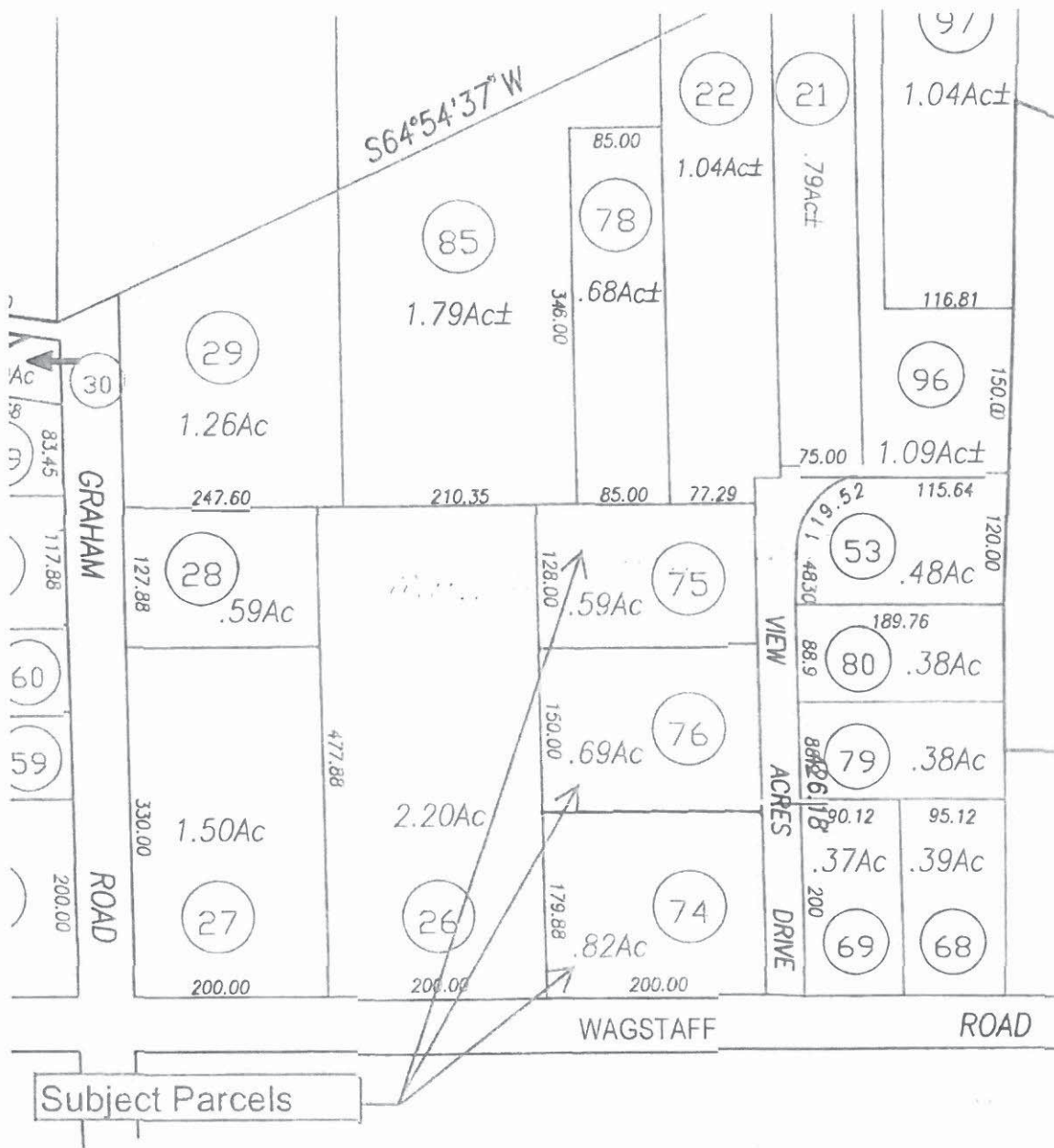
PLANNING COMMISSION ACTION REQUESTED: Upon conclusion of the scheduled public hearing, adopt a motion to:

1. Adopt Planning Commission Resolution No. 18-1, "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 Within the Town of Paradise (Jerome Balasek: PL18-00093)."

Attachments

**ATTACHMENTS FOR
PLANNING COMMISSION AGENDA NO. 5(a)**

1. Project vicinity map.
2. Notice sent to surrounding property owners for the public hearing regarding the Jerome Balasek project application.
3. Mailing list of property owners notified of the public hearing regarding the Balasek project.
4. Town of Paradise Resolution No.18-1 "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 Within the Town of Paradise (Jerome Balasek; PL18-00093)."
5. General Plan amendment/property rezone application materials submitted by project applicant Jerome Balasek on April 26, 2018



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APPLICANT: Jerome Balasek

ADDRESS: 6635 and 6639 View Acres Drive; 797 Wagstaff Road

OWNER: Jerome & Jo Ann Balasek; Ronald & Cherilyn Winter

REQUEST: General Plan amendment (RR to TR) and rezone application (RR-1 to TR-1/2) to accommodate a lot line adjustment, establish common zoning on both sides of the road and make all three parcels conforming in terms of lot size. No physical development, land division or increase in residential density is proposed or envisioned.

ZONING: RR-1

GENERAL PLAN: RR

FILE: PL18-00093

ASSESSOR PAREL NUMBER: 051-050-074, 075 & 076

MEETING DATE: June 19, 2018

NOTICE OF PUBLIC HEARING: PARADISE PLANNING COMMISSION

NOTICE IS HEREBY GIVEN by the Planning Commission that a public hearing will be held on Tuesday, June 19, 2018 at 6:00 p.m. in the Town Hall Council Chambers, 5555 Skyway, Paradise, California, regarding the following matter:

a. Item determined to be exempt from environmental review

JEROME BALASEK GENERAL PLAN AMENDMENT/REZONE APPLICATION (PL18-00093):

Planning Commission consideration of a resolution recommending Town Council approval of an amendment to the Town of Paradise General Plan land use designation affecting three separate properties totaling ± 2.1 acres from Rural Residential (RR) to Town Residential (TR) and change the zoning for the same properties from Rural Residential-1 Acre Minimum (RR-1) to Town Residential-1/2 acre Minimum (TR-1/2) to accommodate a future lot line adjustment and to make all three of the project site properties conforming with regard to town zoning regulations. No development is proposed. The project site is located at 6635 and 6639 View Acres Drive and 797 Wagstaff Road; Assessor Parcel Nos. 051-050-074, 075 and 076.

The project file is available for public inspection at the Town of Paradise Community Development Department. If you challenge this matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Paradise Planning Commission at, or prior to, the public hearing. For further information contact the Community Development Department, Town Hall, 5555 Skyway, Paradise, CA (530) 872-6291, extension 111.

CRAIG BAKER, Planning Director



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BALASEK

051-050-074-000
WINTER RONALD DAVID & CHERILYN
KAY
797 WAGSTAFF RD
PARADISE CA 95969

051-050-029-000
PICKARD FAMILY TRUST
C/O PICKARD RONALD G & PATRICIA A TRUSTEES
6460 GRAHAM RD
PARADISE CA 95969

051-050-022-000
WILSON TRACY LEE & SUSAN
ELIZABETH
6685 VIEW ACRES DR
PARADISE CA 95969

051-050-026-000
ECKERT MILES EDWARD III
777 WAGSTAFF RD
PARADISE CA 95969

051-050-080-000
RICCI DAVID
612 CIRCLEWOOD DR
PARADISE CA 95969

051-083-003-000
KENSOL REBECCA L SIRIAS & TIMOTHY
790 WAGSTAFF RD
PARADISE CA 95969

051-050-079-000
TRIPLETT TONYA E ETAL
BLAIR BARBARA A
6636 VIEW ACRES
PARADISE CA 95969

051-050-069-000
BOCKMAN DAVID & ELVIA FAMILY LIVING TRUST
C/O BOCKMAN DAVID W & ELVIA TRUSTEES
14205 DECATUR DR
MAGALIA CA 95954

051-083-079-000
GAKLE JOHN R TRUST A
GAKLE JOHN R TRUSTEE
6164 PREMIERE AVE
LAKEWOOD CA 90712

051-083-081-000
HAGGERTY ERIC
6378 MURRAY LN
PARADISE CA 95969

051-050-076-000
BALASEK REVOCABLE INTER VIVOS
TRUST, BALASEK JEROME M JR & JO ANN L TRUSTEES
6639 VIEW ACRES DR
PARADISE CA 95969

051-050-096-000
CHRISTENSEN RUTH ANN
6680 SHAY LN
PARADISE CA 95969

051-050-085-000
MORDOCK CAROL R LIVING TRUST
C/O MORDOCK CAROL R TRUSTEE
6440 GRAHAM RD
PARADISE CA 95969

051-050-028-000
VAIL NATHAN C & EMILY S
6640 VIEW ACRES DR
PARADISE CA 95969

051-050-027-000
HEER BEVERLY ERMA SPECIAL NEEDS
TRUST, C/O HEER SHAWN TRUSTEE
1641 GOLDPEAK CT
COLORADO SPRINGS CO 80921

051-050-053-000
VAIL NATHAN C & EMILY S
6640 VIEW ACRES DR
PARADISE CA 95969

051-050-050-000
CHEARY DEBRA KAY & RICKY RAY
PO BOX 4075
PARADISE CA 95967

051-083-005-000
WHEELER TERRI S
818 WAGSTAFF ROAD
PARADISE CA 95969

051-083-051-000
BUELTSMANN KARL R & TENA M
768 WAGSTAFF ROAD
PARADISE CA 95969

051-050-097-000
CHRISTENSEN RUTH ANN
6680 SHAY LN
PARADISE CA 95969

051-050-075-000
BALASEK REVOCABLE INTER VIVOS TRUST, C/O
BALASEK JEROME M JR & JO ANN L TRUSTEES
6639 VIEW ACRES DR
PARADISE CA 95969

051-050-021-000
NORTON KELSEY
6684 VIEW ACRES DR
PARADISE CA 95969

051-280-010-000
HILL JAN B & PAMELA A
6671 EVERGREEN LN
PARADISE CA 95969

051-280-011-000
DANLEY ALEXANDRA
6667 EVERGREEN LANE
PARADISE CA 95969

051-050-078-000
SERAFINE PAMELA REV LIVING TRUST
ETAL, C/O SERAFINE PAMELA TRUSTEE ETAL
6683 VIEW ACRES DR
PARADISE CA 95969

051-083-141-000
PEREIRA PATRICK E
6386 GRAHAM RD
PARADISE CA 95969

051-050-068-000
TOWNSEND JILL ETAL
SMITH DAREYL D
831 WAGSTAFF RD
PARADISE CA 95969

051-083-004-000
STAMPS CHRISTINE C TRUST
C/O STAMPS CHRISTINE C TRUSTEE
PO BOX 124
PARADISE CA 95967

051-083-061-000
WHARTON REVOCABLE INTER VIVOS TRUST,
C/O WHARTON JERRY A & ROBERT L TRUSTEES
PO BOX 1414
PARADISE CA 95967

**TOWN OF PARADISE
PLANNING COMMISSION**

RESOLUTION NO. 18-1

**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 WITHIN THE TOWN OF PARADISE
(JEROME BALASEK; PL18-00093)**

WHEREAS, the Paradise Planning Commission has conducted a public hearing, pursuant to the California Planning and Zoning Law, concerning a proposed amendment to the Paradise General Plan and property rezone; and

WHEREAS, said public hearing also included review of potential environmental impacts, pursuant to the California Environmental Quality Act; and

WHEREAS, Sections 65353, 65354 and 65854 of the California Government Code require the Planning Commission to conduct a public hearing and notify the Town Council in writing of its recommendation; and

WHEREAS, the Planning Commission has considered the analysis and recommendation of the Community Development Department (planning division) and has considered the comments made at a public hearing conducted by the Planning Commission on June 19, 2018; and

WHEREAS, the Planning Commission has determined that an amendment to the Paradise General Plan Land Use Map for a Town Residential (TR) land use designation and its related zone change to a Town Residential – ½ Acre Minimum (TR-1/2) zoning district affecting property located at 6635 and 6639 View Acres Drive and 797 Wagstaff Road and further identified as AP Nos. 051-050-074, 051-050-075 and 051-050-076, as proposed, is in the public interest.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. The Planning Commission of the Town of Paradise hereby finds:

- a. That the proposed project is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061 (General Rule Exemption).
- b. That the general plan land use designation and zoning district requested to be assigned to the project property via the general plan amendment/rezone project application (PL18-

RESOLUTION NO. 18-1

00093) is appropriate and reasonable because it would assign a Town Residential (TR) General Plan land use designation and Town Residential-1/2 Acre Minimum (TR-1/2) zoning to a properties that are situated at a location and with characteristics that satisfy the 1994 Paradise General Plan policies that are applicable to single-family land use development.

SECTION 2. The Planning Commission of the Town of Paradise hereby recommends to the Town Council approval of the project application for Paradise General Plan Land Use Map amendment and its related zone change known as the Jerome Balasek (PL18-00093) application for property identified as AP Nos. 051-050-074, 051050-075 and 051-050-076 as set forth in Exhibits "A", "B" and "C" attached hereto and made a part hereof by reference.

PASSED AND ADOPTED by the Planning Commission of the Town of Paradise this 19th day of June, 2018, by the following vote:

AYES:

NOES:

ABSENT:

NOT VOTING:

ATTEST:

Chair

Planning Secretary

EXHIBIT A

Owner: Jerome Balasek
Address: 6639 View Acres Drive, Paradise CA
Acreage: .59
Parcel Number: 050-050-075

Recorded at the request of 64984-1317-P
Oroville Title Co.
Return to
Mr. & Mrs. Jerome M. Balasek, Jr.
611 Acacia Lane
Chico, California

17306 BOOK 1221 PAGE 595
RECORDED AT THE REQUEST OF
OROVILLE TITLE COMPANY
JUN 16 1952
at 6 min. past 10 o'clock
A.M. Vol. 1221 page 595
OFFICIAL RECORDS OF
BUTTE COUNTY, CALIFORNIA
EVEL M. ESTES, County Recorder
By *Edith M. Gentry*
Fee \$ 2.75



GRANT DEED (Joint Tenancy)
For value received DEWEY R. MATTEIS and DONNA M. MATTEIS, his wife, an undivided one-half interest, as Joint Tenants; and ROBERT J. SPARK and PAULINE SPARK, his wife, an undivided one-half interest, as Joint Tenants,
GRANT.....to JEROME M. BALASEK, Jr. and JOANNE L. BALASEK, husband and wife

as JOINT TENANTS all that real property situate in the

County of Butte State of California, described as follows:

All that certain real property situate in the County of Butte, State of California, described as follows:

PARCEL ONE: The North 128 feet of the following described parcel of land:

The Easterly 200 feet of the Westerly 620 feet of the Southerly 477.88 feet of the Southeast quarter of the Northeast quarter of Section 10, Township 22 North, Range 3 East, M.D.B. & M., in Paradise Irrigation District, Butte County, California.

EXCEPTING THEREFROM the Southerly 20 feet thereof, deed by Earl K. Buck to the County of Butte by deed dated October 6, 1928 and recorded in Volume 217 of Deeds, Butte County, California, records, at page 267.

EXCEPTING THEREFROM all minerals and mining rights, except that the surface of the land shall not be injured or disturbed in connection with certain mining operations which may be undertaken as provided in that certain agreement by and between Jack L. Post and Blanche E. Post, his wife, first parties and H. Arthur White and Gladys S. White, second parties, dated May 25, 1948 and recorded July 21, 1948 in Book 452 of Official Records of Butte County, California, at page 475.

PARCEL TWO: A right of way for road purposes over the following described parcel described as follows:

Beginning at the Southwest corner of that parcel of land described in Deed from H. Arthur White et ux to James R. Johnson et ux, dated October 15, 1951 and recorded November 6, 1951 in Book 507 of Official Records of Butte County, California, at page 298, and running along the most Southerly line of the above described land, South 89° 48' East, a distance of 150.29 feet to the true point of beginning of the parcel of land herein described; thence from said true point of beginning and running along the Easterly line of said Johnson parcel, North 1° 06' 30" West, a distance of 30.00 feet; thence along the Southerly line of the said Johnson parcel, South 89° 48' East, a distance of 20.00 feet; thence South 1° 06' 30" East, a distance of 507.88 feet to the North line of the Wagstaff Road; thence along the North line of said Wagstaff Road North 89° 48' West, a distance of 20.00 feet; thence North 1° 06' 30" West, a distance of 477.88 feet to the true point of beginning. Said right of way is for the benefit of and appurtenant to the property described in deed from H. Arthur White et ux, to William J. White et ux, recorded March 20, 1952 in Book 623 of Official Records of Butte County, California, at page 129, and shall inure to the benefit of and may be used by all persons who may hereafter become the owners of said appurtenant property or any parts or portions thereof.
jm

EXHIBIT B

Owner: Jerome Balasek
Address: 6635 View Acres Drive, Paradise CA
Acreage: .69
Parcel Number: 051-050-076

~~XX~~ JOINT TENANTS all that real property situate in the unincorporated area

County of Butte, State of California, described as follows:

PARCEL ONE:

Being a portion of the Southeast quarter of the Northeast quarter of Section 10, Township 22 North, Range 3 East, M.D.B. & M. and more particularly described as follows:

COMMENCING at the Southwest corner of the Southeast quarter of the Northeast quarter of said Section 10; thence, along the South line of the Northeast quarter of said Section, said line being also the centerline of Wagstaff Road, South 89° 48' East 420.00 feet; thence, North 01° 06' 30" West 20.00 feet to the North line of said road; thence, North 01° 06' 30" West 179.88 feet to the true point of beginning for the parcel herein described; thence, from said true point of beginning, South 89° 48' East 200.00 feet; thence, North 01° 06' 30" West 150.00 feet; thence, North 89° 48' West 200.00 feet; thence, South 01° 06' 30" East 150.00 feet to the point of beginning.

EXCEPTING THEREFROM all minerals and mining rights, except that the surface of the land shall not be injured or disturbed in connection with certain mining operations which may be undertaken as provided in that certain Agreement by and between Jack L. Post and Blanche L. Post, his wife, first parties and M. Arthur White and Gladys S. White, second parties, dated May 25, 1948 and recorded July 21, 1948 in Book 452 of Official Records of Butte County, California, at page 475.

PARCEL TWO:

A non-exclusive easement for road purposes and public utilities purposes over a strip of land 30.00 feet Westerly and 20.00 feet Easterly of the East line of the above described parcel and said line projected South 01° 06' 30" East to the North line of Wagstaff Road. Said easement is for the benefit of and appurtenant to the property described above and shall inure to the benefit of and may be used by all persons who may hereafter become the owners of said appurtenant property or any parts or portions thereof.

STATE OF CALIFORNIA
County of Butte, ss.
On July 14, 1972, before me, the undersigned, a Notary Public,
in and for said County and State, personally appeared EDWARD H. SCHLIMM and MINEE K. SCHLIMM
known to me to be the
persons whose name S subscribed to the within instrument, and acknowledged to me that he executed the same
My commission expires Oct 26, 1973
Notary Public
OROVILLE TITLE COMPANY

UNINCORPORATED

END OF DOCUMENT

BOOK 171 PAGE 346

EXHIBIT C

Owner: Ron Winter
Address: 797 Wagstaff Road, Paradise CA
Acreage: .82
Parcel Number: 051-050-074

Order Number: 0402-5126996
Page Number: 5

LEGAL DESCRIPTION

Real property in the Town of Paradise, County of Butte, State of California, described as follows:

PARCEL I:

A PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 22 NORTH, RANGE 3 EAST, M.D.B. & M., AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 10; THENCE ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION, SAID LINE BEING ALSO THE CENTERLINE OF WAGSTAFF ROAD, SOUTH 89 DEG. 48' EAST, 420.00 FEET, TO THE SOUTHWEST CORNER OF A PARCEL OF LAND DESCRIBED IN A DEED TO DEWEY R. MATTELS, ET AL, WHICH DEED, WAS RECORDED MAY 10, 1960, IN BOOK 1056, PAGE 499, OFFICIAL RECORDS OF BUTTE COUNTY AND THE TRUE POINT OF BEGINNING FOR THE PARCEL OF LAND DESCRIBED HEREIN; THENCE FROM SAID TRUE POINT OF BEGINNING, NORTH 01 DEG. 06' 30" WEST, ALONG THE WEST LINE OF THE AFOREMENTIONED MATTELS, ET AL, PARCEL A DISTANCE OF 199.88 FEET TO A POINT; THENCE SOUTH 89 DEG. 48' EAST, A DISTANCE OF 200 FEET TO A POINT IN THE EAST LINE OF SAID MATTELS, ET AL, PARCEL; THENCE SOUTH 01 DEG. 06' 30" EAST, ALONG ITS EAST BOUNDARY LINE, A DISTANCE OF 199.88 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE NORTH 89 DEG. 48' WEST, ALONG THE SOUTH LINE OF SAID MATTELS, ET AL, PARCEL, A DISTANCE OF 200 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM THE SOUTHERLY 20 FEET THEREOF, HERETOFORE CONVEYED TO THE COUNTY OF BUTTE, BY DEED RECORDED DECEMBER 20, 1928, IN BOOK 217 OF DEEDS AT PAGE 267, BUTTE COUNTY OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM ALL MINERALS AND MINING RIGHTS, EXCEPT THAT THE SURFACE OF THE LAND SHALL NOT BE INJURED OR DISTURBED IN CONNECTION WITH CERTAIN MINING OPERATIONS, WHICH MAY BE UNDERTAKEN AS PROVIDED IN THAT CERTAIN AGREEMENT BY AND BETWEEN JACK L. POST AND BLANCH L. POST, HIS WIFE, FIRST PARTIES AND M. ARTHUR WHITE AND GLADYS S. WHITE, SECOND PARTIES, DATED MAY 25, 1948 AND RECORDED JULY 21, 1948, IN BOOK 452, PAGE 475, OFFICIAL RECORDS OF BUTTE COUNTY.

PARCEL II:

A NON-EXCLUSIVE EASEMENT FOR ROAD PURPOSES AND PUBLIC UTILITIES PURPOSES, OVER A STRIP OF LAND 20 FEET IN WIDTH, LYING EASTERLY OF, ADJACENT TO AND CONTIGUOUS WITH THE EAST BOUNDARY LINE OF THE ABOVE DESCRIBED PARCEL I.

APN: 051-050-074

Mid Valley Title & Escrow Company

TOWN OF PARADISE
APPLICATION FOR GENERAL PLAN/REZONING

APPLICANT: Jerome Balasek
6639 View Acres Drive
Paradise, California 95969

(530) 877-5230
jbalasek@comcast.net

TABLE OF CONTENTS:

1. Application Form
2. Written Description/Reasons for Request
3. Fire Flow Form
4. General Map of Proposal
5. Scale Map of Involved Properties and Existing Structures
6. Map of Three Lots and Current Zoning Map
7. Legal descriptions of Parcels Involved
8. Other Owner's Consent Statement and Signature

DEPARTMENT USE ONLY:

Receipt No. _____ Fee _____

Project No. _____

TOWN OF PARADISE
APPLICATION FOR GENERAL PLAN AMENDMENT/REZONING
(Including TEXT ONLY Amendments)

Applicant's Name JEROME BALASEK Phone 530 877 5230
Applicant's Mailing Address 6639 VIEW ACRES DR, PARADISE CA
Applicant's email JBALASEK@COMCAST.NET Fax NONE
Applicant's Interest in Property (Owner, Lessee*, Other*) OWNER
*If applicant is not the owner, the owner's signature or letter of authorization MUST accompany this application.
Owner's Name SAME Phone _____
Owner's Mailing Address SAME
Property Address SEE APPLICATION-TABLE OF CONTENTS
Engineer (Name, Address) NA
Engineer's Phone NA Fax _____ email _____
AP Number(s) 051-050-075 Zone 1 ACRE Existing Use RESIDENTIAL

Check all that apply: 1. ☐ General Plan Amendment A. ☐ Map Change
2. ☒ Rezoning B. ☐ Text Change

(For MAP changes, complete entire application. For TEXT ONLY changes, attach a separate sheet detailing the requested change and your reason for the change.)

Present General Plan Designation RR Present Zoning 1 ACRE
Requested General Plan Designation RR Requested Zoning 1/2 ACRE

Location, dimensions and size of area(s) to be amended/rezoned: SEE APPLICATION: TABLE OF CONTENTS / MAPS

Is this application a part of a related development project (e.g., use permit, land division, etc.)? NO

Applicant's reasons for amendment/rezoning: (attach additional sheets if necessary)
SEE APPLICATION: TABLE OF CONTENTS

FOR GENERAL PLAN MAP AMENDMENT: Provide details of how the amendment would be of environmental, social and economic benefit to the Town? NA

Attach additional sheet(s) if necessary.

I hereby declare under penalty of perjury that the above statements and attached plot plan are true, accurate, complete, and correct to the best of my knowledge and belief.

Applicant's Signature [Signature] Date 2/7/18

Property Owner Signature _____ Date _____
(If applicable)

DESCRIPTION OF REASONS FOR REQUESTED ZONING CHANGE

We request that our three non-conforming parcels be re-zoned so they may be in compliance according to their size/acreage and with neighboring properties of like size. They are currently zoned one-acre, yet each of the three parcels fits more appropriately into the one-half acre category.

I visited the City of Paradise several weeks ago in an attempt to modify the property lines of my two lots of View Acres Drive. I was told that it was not possible because my lots were in a non-conforming size within the current one-acre zone. I asked if there were any other options I might pursue. I was told that I might want to request re-zoning, and if approved, I would be permitted to modify the lines of my two lots. They said that if my neighbor would agree, because my two lots and the lot of my neighbor are together, and are isolated (see zoning map provided) in the one-acre area, that it would be feasible to request all three lots be moved to a one-half zone classification. My neighbor has agreed.

I have met with the City officials and have submitted the proper maps and other required materials for the process. I am requesting, along with the owner of the third lot for a change of zoning for our three lots from the existing one-acre designation to the more appropriate one-half acre zone. This would put us in compliance with other similar properties and allow me to modify the boundaries of my two lots.

We would appreciate your consideration.


Jerome Balasek

Date

2/7/18



Ron Winter

Date

2-7-2018

Hydrant Flow Test

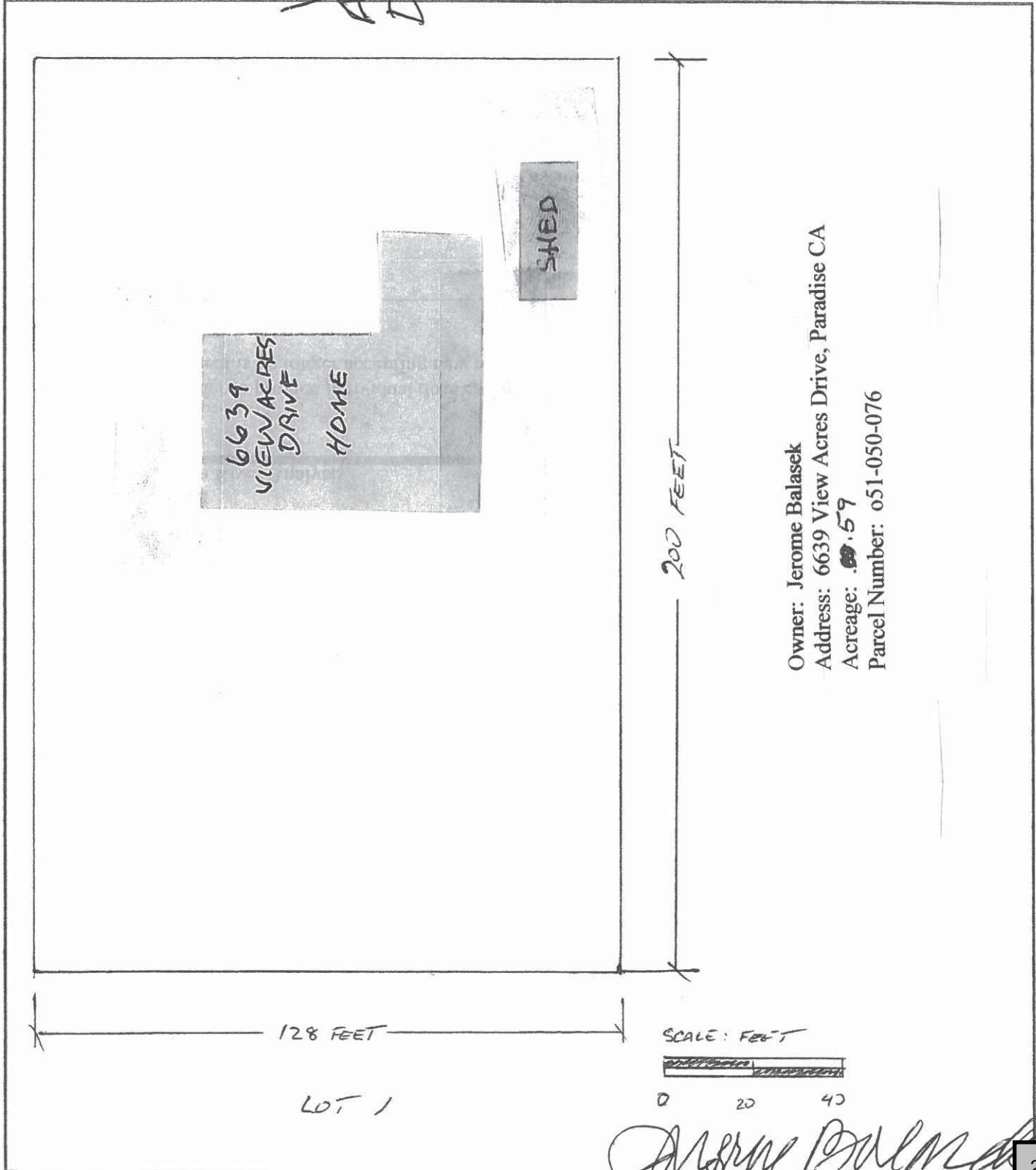
Test Date: 4/10/06				Address: 802 Wagstaff Rd	
Test Method: Pitot					
Primary Hydrant Tested: S499				Static: 102	
HybridID: _1U110X1QRWMET				Residual: 42	
Results in GPM/LPM: GPM				Pressure Drop: 60	
				Taken at:	
Hydrant	Pitot	Opening	Hydrant Coef.	Outlet Coef.	Discharge
S499	16	3.362	1	1	1348
				1	
				1	
				1	
Total Flow: 1348					
Flow at 20 psi: 1596					
Flow at 10 psi: 1698					



By _____ Date _____ Project Name: _____ Proj. No. _____

Chkd. By _____ Date _____ Sheet No. _____ of _____

**VIEW
ACRES
DRIVE**



Owner: Jerome Balasek
Address: 6639 View Acres Drive, Paradise CA
Acreage: .57
Parcel Number: 051-050-076

SCALE: FEET



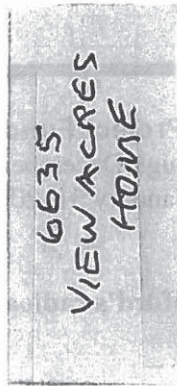
0 20 40

Jerome Balasek
2/6/18



By _____ Date _____ Project Name: _____ Proj. No. _____
Chkd. By _____ Date _____ Sheet No. _____ of _____

Owner: Jerome Balasek
Address: 6639 View Acres Drive, Paradise CA
Acreage: .69
Parcel Number: 051-050-076



200 FEET

150 FEET

LOT 2

SCALE FEET

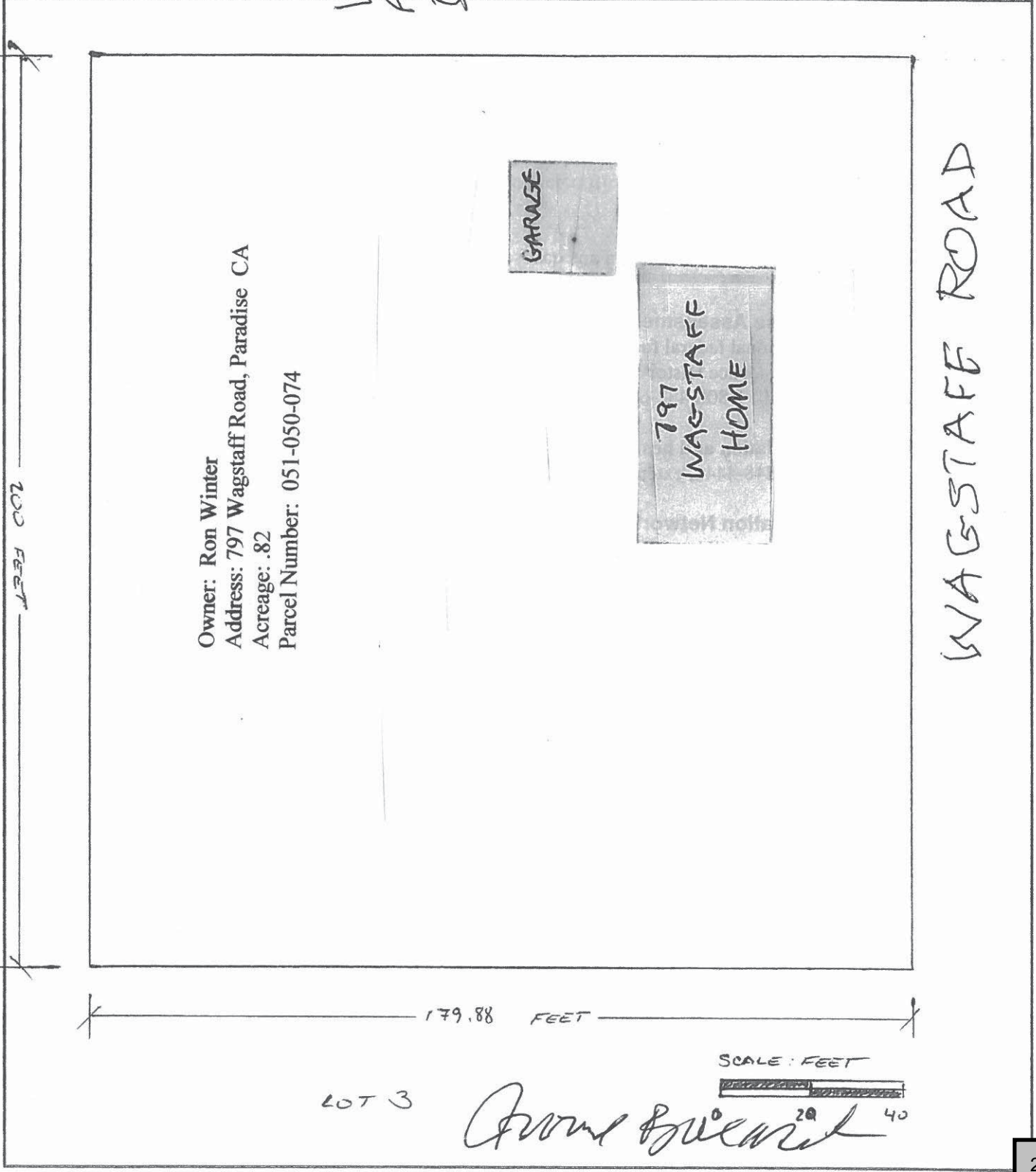


Jerome Balasek
2/6/18

VIEW
ACRES
DRIVE



By _____ Date _____ Project Name: _____ Proj. No. _____
Chkd. By _____ Date _____ Sheet No. _____ of _____



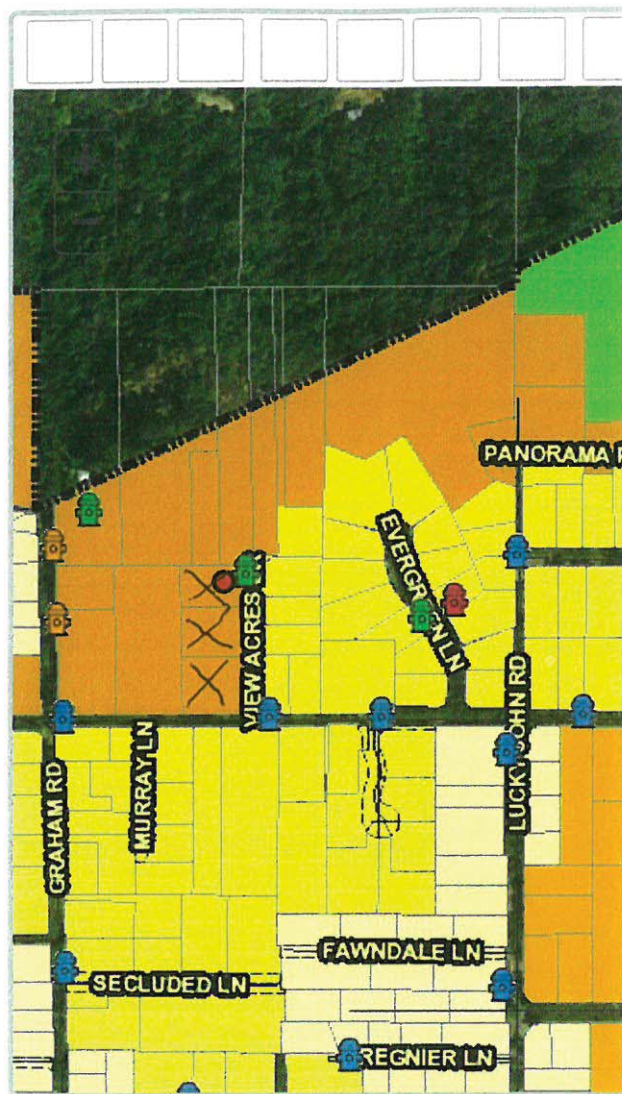
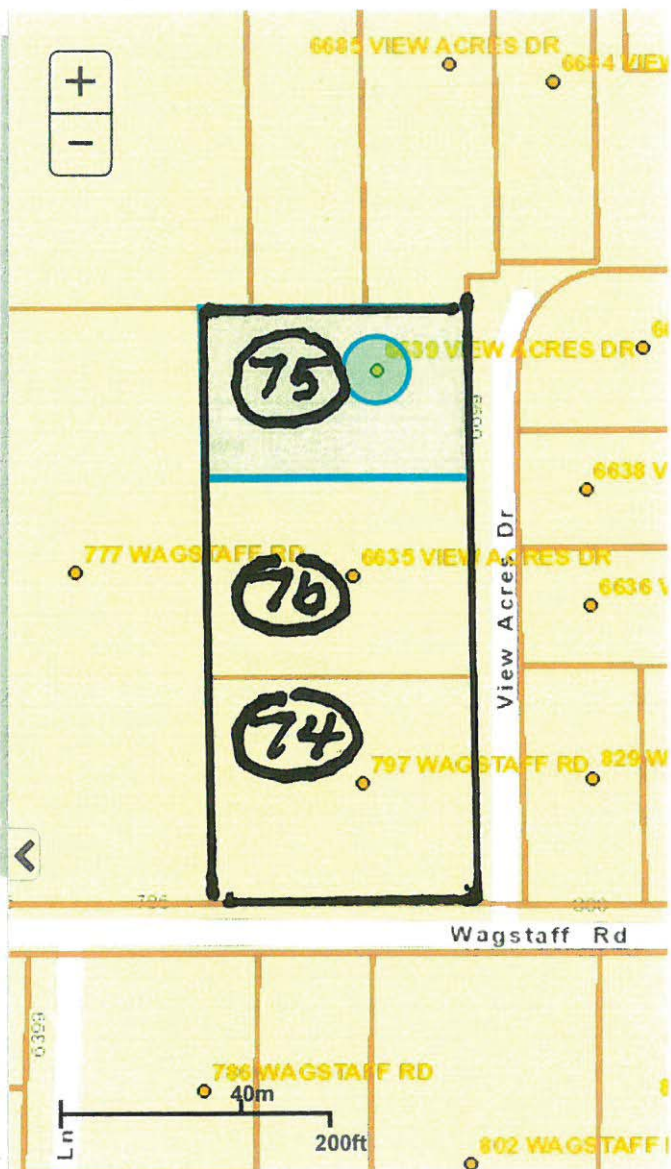
b.



Town of Paradise Interactive Viewer

X MARKS THE
3 LOTS

ZONING MAP



BROWN 1 ACRE
YELLOW 1/2 ACRE

Owner: Jerome Balasek
Address: 6639 View Acres Drive, Paradise CA
Acreage: .59
Parcel Number: 050-050-075

Recorded at the request of
Oroville Title Co.
Return to
Mr. & Mrs. Jerome M. Balasek, Jr.
611 Acacia Lane
Chico, California

17306 BOOK 1221 PAGE 595
RECORDED AT THE REQUEST OF
OROVILLE TITLE COMPANY
JUN 16 1953
at 6 min. past 10 o'clock
A.M. Vol. 1221 page 595
OFFICIAL RECORDS OF
BUTTE COUNTY, CALIFORNIA
E. H. ESTES, County Recorder
By *Edith M. Foster*
C. S. 5-89



GRANT DEED (Joint Tenancy)
For value received DEWEY R. MATTEIS and DONNA M. MATTEIS, his wife, an undivided one-half interest, as Joint Tenants; and ROBERT J. SPARK and PAULINE SPARK, his wife, an undivided one-half interest, as Joint Tenants,
GRANT to JEROME M. BALASEK, Jr. and JOANNE L. BALASEK, husband and wife

as JOINT TENANTS all that real property situate in the
County of Butte State of California, described as follows:

All that certain real property situate in the County of Butte, State of California, described as follows:

PARCEL ONE: The North 128 feet of the following described parcel of land:

The Easterly 200 feet of the Westerly 620 feet of the Southerly 477.88 feet of the Southeast quarter of the Northwest quarter of Section 10, Township 22 North, Range 3 East, M.D.B. & M., in Paradise Irrigation District, Butte County, California.

EXCEPTING THEREFROM the Southerly 20 feet thereof, deed by Earl K. Buck to the County of Butte by deed dated October 6, 1928 and recorded in Volume 217 of Deeds, Butte County, California, records, at page 267.

EXCEPTING THEREFROM all minerals and mining rights, except that the surface of the land shall not be injured or disturbed in connection with certain mining operations which may be undertaken as provided in that certain agreement by and between Jack L. Post and Blanche E. Post, his wife, first parties and M. Arthur White and Gladys S. White, second parties, dated May 25, 1948 and recorded July 21, 1948 in Book 452 of Official Records of Butte County, California, at page 475.

PARCEL TWO: A right of way for road purposes over the following described parcel described as follows:

Beginning at the Southwest corner of that parcel of land described in Deed from M. Arthur White et ux to James R. Johnson et ux, dated October 15, 1951 and recorded November 6, 1951 in Book 507 of Official Records of Butte County, California, at page 298, and running along the most Southerly line of the above described land, South 89° 48' East, a distance of 150.29 feet to the true point of beginning of the parcel of land herein described; thence from said true point of beginning and running along the Easterly line of said Johnson parcel, North 1° 06' 30" West, a distance of 30.00 feet; thence along the Southerly line of the said Johnson parcel, South 89° 48' East, a distance of 20.00 feet; thence South 1° 06' 30" East, a distance of 507.88 feet to the North line of the Wagstaff Road; thence along the North line of said Wagstaff Road North 89° 48' West, a distance of 20.00 feet; thence North 1° 06' 30" West, a distance of 477.88 feet to the true point of beginning. Said right of way is for the benefit of and appurtenant to the property described in deed from M. Arthur White et ux, to William J. White et ux, recorded March 20, 1952 in Book 623 of Official Records of Butte County, California, at page 129, and shall inure to the benefit of and may be used by all persons who may hereafter become the owners of said appurtenant property or any parts or portions thereof.
jm

Owner: Jerome Balasek
Address: 6635 View Acres Drive, Paradise CA
Acreage: .69
Parcel Number: 051-050-076

xx JOINT TENANTS all that real property situate in the unincorporated area		
County of	Butte	, State of California, described as follows:

PARCEL ONE:

Being a portion of the Southeast quarter of the Northeast quarter of Section 10, Township 22 North, Range 3 East, M.D.B. & M. and more particularly described as follows:

COMMENCING at the Southwest corner of the Southeast quarter of the Northeast quarter of said Section 10; thence, along the South line of the Northeast quarter of said Section, said line being also the centerline of Wagstaff Road, South 89° 48' East 420.00 feet; thence, North 01° 06' 30" West 20.00 feet to the North line of said road; thence, North 01° 06' 30" West 179.88 feet to the true point of beginning for the parcel herein described; thence, from said true point of beginning, South 89° 48' East 200.00 feet; thence, North 01° 06' 30" West 150.00 feet; thence, North 89° 48' West 200.00 feet; thence, South 01° 06' 30" East 150.00 feet to the point of beginning.

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A non-exclusive easement for road purposes and public utilities purposes over a strip of land 30.00 feet Westerly and 20.00 feet Easterly of the East line of the above described parcel and said line projected South 01° 06' 30" East to the North line of Wagstaff Road. Said easement is for the benefit of and appurtenant to the property described above and shall inure to the benefit of and may be used by all persons who may hereafter become the owners of said appurtenant property or any parts or portions thereof.

BOOK 1771 PAGE 346

STATE OF CALIFORNIA		SS.
County of	Butte	
On	July 14	1972
before me, the undersigned, a Notary Public,		
in and for said County and State, personally appeared EDWARD H. SCHLIMM and MINEE K. SCHLIMM		
known to me to be the		
person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same		
My commission expires	Oct 26, 1973	
OROVILLE TITLE COMPANY		Notary Public

UNINCORPORATED

END OF DOCUMENT

7 C
Owner: Ron Winter
Address: 797 Wagstaff Road, Paradise CA
Acreage: .82
Parcel Number: 051-050-074

Order Number: 0402-5126996
Page Number: 5

LEGAL DESCRIPTION

Real property in the Town of Paradise, County of Butte, State of California, described as follows:

PARCEL I:

A PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 22 NORTH, RANGE 3 EAST, M.D.B. & M., AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 10; THENCE ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION, SAID LINE BEING ALSO THE CENTERLINE OF WAGSTAFF ROAD, SOUTH 89 DEG. 48' EAST, 420.00 FEET, TO THE SOUTHWEST CORNER OF A PARCEL OF LAND DESCRIBED IN A DEED TO DEWEY R. MATTELS, ET AL, WHICH DEED, WAS RECORDED MAY 10, 1960, IN BOOK 1056, PAGE 499, OFFICIAL RECORDS OF BUTTE COUNTY AND THE TRUE POINT OF BEGINNING FOR THE PARCEL OF LAND DESCRIBED HEREIN; THENCE FROM SAID TRUE POINT OF BEGINNING, NORTH 01 DEG. 06' 30" WEST, ALONG THE WEST LINE OF THE AFOREMENTIONED MATTELS, ET AL, PARCEL A DISTANCE OF 199.88 FEET TO A POINT; THENCE SOUTH 89 DEG. 48' EAST, A DISTANCE OF 200 FEET TO A POINT IN THE EAST LINE OF SAID MATTELS, ET AL, PARCEL; THENCE SOUTH 01 DEG. 06' 30" EAST, ALONG ITS EAST BOUNDARY LINE, A DISTANCE OF 199.88 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE NORTH 89 DEG. 48' WEST, ALONG THE SOUTH LINE OF SAID MATTELS, ET AL, PARCEL, A DISTANCE OF 200 FEET TO THE TRUE POINT OF BEGINNING.

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ALSO EXCEPTING THEREFROM ALL MINERALS AND MINING RIGHTS, EXCEPT THAT THE SURFACE OF THE LAND SHALL NOT BE INJURED OR DISTURBED IN CONNECTION WITH CERTAIN MINING OPERATIONS, WHICH MAY BE UNDERTAKEN AS PROVIDED IN THAT CERTAIN AGREEMENT BY AND BETWEEN JACK L. POST AND BLANCH L. POST, HIS WIFE, FIRST PARTIES AND M. ARTHUR WHITE AND GLADYS S. WHITE, SECOND PARTIES, DATED MAY 25, 1948 AND RECORDED JULY 21, 1948, IN BOOK 452, PAGE 475, OFFICIAL RECORDS OF BUTTE COUNTY.

PARCEL II:

A NON-EXCLUSIVE EASEMENT FOR ROAD PURPOSES AND PUBLIC UTILITIES PURPOSES, OVER A STRIP OF LAND 20 FEET IN WIDTH, LYING EASTERLY OF, ADJACENT TO AND CONTIGUOUS WITH THE EAST BOUNDARY LINE OF THE ABOVE DESCRIBED PARCEL I.

APN: 051-050-074

CONSENT OF PROPERTY OWNER. RE-ZONING PROCESS

Owner: Ron Winter
Address: 797 Wagstaff Road, Paradise CA
Acreage: .82
Parcel Number: 051-050-074

LEGAL DESCRIPTION

Real property in the Town of Paradise, County of Butte, State of California, described as follows:

PARCEL I:

A PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 22 NORTH, RANGE 3 EAST, M.D.B. & M., AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 10; THENCE ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION, SAID LINE BEING ALSO THE CENTERLINE OF WAGSTAFF ROAD, SOUTH 89 DEG. 48' EAST, 420.00 FEET, TO THE SOUTHWEST CORNER OF A PARCEL OF LAND DESCRIBED IN A DEED TO DEWEY R. MATTELS, ET AL, WHICH DEED, WAS RECORDED MAY 10, 1960, IN BOOK 1056, PAGE 499, OFFICIAL RECORDS OF BUTTE COUNTY AND THE TRUE POINT OF BEGINNING FOR THE PARCEL OF LAND DESCRIBED HEREIN; THENCE FROM SAID TRUE POINT OF BEGINNING, NORTH 01 DEG. 06' 30" WEST, ALONG THE WEST LINE OF THE AFOREMENTIONED MATTELS, ET AL, PARCEL A DISTANCE OF 199.88 FEET TO A POINT; THENCE SOUTH 89 DEG. 48' EAST, A DISTANCE OF 200 FEET TO A POINT IN THE EAST LINE OF SAID MATTELS, ET AL, PARCEL; THENCE SOUTH 01 DEG. 06' 30" EAST, ALONG ITS EAST BOUNDARY LINE, A DISTANCE OF 199.88 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE NORTH 89 DEG. 48' WEST, ALONG THE SOUTH LINE OF SAID MATTELS, ET AL, PARCEL, A DISTANCE OF 200 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM THE SOUTHERLY 20 FEET THEREOF, HERETOFORE CONVEYED TO THE COUNTY OF BUTTE, BY DEED RECORDED DECEMBER 20, 1928, IN BOOK 217 OF DEEDS AT PAGE 267, BUTTE COUNTY OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM ALL MINERALS AND MINING RIGHTS, EXCEPT THAT THE SURFACE OF THE LAND SHALL NOT BE INJURED OR DISTURBED IN CONNECTION WITH CERTAIN MINING OPERATIONS, WHICH MAY BE UNDERTAKEN AS PROVIDED IN THAT CERTAIN AGREEMENT BY AND BETWEEN JACK L. POST AND BLANCH L. POST, HIS WIFE, FIRST PARTIES AND M. ARTHUR WHITE AND GLADYS S. WHITE, SECOND PARTIES, DATED MAY 25, 1948 AND RECORDED JULY 21, 1948, IN BOOK 452, PAGE 475, OFFICIAL RECORDS OF BUTTE COUNTY.

PARCEL II:

A NON-EXCLUSIVE EASEMENT FOR ROAD PURPOSES AND PUBLIC UTILITIES PURPOSES, OVER A STRIP OF LAND 20 FEET IN WIDTH, LYING EASTERLY OF, ADJACENT TO AND CONTIGUOUS WITH THE EAST BOUNDARY LINE OF THE ABOVE DESCRIBED PARCEL I.

APN: 051-050-074

I am fully aware of the efforts of Jerome Balasek to apply for the re-zoning of our three lots. Further, he has my consent and support, to proceed with the application process.



Ron Winter

2 - 7 - 2018

Date

**TOWN OF PARADISE PLANNING COMMISSION
PLANNING STAFF REPORT
MEETING DATE: June 19, 2018**

FROM: Susan Hartman, CDD Manager/Assistant Planner **AGENDA NO. 5(b)**
SUBJECT: Woodview Retirement Cottages Administrative Permit (PL17-00272) and Tree Felling Permit
(PL18-00028) Applications
DATE: June 12, 2018 **AP 054-090-075**

GENERAL INFORMATION:

Applicant: Jim Harding Jr.
500 Bay Tree Dr
Paradise, CA 95969

Location: 926 Buschmann Rd

Requested Action: Request for Town approval of an Administrative Permit application, and associated tree felling, proposing the establishment of fifty-six (56), 1-bedroom senior housing units, ranging in size from 420 – 540 sq ft.

Purpose: To provide additional senior housing opportunities.

Present Zoning: Multiple-Family Residential (MF)

General Plan
Designation: Multi-Family Residential (MR)

Existing Land Use: Vacant

Surrounding
Land Use: North: Buschmann Road (public)
East: Medium and low density residential
South: Low density residential
West: Dudley Lane (private)

Parcel size: +/-3.3 acres

Environmental
Determination: Mitigated Negative Declaration

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

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

SPECIAL INFORMATION:

The project applicant, Jim Harding Jr., is requesting Town of Paradise administrative permit and tree permit application approval for the establishment of fifty-six (56) one-bedroom senior dwelling units, ranging in size from 420-540 sq ft, built within six (6) single story structures upon a ± 3.3 acre property zoned Multiple-Family Residential.

The proposed project development is to occur in a single phase and is to include the establishment of several private site improvements (private interior roadways and parking facility, two private fire hydrants, community wastewater disposal system, etc).

The project design includes a tree felling permit application proposing the felling and removal of approximately 106 qualifying trees (out of a total of 138 trees on-site) located on the project site in order to accommodate proposed and required project improvements.

Primary road access serving the multi-housing complex is proposed to be established with the construction of a paved interior roadway circulation system, including linkage of this road system to Buschmann Road, a public collector street.

Other site improvements associated with the proposed housing complex include but are not limited to: 1) construction and installation of storm water drainage facilities, including a vegetative swale; 2) establishment of an on-site laundry facility; 3) extension and installation of underground utilities (including water main extensions and fire hydrant fixtures); 4) paved parking spaces for accommodating occupants and visitors to the housing complex; 5) privacy fencing and CMU (concrete masonry unit) wall; and 6) on-site signage and directory.

Please refer to the attached initial study and proposed mitigated negative declaration document that was prepared and made available for local public and state agency review for this project for a more detailed description of the Woodview Retirement Cottages project and its environmental setting.

ANALYSIS:

As referenced above, a proposed mitigated negative declaration document has been prepared and is recommended for certification concerning this proposed project. This document identifies necessary project mitigations and conditions designed to reduce the potential environmental effects to a minimal or insignificant level. Therefore, if mitigated and conditioned appropriately, the project will not result in direct and significant adverse effects upon the existing environmental setting. In addition, the proposed environmental document was made available for local public and state agency review and as of the date of preparation of this staff report, only two written responses regarding the document have been filed with the department office and are attached to this staff report.

Based upon the written explanation submitted by a certified arborist related to the proposed tree felling activities, it appears that the Woodview Retirement Cottages project's tree felling permit application is consistent with the applicable town tree felling regulations and is eligible to be approved by the Planning Commission pursuant to the requirements of the Paradise Municipal Code.

If mitigated and conditionally approved by the Planning Commission as recommended by town staff, this project would be consistent with the Town adopted Paradise General Plan, its current property zoning, and with nearby existing land uses. Town staff supports land use approval of this proposed project and has developed recommended project conditions (and mitigations) designed to not only reduce any potential adverse effects to an insignificant level but to also to insure project compatibility with adjacent and nearby land uses. Accordingly, staff is recommended project approval based upon and subject to the following list of findings and conditions:

FINDINGS REQUIRED FOR APPROVAL:

1. Find that the project, **as mitigated and conditioned**, will not result in any significant adverse effects on the environment, and adopt the mitigated negative declaration prepared by staff for the Woodview Retirement Cottages project.
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 land use on property that furthers the development goals and objectives of its "housing element".
3. Find that the project, **as conditioned**, is in compliance with all applicable regulations of the Multiple-Family Residential zoning district.
4. Find that the private and public infrastructure improvements assigned to the project are necessary to promote orderly and safe development of the area.
5. Find that the project, **as mitigated and conditioned**, will not detrimentally affect existing plant and animal life in the project vicinity for the following reasons:
 - a. No known outstanding wildlife habitat exists in the immediate project vicinity; and
 - b. No known rare or endangered plants are known to exist in the immediate project vicinity.

STAFF RECOMMENDATION:

After closure of the scheduled public hearing, **MOVE TO ADOPT** the findings as provided by staff and **MOVE TO APPROVE** the Woodview Retirement Cottages administrative permit (PL17-00272) and tree felling permit (PL18-00028) applications subject to the following listed conditions and mitigations:

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

ROADS & ACCESS

1. Obtain an encroachment permit, to include an Engineer's Estimate, for driveway improvements and the installation of thermoplastic 4" roadway edge lines located within the Buschmann Road right-of-way between Foster Road and Clark Road.

DRAINAGE & GRADING

2. Submit a Post-Construction Standards Plan, for a Regulated Project, for approval by the Town Engineer. The plan must address how the additional storm water drainage from new impervious surfaces will be detained, rerouted, or otherwise mitigated to prevent adverse impacts to any downstream neighboring properties. Pay applicable plan review fees per current fee schedule.
3. The project developer shall submit engineered grading plans in compliance with Paradise Municipal Code Appendix J standards and secure Town issuance of a grading permit. Pay applicable grading permit fees per current fee schedule.
4. Provide evidence of submittal of a Notice of Intent (NOI) to the State Regional Water Quality Control Board and provide the Town with a copy of the approved project storm water pollution prevention plan (SWPPP) **PRIOR** to initiation of grading activities.
5. Submit a detailed soil erosion prevention plan, showing all erosion control devices and sedimentation basins, to the Town Public Works Department for approval by the Town Engineer **PRIOR** to the start of any earthwork. Pay applicable erosion control plan review fees per current fee schedule.
6. Submit a detailed dust emissions control plan to the Town Public Works Department for approval **PRIOR** to the start of any earthwork.

FIRE PROTECTION

7. Establish and maintain compliance with all applicable requirements of the Town Building Official/Fire Marshal in accordance with the written comments dated November 18, 2017 for the Woodview Retirement Cottages administrative permit application (copy on file with the Town Development Services Department).

SANITATION

8. Complete the requirements of the Onsite Sanitary Official concerning application, final system design, and issuance of permit approvals for installation of a sewage treatment

and disposal system to serve all proposed facilities.

SITE DEVELOPMENT

9. Project developer shall execute a recorded development agreement with the Town of Paradise in accordance with the procedures and requirements of Paradise Municipal Code Chapter 17.44 (*Affordable Housing Incentives/Residential Density Bonus*) and California Government Code Section 65915 authorizing a residential density of up to 17 dwelling units per acre with the establishment of senior housing.
10. Secure Design Review approval for the proposed building façades and any proposed signage.
11. Submit construction documents and meet the requirements of the Town Building Official/Fire Marshal regarding building permits and all applicable town-adopted construction code regulations including a separate accessibility site plan that is reviewed and approved by a State of California Certified Access Specialist **PRIOR TO** submission to the Town of Paradise.
12. Submit three (3) copies of a detailed engineered on-site development and improvement plan, with an Engineer's Estimate for civil improvements (excluding utilities), 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 on-site civil plan checking fee. Construction and drainage improvement plans must be approved **PRIOR TO CONSTRUCTION** or installation of the required facilities.

WATER

13. Meet all requirements of the Paradise Irrigation District (PID) in accordance with written project review comments received from PID staff dated November 17, 2017 and any revisions thereto on file with the Town Development Services Department.

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

ROADS & ACCESS

14. Construct and install required driveway improvements, roadway edge lines, and any other work in the Town right-of-way to the satisfaction of the Town Engineer. **(mitigation)**

SANITATION

15. Meet the requirements of the Town Onsite Sanitary Official regarding inspection and approval for the construction and final design of the onsite sewage disposal system.

SITE DEVELOPMENT

16. Construct all necessary site, drainage, access, and other facilities improvements as required by the Town Engineer. All construction shall be in conformance with generally acceptable engineering and construction practices.
17. 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).
18. The required landscape plan for the proposed Woodview Retirement Cottages 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 Buschmann Road. 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 site. Any replacement trees that cannot be accommodated in the landscape plan must be certified by a tree expert as unable to be replaced on-site and the permittee shall pay an in-lieu fee as identified in the master fee schedule. **(mitigation)**
19. No heavy equipment shall be operated or stored within the drip line of any tree that is not planned for felling and removal. **(mitigation)**
20. Open areas of the project's approved landscape plan shall be planted with native California plants indigenous to the Cascade and northern Sierra Nevada regions. **(mitigation)**
21. 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.
22. 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

23. Complete all applicable project requirements of the Town Building Official/Fire Marshal review comments/conditions dated November 18, 2017 on file with the Town Development Services Department.

OTHER

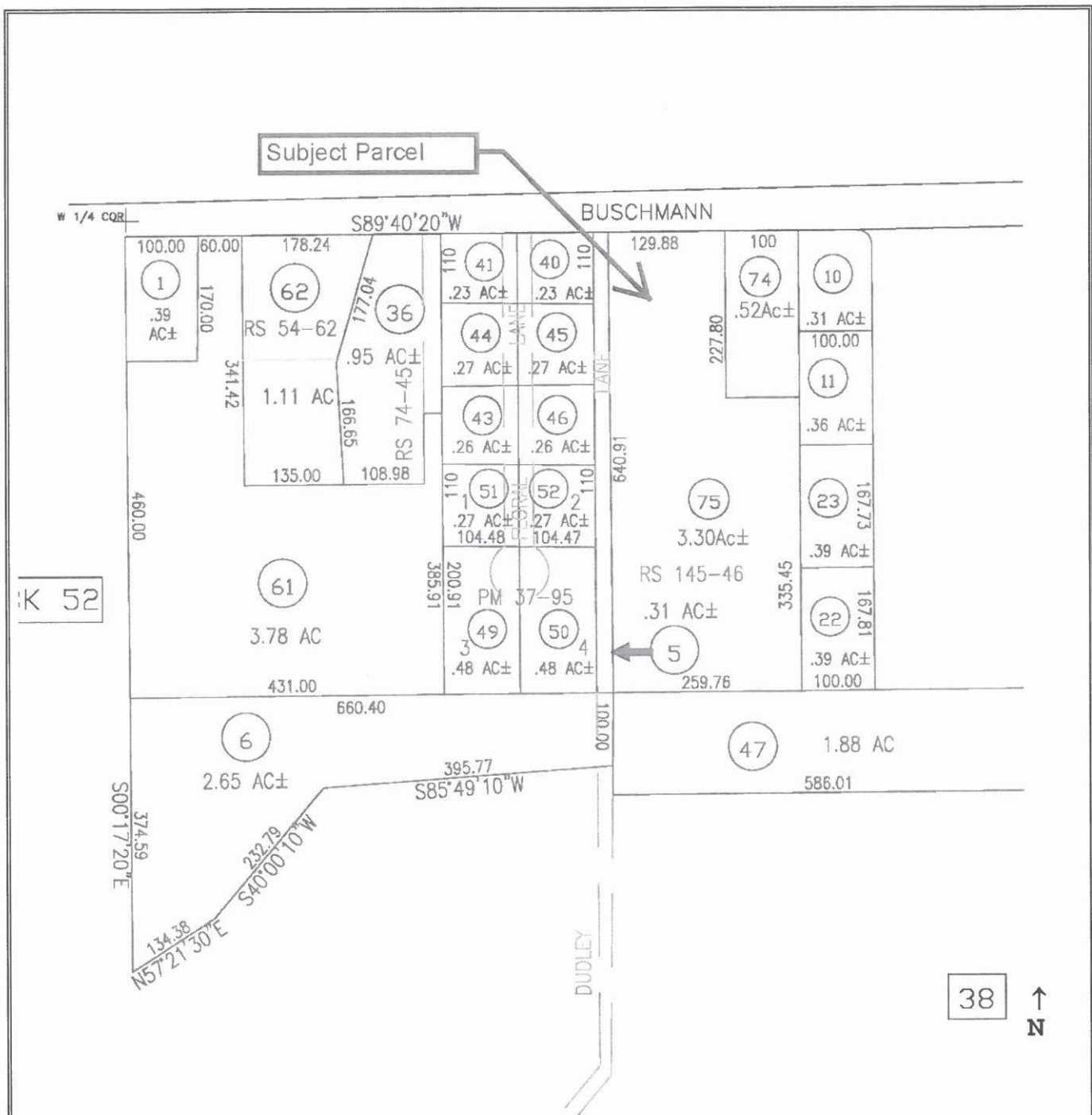
24. If any archaeological resources are uncovered during project construction activities, all work shall stop in the area of the find until a qualified archaeologist provides an appropriate evaluation of the discovery. **(mitigation)**

CONDITIONS TO BE MET PRIOR TO ISSUANCE OF TREE FELLING PERMIT

25. Secure the issuance of a Town approved tree-felling permit prior to felling any qualified trees and pay the adopted permit fee.
26. Secure official Town Engineer approval of detailed and engineered project civil improvement plans (including drainage plans), issuance of an onsite sewage disposal construction permit, and submit building construction plans for the Woodview Retirement Cottages development project.
27. 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. Pay applicable review fees per current fee schedule.
28. All qualifying trees proposed to be retained on the site as replacement trees shall be protecting 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.
29. A certified arborist shall be engaged by the project applicant to oversee the employment of tree protection measures during all related project site improvements that have the potential to effect trees to be retained.
30. The approval action of this tree felling permit application shall only be valid and in effect for three (3) years past its conditional approval date.

**LIST OF ATTACHMENTS FOR WOODVIEW RETIREMENT COTTAGES ADMINISTRATIVE PERMIT
(PL17-00272) AND TREE FELLING PERMIT (PL18-00028)**

1. Project site vicinity map
2. Notice sent to surrounding property owners for the Notice of Environmental Document Availability and the June 19, 2018 public hearing
3. Mailing list of property owners and agencies notified of the June 19, 2018 public hearing
4. Comments received from Town Engineer Marc Mattox dated October 5, 2017
5. Email comments received from Northern Recycling & Waste Services dated November 15, 2017
6. Comments received from Building Official/Fire Marshal Tony Lindsey dated November 18, 2017
7. Comments received from Paradise Irrigation District representative Neil Essila on November 22, 2017
8. Comments received from Onsite Sanitary Official Bob Larson on November 28, 2017
9. Completed administrative permit application submitted by Jim Harding Jr. on November 9, 2017
10. Project description submitted by the Jim Harding Jr.
11. Project site plan (including proposed tree felling), floor plan, and building elevations (24" X 36") prepared by Rancho Engineering and Harding Enterprises
12. Written certification provided by Certified Arborist Tom Gomez that 106 qualifying trees must be felled to accommodate the project, dated February 7, 2017
13. Project initial study (environmental review document) and proposed mitigated negative declaration
14. Written comments submitted by Evelyn Daniels in response to public release of the draft initial study and proposed mitigated negative declaration
15. Written comments submitted by California Water Boards in response to public release of the draft initial study and proposed mitigated negative declaration



APPLICANT: Harding Enterprizes		ADDRESS: 926 Buschmann Rd
OWNER: Jim & Rochelle Harding		
PROJECT DESCRIPTION: Request for town approval of an administrative permit to establish fifty-six (56), 1-bedroom senior housing units, ranging in size from 420 – 540 sq ft, on a 3.3 acre vacant parcel zoned Multiple Family Residential (MF).		
ZONING: MF	GENERAL PLAN: MR	FILE NO. PL17-00272
ASSESSOR PARCEL NO. 054-090-075		MEETING DATE: June 19, 2018

TOWN OF PARADISE

Date: May 8, 2018

NOTICE OF ENVIRONMENTAL DOCUMENT AVAILABILITY AND PUBLIC HEARING TOWN OF PARADISE PLANNING COMMISSION

NOTICE IS HEREBY GIVEN by the Planning Director that a public hearing will be held on Tuesday, June 19, 2018 at 6:00 p.m. in the Town Hall Council Chambers, 5555 Skyway, Paradise, California, regarding the following project:

Project title: Woodview Retirement Cottages Administrative Permit Application (PL17-00272) and Tree Felling Permit (PL18-00028)

Project location: 926 Buschmann Road, Paradise, CA; AP No. 054-090-075

Description of project: The project proponent is requesting Town of Paradise approval of an administrative permit application, and associated tree felling, proposing the establishment of fifty-six (56), 1-bedroom senior housing units, ranging in size from 420 – 540 sq ft, on a 3.3 acre property zoned Multiple Family Residential (MF) and located at 926 Buschmann Road.

Address where document may be viewed: Town of Paradise Town Hall
Development Services Department
5555 Skyway, Paradise, CA 95969

Public review period: *Begins:* May 10, 2018
Ends: June 11, 2018

The environmental document and project file are available for public inspection at the Development Services Department in Paradise Town Hall. Any person wishing to respond to the proposed environmental document may file written responses no later than **June 11, 2018 at 5:00 p.m.** with the Paradise Development Services Department.

If you challenge this project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Town Planning Director at, or prior to, the public hearing. For additional information, please contact the Development Services Department at (530) 872-6291, extension 111.

Craig Baker
Planning Director

054-090-075-000
HARDING REVOCABLE INTER VIVOS TRUST C/O
HARDING JAMES M & ROCHELLE L TRUSTEES
500 BAY TREE DR
PARADISE CA 95969

054-050-039-000
PARADISE RECREATION & PARK DIST
6626 SKYWAY
PARADISE CA 95969

054-090-040-000
LEMM KRISTIN M & SCOTT M
1075 VIA VERONA DR
CHICO CA 95973

054-090-045-000
DANIELS FAMILY TRUST
C/O DANIELS EVELYN R TRUSTEE
5530 FLORAL LN
PARADISE CA 95969

054-090-036-000
POWELL JON & THERESA FAMILY
TRUST
C/O POWELL JON S & THERESA J
TRUSTEES

054-090-046-000
RICH JOAN
5520 FLORAL LN
PARADISE CA 95969

054-090-023-000
HOLT BROOKE ANN & JOSEPH L
11128 MIDWAY STE #8
CHICO CA 95928

054-090-047-000
UTLEY MICHAEL L
5496 DUDLEY LN
PARADISE CA 95969

054-100-026-000
COLE ROGER W REVOCABLE LIVING TRUST ETAL
C/O COLE ROGER W TRUSTEE
PO BOX 68
FOREST RANCH CA 95942

054-090-022-000
ALVIES DANIEL W & JUDY L REV LIVING TRUST
C/O ALVIES DANIEL W & JUDY L TRUSTEES
660 ROE RD
PARADISE CA 95969

054-050-086-000
HARRIS JOANNE B ETAL
HARRIS JESSICA
905 BUSCHMANN RD
PARADISE CA 95969

054-100-001-000
BYRD DIANNE K
951 BELLA VISTA AVE
PARADISE CA 95969

054-090-061-000
TEETER DOUGLAS L JR
5501 ROCKFORD LN
PARADISE CA 95969

054-090-010-000
FLORIAN JOHN J SS
PO BOX 1588
PARADISE CA 95967

054-100-008-000
MARTINEZ REVOCABLE TRUST
C/O MARTINEZ RODOLFO & HERMINIA
TRUSTEES
950 BELLA VISTA AVE
PARADISE CA 95969

054-100-016-000
PROTO ZACHARY
1082 WASHINGTON ST APT 2
SAN FRANCISCO CA 94108

054-090-052-000
ROTH WILLIAM CURTIS
5510 FLORAL LN
PARADISE CA 95969

054-090-050-000
HURT JAMES A & LINDA S
5989 PENTZ RD
PARADISE CA 95969

054-090-011-000
MORTON MARK
5533 PALOMA AVE
PARADISE CA 95969

054-100-025-000
OTT SETH MICHAEL
3 CLEAVES CT
CHICO CA 95973

054-050-098-000
NICHOLS LEONARD J
897 BUSCHMANN RD
PARADISE CA 95969

054-090-005-000
UTLEY MICHAEL L
5496 DUDLEY LN
PARADISE CA 95969

054-090-044-000
DISIMONE MICHAEL J
5531 FLORAL LN
PARADISE CA 95969

054-090-041-000
TAYLOR LINDA R FAMILY TRUST
C/O TAYLOR LINDA R TRUSTEE
5541 FLORAL LN
PARADISE CA 95969

054-090-043-000
FERGUSON KATHLEEN & DALE
5521 FLORAL LN
PARADISE CA 95969

054-090-051-000
SCOTT CHERIE
5511 FLORAL LN
PARADISE CA 95969

054-090-006-000
PACHECO GENE P SS
PO BOX 1760
PARADISE CA 95967

054-090-049-000
HURT JAMES A & LINDA S
5989 PENTZ RD
PARADISE CA 95969

054-090-074-000
SAIP RAVI S & MARY E
928 BUSCHMANN RD
PARADISE CA 95969

054-380-002-000
PARADISE YOUTH AND FAMILY CENTE
C/O COMMUNITY HOUSING IMPROVE
PLAN INC
1001 WILLOW ST
CHICO CA 95928

Paradise Unified School District
6696 Clark Road
Paradise, CA 95969

Paradise Irrigation District
6332 Clark Road
Paradise, CA 95969

Paradise Recreation & Park Dist.
6626 Skyway
Paradise, CA 95969

Paradise Ridge Chamber of
Commerce
5550 Skyway
Paradise, CA 95969

Paradise Board of Realtors
6178 Center Street
Paradise, CA 95969

Paradise Downtown Business Ass.
c/o Fir Street Gallery/Pam Funk
6256 Skyway
Paradise, CA 95969

Butte County Planning
Courier

Paradise Cemetery District
980 Elliott Road
Paradise, CA 95969

Butte Co. Air Quality Mgmt. Dist.
629 Entler Ave., Suite 15
Chico, CA 95928

Butte Environmental Council
116 W. 2nd Street #3
Chico, CA 95928

Pacific Gas & Electric
Laird Oelrichs, Land Agent
350 Salem St.
Chico, CA 95928

Paradise Unified School District
6696 Clark Road
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116 W. 2nd Street #3
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Laird Oelrichs, Land Agent
350 Salem St.
Chico, CA 95928



TOWN OF PARADISE
5555 Skyway
Paradise, CA 95969
(530) 872-6291

MEMO

Date: October 5, 2017
To: Craig Baker, Community Development Director
From: Marc Mattox, Public Works Director / Town Engineer
RE: Preliminary Development Review - Woodview Retirement Cottages, APN 054-090-072

The following are my comments relative to the proposed project.

1. Streets & Access

- a. Improvements to property frontage are not required as frontage is fully developed and right-of-way is already dedicated. Proposed driveway will require an approved encroachment permit to work in the existing Town Right-of-Way. Separate traffic control plan will be required for the construction of the driveway. **Prior to permits.**
- b. Proposed driveway width is too narrow for the facility, shall be widened to 28' min. and taper down to 24' width when out of the Town right-of-way. **Prior to permits.**

2. Storm Drainage

- a. The redevelopment of this site qualifies as a "Regulated Project" in the Town's Post-Construction Standards Plan. Detailed requirements can be found at www.townofparadise.com. **Prior to permits.**
- b. The proposed vegetative swale with an overflow metering inlet is located where high groundwater has been observed in early 2016 (10"-12" below grade). Design will need to fully consider impacts of high groundwater table. Alternative locations for the swale may need to be explored. **Prior to permits.**
- c. Parking lot overland flow in the loop needs to be channelized with a concrete valley gutter with adequate capacity. **Prior to permits.**

3. Grading

- a. Engineered Grading Plans will be required subject to Paradise Municipal Code Appendix J standards. **Prior to permits**
- b. Erosion control will be required through preparation and implementation of an Erosion Control Plan and Storm Water Pollution Prevention Plan. A Notice of Intent will need to be filed with the California Regional Water Quality Control Board as the project area is disturbing more than 1 acre. **Prior to permits**

4. Engineering Division Approvals Required:

- a. Engineered Site Plan
- b. Engineer's Estimate (civil improvements for on-site - paving, grading, concrete, storm drain)
- c. Engineer's Estimate (civil improvements in Town Right-of-Way)
- d. Encroachment Permit (and traffic control plan) for work within the Town Right-of-Way.
- e. Grading Permit
- f. Drainage Analysis Review (Post-Construction Standards Plan)
- g. Erosion Control Plan Review

ALL PRIOR TO PERMITS

Hartman, Susan

From: Doug Speicher [doug@NorthernRecycling.biz]
Sent: Wednesday, November 15, 2017 7:27 AM
To: Hartman, Susan
Subject: RE: Harding Admin Permit - 926 Buschmann Rd

Hello Susan,

The project looks good for NRWS and we would have the ability to safely provide the solid waste services to the proposed facility.

Thanks,

*Douglas K. Speicher, General Manager
Northern Recycling & Waste Services, LLC
920 American Way
Paradise, CA 95969
530-876-3340 Office
530-877-3825 Fax
530-624-7988 Cell
www.NorthernRecycling.biz*



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From: Hartman, Susan [mailto:shartman@townofparadise.com]
Sent: Monday, November 13, 2017 3:07 PM
To: Doug Speicher <doug@NorthernRecycling.biz>
Subject: Harding Admin Permit - 926 Buschmann Rd

Doug,

Attached is the request for comments on Jim Harding's Administrative Permit (minor use permit). We'd circulated a conceptual plan about a month ago, but this is the official submittal with a slightly revised site plan. Please let me know if you need any additional information from the applicant by Tuesday, 11/28.

Thank you,
Susan

M E M O R A N D U M

TO: Susan Hartman

FROM: Tony Lindsey Building Official/Fire Marshal

SUBJECT: 926 Buschmann

DATE: November 18, 2017

Following are my comments relative to the request for town approval of an administrative permit to establish fifty-six, 1 bdr senior housing units, ranging in size from 420-540 sf on a 3.3 ac parcel zoned MF

Building:

1. Building permit application. Three (3) complete, scaled, 2016 California Building Standards compliant plan sets shall be submitted for plan review including: Building plans with Architect or Engineer wet signed and stamped, Two (2) sets of wet signed and stamped Structural engineering calculations, Two (2) sets of signed Energy calculations (Energy requirements shall be detailed on the building plans).
2. Certified Access Specialist project certification letter shall be required upon project submittal certifying the project complies with all applicable codes related to accessibility. CBC 11A
3. Prior to Certificate of Occupancy Certified Access Specialist shall provide project closeout certification certifying the project complies with all applicable codes related to accessibility. CBC 11A
4. The Town of Paradise is located in seismic category D, 110 wind speed, weathering moderate, frost depth line 12". Notable the Town of Paradise is located in a Very-High Fire Hazard Severity Zone, structures shall meet all the requirements of 2016 California Building Code Chapter 7A.
5. The minimum design snow load and roof live load for the Town of Paradise shall be twenty (20) pounds per square foot at 1,800 feet and elevations below. 926 Buschmann Road is located at approximately 1,669 feet (Google Earth).

Fire:

6. 8" Backflow assemblies are large pieces of equipment and should be placed as close to the project limit as possible to not obstruct sight lines of vehicles exiting the project. This will also be addressed in engineering comments.

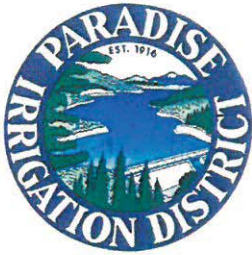
7. The private hydrant main has a minimum 10' setback from septic system components.
8. Fire lane designations shall be required for all fire access roadways as determined by the Town of Paradise Fire Department. Posted signs which state "FIRE LANE, NO PARKING" shall be installed and/or curbs painted red and stenciled with white letters indicating the same on the face and top of any curb as directed by the Town of Paradise Fire Department. All fire lanes shall be marked and identified prior to Certificate of Occupancy. Fire lanes 20' – 26' shall be marked on both sides.
9. All fire apparatus access roadways must be maintained unobstructed and drivable by fire apparatus throughout the construction process. Access roadways shall be capable of holding an imposed load of 75,000 pounds including in adverse weather conditions. A soils report of the access roadway may be submitted which provides evidence of a 90-95% compaction of the soil along the access roadway. Access roadways that do not meet this requirement could be subject to a stop construction order until the roadway can be maintained.
10. Roadway design features (speed humps, bumps, speed control dips, etc.) which may interfere with emergency apparatus responses shall not be installed or allowed to remain on the emergency access roadways.
11. Any gate or barrier across a fire access roadway, whether manual or automatic, must meet the Town of Paradise Fire Department requirements and have specific plans and permits approved prior to installation. Gates serving multi-family, assembly, educational, hazardous, institutional, or storage structures must be automatic. Knox brand key-operated electric key switch to the Town of Paradise Fire Department and Police Department specification are required. The Knox switch shall override all gate functions and open the gate.
12. The required fire flow shall be 1500 gpm for 2 hour duration at 20 PSI residual operating pressure. Documentation is required from the Water Purveyor verifying that the system is capable of meeting the required fire flow prior to building permit issuance. If the system is not capable of meeting the required fire flow, documentation shall be provided showing financial arrangements have been made and water system improvement plans approved to upgrade the existing system prior to release of building permits.
13. Required fire flow from two (2) private on site hydrants as detailed in the site plan are acceptable.
14. Water improvement plans shall be approved by the Town of Paradise Fire Department. The Developer shall furnish the Town of Paradise Fire Department with three (3) copies of the water improvement plans designed by a Registered Engineer and/or Licensed Contractor. On-site private fire service mains shall have a minimum of eight (8) inch water mains with six (6) inch laterals and risers. Larger pipes may be required to meet required fire flow requirements.

15. Prior to combustibles being brought to the site, the developer shall provide written certification from the Water Purveyor, dated within the last thirty (30) days, that:
 - All public/private fire hydrants required for the project have been installed, tested, and approved by the Water Purveyor, and
 - Are permanently connected to the public water main system, and
 - Are capable of supplying the required fire flow as required by the Town of Paradise Fire Department.
16. Fire hydrants shall be painted per the Town of Paradise Fire Department standards and be maintained free of obstructions. Blue reflective raised pavement markers shall be installed on the pavement at approved locations marking each fire hydrant.
17. If any fire hydrant is taken OUT OF SERVICE the Town of Paradise Fire Department shall be notified immediately and the hydrant marked, bagged, or otherwise identified as OUT OF SERVICE as directed by the Fire Marshal.
18. Prior to Fire Department Clearance for occupancy, an automatic fire sprinkler system shall be installed. The system shall comply with NFPA #13-R Standard for Automatic Fire Sprinkler Systems-Multi-Family Dwellings. Three (3) sets of plans, hydraulic calculations, and material used in the system shall be submitted by a State of California Licensed Contractor for review, approval, and permits issued prior to commencing work.
19. Prior to Fire Department Clearance for occupancy, an automatic fire alarm system shall be installed. The system shall comply with NFPA #72 Standard for Fire Alarm Systems. Three (3) sets of plans, material specification's sheets for all equipment used in the system and California State Fire Marshal listings shall be submitted by a State of California Licensed Contractor for review, approval, and permits issued prior to commencing work.
20. Prior to final inspection or occupancy, hand portable fire extinguishers (PFE) are required to be installed as directed by Town of Paradise Fire Department staff. The size, location, and markings shall be illustrated on the site plan of the construction documents. Prior to installation the client is directed to request a fire inspection to confirm the locations of the fire extinguishers due to field changes of business systems. Exterior PFE 5lb. 2A10BC shall be placed throughout the complex a minimum of 75' travel distance.
21. Each building shall have permanent commercial/industrial three-dimensional street numbers, minimum twelve (12) inches in height, shall be provided on the address side of the building at the highest point and furthest projection of the structure. The address shall be visible from the street and shall not be obstructed in any manner. Each unit shall be addressed with 6" identification.

22. A lighted directory (site map) meeting the Fire Department specifications is required at each entrance to the complex as directed by the Town of Paradise Fire Department. A site plan with all building locations identified by a number of letter, space numbers, fire protection equipment, etc. shall be reviewed and approved by the Town of Paradise Fire Department prior to installation.
23. All flammable vegetation shall be removed and maintained from each building site with slopes less than fifteen percent (15%) at a minimum distance of one hundred (100) feet from all structures or to the property line, whichever is less.
24. Knox emergency access key box is required and acceptable at the manager's office building, with specific mounting locations approved by the Town of Paradise Fire Department. Recessed mount key boxes are required. Premise keys for all buildings and areas shall be marked and placed in the box prior to final inspection to ensure emergency access. The building owner/occupants shall provide replacement keys whenever locks are changed.
25. The Apartment complex is required to be inspected annually by Fire Prevention personnel. The Automatic Fire Sprinkler system, Alarm system and Private Hydrants are required to be tested and inspected annually by State of California Licensed Contractor records shall be retained on site and made available during Fire Prevention Inspection.

Note:

The provided site plan complies with hydrant placement and fire department access requirements. Rancho Eng Job 15-053 11/8/17 Rev 1

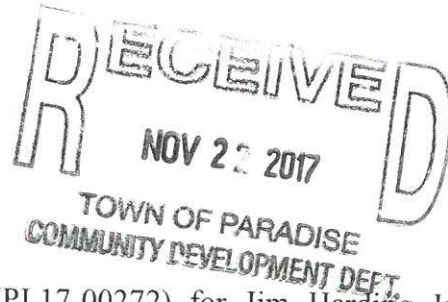


PARADISE IRRIGATION DISTRICT

6332 Clark Road, Paradise CA 95969 | Phone (530)877-4971 | Fax (530)876-0483

November 17, 2017

Town of Paradise
Attn: Susan Hartman
5555 Skyway
Paradise, CA 95969



Subject: Administrative Permit Application (PL17-00272) for Jim Harding Jr.,
926 Buschmann Road, APN 054-090-075

Dear Susan,

Thank you for the opportunity to review the above referenced administrative permit application. The following comments and conditions apply to the project, as proposed.

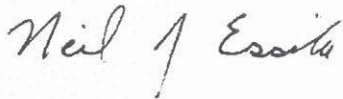
1. An existing $\frac{3}{4}$ " water meter currently serves this property. Construction of 56 residential units on this property will necessitate the installation of a larger meter to serve the additional demand. Payment of an additional Service Capacity Fee and Meter Installation Fee will be necessary at the time the new meter is ordered. A 2-inch water meter may be sufficient to meet the expanded demand. The capacity fee to upgrade from a $\frac{3}{4}$ -inch meter to a 2-inch meter is \$18,963.
2. A backflow prevention assembly will be required at the water meter. An RP device will provide the appropriate level of protection.
3. An 8-inch water main is located in Buschmann Road fronting the subject property. Fire flows in the project area appear to be good.
4. Static pressure at the project location is approximately 120 psi.
5. Under the heading "Utilities" the project description indicates that one additional on site fire hydrant is proposed. However, the site plan submitted with the application shows the installation of two additional fire hydrants on site. The number, location, and required flow for on and off site fire hydrants will be determined by Paradise Fire Department.
6. On site fire hydrants and fire suppression sprinkler systems will be served by a fire service connection. An RPDA backflow prevention assembly to protect the fire service connection would be located at the Buschmann Road frontage. Septic system setbacks from the fire service lateral piping (normally 25-feet) would not apply.

Susan Hartman
November 17, 2017
Page 2 of 2

7. All fire service connection piping and appurtenances, from the backflow prevention assembly downstream, including on site fire hydrant(s), will constitute a privately owned fire system. The design and installation of this system (with the exception of fire sprinkler systems) shall be to PID standards.

Please contact me at 530-876-2037 if you have any questions or comments regarding this matter. Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Neil J. Essila".

Neil J. Essila
Assistant Engineer

cc: Jim Harding

**TOWN OF PARADISE
DEVELOPMENT SERVICES DEPARTMENT**

5555 Skyway, Paradise, CA 95969

DEVELOPMENT REVIEW REQUEST

TO: Engineering, CSS, PID, Onsite, Business & Housing, Police, Caltrans, & NRWS

FROM: Susan Hartman, Assistant Planner (872-6291 x 114)

REQUEST: Review and provide written comments

DESCRIPTION OF PROJECT: Request for town approval of an administrative permit to establish fifty-six (56), 1-bedroom senior housing units, ranging in size from 420 – 540 sq ft, on a 3.3 acre vacant parcel zoned Multiple Family Residential (MF).

LOCATION: 926 Buschmann Rd

APPLICANT: Jim Harding Jr.

AP NOS.: 054-090-075

CONTACT PHONE: 530-877-8237

DATE DISTRIBUTED: November 13, 2017

WRITTEN COMMENTS DUE BY: November 28, 2017

DOES YOUR AGENCY HAVE THE CAPACITY TO SERVE THIS PROJECT?

☒ YES ☐ YES, WITH CONDITIONS ☐ NO (EXPLAIN BELOW)

COMMENTS AND/OR RECOMMENDED CONDITIONS:

THE PREVIOUSLY APPROVED LAND USE REVIEW FROM 4/15/2004
WILL BE HONORED FOR THE NEW OWNER OF THIS PARCEL.
SECONDARY TREATMENT WILL BE REQUIRED FOR THE PROPOSED USE.

EX 11/28/17

NO RESPONSE FROM YOUR AGENCY MAY BE CONSTRUED THAT YOUR AGENCY HAS THE ABILITY TO SERVE THIS PROJECT. PLEASE MAKE A COPY FOR YOUR RECORDS.

DEPARTMENTAL USE ONLY:

30412
Receipt No. Fee 807.86
Project No. PU7-00272

TOWN OF PARADISE
APPLICATION FOR ADMINISTRATIVE PERMIT

Applicant Jim Harding Phone 530-680-8722
Applicant's Mailing Address 500 Bay tree Dr
Applicant's email Harding10@icloud.com Fax None
Applicant's Interest in Property (Owner, Lessee*, Other*) owner thru transfer
Owner's Name same Phone _____
Owner's Mailing Address _____
Engineer (Name, Address) Rancho Engineering
Engineer Phone 877-3700 Fax _____ Email _____
Property Address 926 Bushman Parcel Size 3.3 acres
AP Number(s) 54-90-72 Zone MF Existing Use Vacant

Detailed project description:(attach additional sheets if necessary) See attached

Purpose of project: Senior housing

Radial distance to the nearest billboard: (?)

Sq. ft. of proposed structure/project 22,400 Approx. no. yards of cut/fill 4000+

Percentage increase in area of structures on site 100%
(For example: A 250 sq. ft. addition to a 1,000 sq. ft. building = 25%)

Distance to nearest fire hydrant See fire data Distance from street/road centerline 25' set back
Days/hours of operation: Days M-F Hours 10-12 Proposed no. of employees 1-2
Residential Density 12/acre Max. occupancy 112 Max. height of proposed structure 20'
Describe exterior design and exterior finish: Hard siding vertical / Horizontal / shingle look w/
minor rock accents in certain areas, lifetime architectural roofing
(Attach additional sheet(s) if necessary.)

Method of sewage disposal? Community design on-site

Is the proposed project site considered sensitive for archaeological resources? Yes _____ No X (Please consult with town staff.)

[NOTE: IF YES, PLEASE SUBMIT A CHECK IN THE AMOUNT OF \$75.00 TO "NORTHEASTERN INFORMATION CENTER" FOR ARCHAEOLOGICAL RECORDS INVENTORY SEARCH.]

*NOTE: If the applicant is NOT the property owner, the owner's signature or attached letter of authorization signed by owner MUST accompany this application.

I HEREBY DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE STATEMENTS AND ATTACHED PLOT PLAN ARE TRUE, ACCURATE, COMPLETE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Applicant's Signature [Signature] Date 11-9-17

Property Owner Signature [Signature] Date 11-9-17
(If applicable)

PLEASE ALLOW AT LEAST 2-3 WEEKS FOR PROCESSING MINOR ADMINISTRATIVE PERMITS: 8-10
WEEKS FOR ADMINISTRATIVE PERMITS REQUIRING ENVIRONMENTAL REVIEW

NOTE: By signing this application form, the applicant is indicating that the project site is not included on any state or local list of hazardous waste sites compiled pursuant to California Government Code Section 65962.5, effective July 1, 1987

**Development Goals:**

Harding Enterprises is a multifamily apartment company in Paradise. A large component of the market we serve is senior and disabled. Currently we see a community need in Paradise for senior housing that is affordable at a social security income level. For this goal we have optimized a package of apartment sizing, services and features that we feel will best serve that market.

The proposed project will be operated as a Senior Housing/55 and older project.

The units will range in a size of 420 sq ft to 540 sq ft. Units will be all electric with a communal gas water heater serving each building. Each tenant will have utilities, a basic tv package and basic wifi provided as part of the rent. As a part of this equation it is planned to use extensive solar to offset tenant power needs. By optimizing the unit size, removing features that are largely unused by seniors and implementing solar and building wide hot water systems we feel we can meet a price point workable on a social security check.

Construction:

Proposed is the construction of 56, one bedroom apartments on 3.3 acres of land on Bushman Dr in Paradise. Buildings will be of wood frame construction with lifetime composition roofs, cement based siding of various types, conforming to current codes, wild land fire codes and in keeping with our small town look. Attention has been given to front door placement, line of sight between units, and the appearance of buildings on the property. All units will comply with ADA accessible requirements with an appropriate number being adaptable. Driveways will be asphalt or concrete. Special attention will be paid to energy efficiency and solar production. There will be an onsite laundry facility with modest group area. The managers unit will incorporate a large office and patio area for clients. A designated ride share parking area will be incorporated.

Colors:

Building colors are planned to be natural earth / woods tones in browns and greens. Some stone accents will be used on several front elevations for effect. Specific color pallet to follow. Roofing will be architectural shingles in Weathered wood or similar brown/grays tone. No bright or reflective colors will be proposed for roofing.

Zoning:

The property is currently zoned MF intended for apartment development. It currently backs about 50% of the east side to apartments located on Paloma dr. To the west side it follows Duddly lane. To the rear is a single family house and to the front east side is a single family home that was originally part of this parcel and broken off by a former owner and developed. It is across Bushman from a town park. Density on MF allows for 15 units per acre. We are asking for a 13% density bump for senior housing. We are not asking for waivers on septic design. This project as designed, can support this density and fit well within the surrounding land uses and provide much needed housing.

Septic:

The property has been groundwater monitored in 2015/2016 for an entire wet season. Prior to that extensive perk testing and development plans were done which resulted in town approval for 5600 GPD water flows. Historic data for our existing projects at older (higher) water flow

designs has proven/ been accepted by the town, for 100 GPD on single bedroom units. An advanced septic dispersal design is being proposed.

Drainage:

Drainage is planned to flow to Bushman thru a combination on below and above ground drain tracks ending in a "wetlands" area buffering Dudley dr. This will flow into existing drainage along bushman at calculated flow rates.

Grading and Trees:

ADA and natural terrain are not friends. The developed area of the property will be graded with a cut on the high (east) side and fill on the low (Duddley) side. This will result in the removal of most if not all trees in that area. The septic area will remain natural and the wetlands area will be returned to a natural state. A combination of retaining walls and landscaped banks will be used to blend the cut and fill areas into the project.

Access:

Access is planned at only one point along Bushman dr. Internal drives will be in a circle formant for ease of emergency services and traffic flows.

Utilities:

All services are at the street on bushman. Water is served currently by a 3/4" meter that will be upsized. Fire will involve one additional fire plug in the project and fire sprinklers in the buildings with appropriate service taps at each building. Electric/ Gas / TV and telephone will be underground. Solar will be placed on all building roofs.

Trash:

Trash enclosures will be located near the office and laundry/ group area so that dumping can be monitored and access for disposal can be optimized.

Parking:

Onsite parking has been provided at a 1.5 per unit level with multiple handicap spaces and a ride share pickup area that will principally be used for taxi pickup and other community ride share/ ride services pick up. Units will be rented at a "one car" maximum number as our past project at 4911 skyway. That project faced significant neighborhood resistance to parking fears that have proven unfounded for the past 7 years. It is our expectation based on our target market that a significant number of clients will not own transportation

ADA:

The entire developed portion of the property will be graded to a 1% slope and all units will be ada accessible. A path of travel from bushman will be provided.

Affordability:

Much is often said about "low income" and "Section 8" housing. This project will proudly cater to both. It has been our experience that where a persons money comes from does not determine the type person they are. Using responsible background checking and fair uniform rental policies we have been able to provide new ADA featured housing that fits with existing land uses in Paradise. To date I am unaware of neighborhood complaints from past projects in Paradise despite higher relative unit densities than the proposed project.

Harding Enterprizes Inc
500 Bay Tree Dr
Paradise Ca 95969
Jim Harding
530-680-8722
Harding10@comcast.net



2/3

SHEET:

1' = 1/4"

SCALE:

2/5/18

DATE:

Harding Enterprises Inc
500 Bay Tree Dr, Paradise
Harding10@icloud.com
530-680-8722

Elevation

Woodview Retirement Village
926 Bushman Rd
Paradise Ca 95649
AP# 054-090-072

REVISION TABLE			
NUMBER	DATE	REVISOR	DESCRIPTION
1	1/6/18	JH	

Side Elevation



Front Elevation



Livingroom View



Game room
Laundry



View From Bushman



Kelly Moore Cargo Doors

Kelly Moore Sawallo Ridge Gutters

Village Sandalwood Body Color

C-2 Beadless Mould and Door trim



Culture Stone Pro ft Ledge stone



Weathered Wood Gaf Presidential

REVISION TABLE			
NUMBER	DATE	REVISOR	DESCRIPTION
1	11/6/16	JH	

Woodyview Retirement Village
AP# 054-090-072
Paradise Ca 95969
926 Bushman Rd

Elevations Front/ Rear

Harding Enterprises Inc
500 Bay Tree Dr, Paradise
Harding10@icloud.com
530-680-8722

DATE:	2/5/18
SCALE:	1"=3/16'
SHEET:	3/7



Tom's Tree Service

State Contractor License #652813

TOM GOMEZ
(530) 877-6055
Fax (530) 877-7773

P.O. Box 2495
Paradise, CA 95967



Date: 2-7-18
To: Town of PARADISE
Address: Job site:
Woodview Retirement Apts
926 Bushman
PAR, CA

All trees on Plot map* that are
shown for removal ARE in footprint of buildings
& road ways & septic system should be
removed.

Tom Gomez
2-7-18

* Reference C-5
(Tree Location Map)

2-8-18

**TOWN OF PARADISE
NEGATIVE DECLARATION REGARDING ENVIRONMENTAL EFFECT**

1. Description of Project:

Administrative Permit application to establish fifty-six (56), 1-bedroom senior housing units, ranging in size from 420 – 540 sq ft, on a 3.3 acre vacant parcel zoned Multiple Family Residential (MF) and tree felling permit for the removal of 106 qualifying trees to accommodate the proposed site improvements.

2. Name and Address of Project Applicant:

Harding Enterprizes Inc
c/o Jim Harding Jr.
500 Bay Tree Dr
Paradise, CA 95969

3. The Initial Study for this Project was Prepared on: April 12, 2018

4. NOTICE IS HEREBY GIVEN that the Planning Director of the Town of Paradise has reviewed the project described above pursuant to the provisions of the California Environmental Quality Act of 1970 (Public Resources Code) and determined that it will not have a significant effect on the environment. An Environmental Impact Report will not be required.

5. A copy of the Planning Director's determination regarding the environmental effect of this project is available for public inspection at the Town of Paradise Development Services Department, Town Hall, 5555 Skyway, Paradise, CA. Copies thereof will be provided to any person upon payment of the established fee.

6. Any person wishing to respond to this negative declaration may file written responses no later than June 11, 2018 with the Paradise Development Services Department, Town Hall, 5555 Skyway, Paradise, CA 95969, (530) 872-6291. The Planning Director or the Planning Commission will review such comments and will either uphold the issuance of a negative declaration or require an environmental impact report to be prepared.

7. If no protest is lodged, the negative declaration may be formally adopted at the conclusion of the review period. Any negative declaration subject to state clearinghouse review shall not be formally adopted until such review has been completed.

By: 
Craig Baker, Planning Director

Date: 05/07/2018

INITIAL STUDY
FOR THE
“WOODVIEW RETIREMENT COTTAGES” PROJECT
ADMINISTRATIVE PERMIT [PL17-00272]
AND
TREE FELLING PERMIT [PL18-00028] APPLICATIONS

**PROJECT DESCRIPTION
AND
ENVIRONMENTAL SETTING
FOR THE
“WOODVIEW RETIREMENT COTTAGES” PROJECT
ADMINISTRATIVE PERMIT [PL17-00272]
AND
TREE FELLING PERMIT [PL18-00028]**

PROJECT DESCRIPTION

The developer of the “Woodview Retirement Cottages” project has filed applications requesting that the Town of Paradise: 1) approve a land use permit, an administrative permit [PL17-00272], to authorize the establishment of fifty-six (56), 1-bedroom studio-type senior housing units built within six (6) single story structures; and 2) approve a tree felling permit application to remove certain identified “qualifying trees” to facilitate physical development of the site.

ENVIRONMENTAL SETTING

Location

The project site is situated within the southern portion of the Town of Paradise between Clark and Foster Roads and is immediately south, and adjacent to, Buschmann Rd. The site is further identified as assessor parcel number 054-090-075; and is located within the north half of Section 23, T22N, R3E, MDB&M.

Land Use and Access

At present the project property is vacant except for a private, unimproved driveway that connects to Buschmann Rd towards the northeast corner of the parcel. Surrounding land uses include single-family residences to the south, east and west, and Buschmann Road to the north.

Vegetation, Topography and Soils

At present the project site consists of tall grasses and a number of oak and pine trees. The project site has a gentle, southwesterly slope of approximately seven percent (7%) and is situated at an elevation of approximately 1,660 feet above sea level.

Soils underlying the project site are characterized as “AVD 0-30%” (Aiken very deep – zero to thirty percent slope). This soil is the most common type found in Paradise. The AVD 0-30% soils are generally found to depths of 7+ feet and have a high rate of infiltration.

Public Services

Services and facilities available or potentially available to the project site include, but are not limited to the following listing:

Access:	Buschmann Road
Communications:	AT&T Telephone /Comcast Cable Services
Electricity:	Pacific Gas and Electric Company
Public Safety:	Town of Paradise
Recreation:	Paradise Recreation and Park District
Schools:	Paradise Unified School District
Sewage Disposal:	Special design onsite wastewater treatment/disposal system
Water Supply:	Paradise Irrigation District

PROJECT DETAILS

The current proposal of the “Woodview Retirement Cottages” senior housing project entails the establishment of six (6) multi-unit buildings that result in fifty-six (56), one-bedroom units upon a 3.3 acre land area. The proposed project development is to occur in a single phase and is to include establishment of several private site improvements (ex. private interior roads, two private fire hydrants, community sewage treatment and disposal facilities, etc.).

The current project design includes a tree felling permit application proposing the felling and removal of approximately 106 qualifying trees (out of a total of 138 trees on-site) located on the project site in order to accommodate proposed and possibly Town required project improvements.

Primary road access serving the multi-housing complex is proposed to be established with the construction of a paved interior roadway circulation system, including linkage of this road system to Buschmann Road, a public collector street.

The mode of sewage disposal for proposed development will be the construction, installation, and operation of a special design community sewage disposal system (ex. septic tanks, a gravity flow and step distribution system, a sewage treatment facility, and community leachfields).

Other site improvements associated with the proposed housing complex include but are not limited to: 1) construction and installation of stormwater drainage facilities, including a vegetative swale; 2) establishment of an on-site laundry facility; 3) extension and installation of underground utilities (including water main extensions and fire hydrant fixtures); 4) paved parking spaces for accommodating occupants and visitors to the housing complex; 5) privacy fencing and CMU (concrete masonry unit) wall; and 6) on-site signage and directory.

TOWN OF PARADISE

ENVIRONMENTAL CHECKLIST FORM

I. BACKGROUND

- | | |
|------------------------------------------|---------------------------------------------|
| 1. Name of Proponent | Jim Harding Jr. |
| 2. Address and phone number of proponent | 500 Bay Tree Dr, Paradise CA (530) 877-8237 |
| 3. Date of checklist | April 12, 2018 |
| 4. Zoning and general plan designation | Zoning: MF; General Plan: MR |
| 5. Name of proposal, if applicable | Woodview Retirement Cottages |

II. ENVIRONMENTAL IMPACTS

Issues (and Supporting Information Sources):

	<u>SOURCE NO.</u>	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
1. LAND USE AND PLANNING. Would the proposal:					
a. Conflict with general plan designation or zoning?	1,8			<u>X</u>	
b. Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project?	1				<u>X</u>
c. Be incompatible with existing land use in the vicinity?	9			<u>X</u>	
d. Affect agricultural resources or operations (e.g. impacts to soils or farmlands, or impacts from incompatible land uses)?	9				<u>X</u>
e. Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?	9, 10				<u>X</u>
2. POPULATION AND HOUSING. Would the proposal:					
a. Cumulatively exceed official regional or local population projects?				<u>X</u>	
b. Induce substantial growth in an area either directly or indirectly (e.g. through projects in an undeveloped area or extension of major infrastructure)?				<u>X</u>	
c. Displace existing housing, especially affordable housing?	9				<u>X</u>
3. GEOLOGIC PROBLEMS. Would the proposal result in or expose people to potential impacts involving:					
a. Fault rupture?	1				<u>X</u>

		<u>SOURCE NO.</u>	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
b.	Seismic ground shaking	1				<u>X</u>
c.	Seismic ground failure, including liquefaction?	1				<u>X</u>
d.	Seiche, Tsunami or volcanic hazard?	1,9				<u>X</u>
e.	Landslides or mudflows?	1,9				<u>X</u>
f.	Erosion, changes in topography or unstable soil conditions from excavation, grading or fill?	9, 10			<u>X</u>	
g.	Subsidence of the land?	7				<u>X</u>
h.	Expansive soils?	7				<u>X</u>
i.	Unique geologic or physical features?	5, 7, 9				<u>X</u>
4.	WATER. Would the proposal result in:					
a.	Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?	9, 10			<u>X</u>	
b.	Exposure of people or property to water related hazards such as flooding?	5, 9, 10			<u>X</u>	
c.	Discharge into surface waters or other alteration of surface water quality (e.g. temperature, dissolved oxygen or turbidity)?	5, 9, 10				<u>X</u>
d.	Changes in the amount of surface water in any water body?	9, 10				<u>X</u>
e.	Changes in currents, or the course or direction of water movements?	9, 10			<u>X</u>	
f.	Change in the quantity of groundwaters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations or through substantial loss of groundwater recharge capability?	1, 9, 10			<u>X</u>	
g.	Altered direction or rate of flow of groundwater?	1, 9, 10				<u>X</u>
h.	Impacts to groundwater quality?	9, 10			<u>X</u>	
i.	Substantial reduction in the amount of groundwater otherwise available for public water supplies?	1, 9, 10				<u>X</u>
5.	AIR QUALITY. Would the proposal:					
a.	Violate any air quality standard or contribute to an existing or projected air quality violation?	9, 10			<u>X</u>	
b.	Expose sensitive receptors to pollutants?	9, 10				<u>X</u>
c.	Alter air movement, moisture, or temperature, or cause any change in climate?	9, 10			<u>X</u>	

	<u>SOURCE NO.</u>	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
d. Create objectionable odors?	9, 10			<u>X</u>	
6. TRANSPORTATION/CIRCULATION. Would the proposal result in:					
a. Increased vehicle trips or traffic congestion?	8, 9, 10		<u>X</u>		
b. Hazards to safety from design features (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	9, 10			<u>X</u>	
c. Inadequate emergency access or access to nearby uses?	9, 10			<u>X</u>	
d. Insufficient parking capacity onsite and offsite?	9, 10			<u>X</u>	
e. Hazards or barriers for pedestrians or bicyclists	1, 9, 10			<u>X</u>	
f. Conflicts with adopted policies supporting alternative transportation (e.g. bus turnouts, bicycle racks)?	1, 9, 10			<u>X</u>	
g. Rail, waterborne or air traffic impacts?	9, 10				<u>X</u>
7. BIOLOGICAL RESOURCES. Would the proposal result in impacts to:					
a. Endangered, threatened or rare species or their habitats (including but not limited to plants, fish, insects, animals and birds)?	1, 6, 9				<u>X</u>
b. Locally designated species (e.g. heritage trees)?	1, 6, 9				<u>X</u>
c. Locally designated natural communities (e.g. oak forest, coastal habitat, etc.)?	1, 6, 9			<u>X</u>	
d. Wetland habitat (e.g. marsh, riparian and vernal pool)?	1, 9, 10				<u>X</u>
e. Wildlife dispersal or migration corridors?	1, 9, 10				<u>X</u>
8. ENERGY AND MINERAL RESOURCES. Would the proposal:					
a. Conflict with adopted energy conservation plans?	1, 9, 10			<u>X</u>	
b. Use nonrenewable resources in a wasteful and inefficient manner?	9, 10				<u>X</u>
c. Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the state?	1, 9, 10				<u>X</u>
9. HAZARDS. Would the proposal involve:					
a. A risk of accidental explosion or release of hazardous substances (including, but not limited to; oil, pesticides, chemicals or radiation)?	9, 10				<u>X</u>

		<u>SOURCE NO.</u>	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
b.	Possible interference with an emergency response plan or emergency evacuation plan?	1, 9, 10			<u>X</u>	
c.	The creation of any health hazard or potential health hazard?	9, 10				<u>X</u>
d.	Exposure of people to existing sources of potential health hazards?	9, 10				<u>X</u>
e.	Increased fire hazard in areas with flammable brush, grass or trees?	1, 9, 10			<u>X</u>	
10.	NOISE. Would the proposal result in:					
a.	Increases in existing noise levels?	9, 10			<u>X</u>	
b.	Exposure of people to severe noise levels?	1, 9, 10			<u>X</u>	
11.	PUBLIC SERVICES. Would the proposal have an effect upon, or result in a need for new or altered government services in any of the following areas:					
a.	Fire protection?	4, 9, 10			<u>X</u>	
b.	Police protection?	9, 10			<u>X</u>	
c.	Schools?	1, 9, 10			<u>X</u>	
d.	Maintenance of public facilities, including roads?	1, 9, 10			<u>X</u>	
e.	Other governmental services?					<u>X</u>
12.	UTILITIES AND SERVICE SYSTEMS. Would the proposal result in a need for new systems or supplies, or substantial alterations to the following utilities:					
a.	Power or natural gas?	9, 10			<u>X</u>	
b.	Communications systems?	9, 10			<u>X</u>	
c.	Local or regional water treatment or distribution facilities?	1, 9, 10			<u>X</u>	
d.	Sewer or septic tanks?	9, 10			<u>X</u>	
e.	Storm water drainage?	3, 9, 10			<u>X</u>	
f.	Solid waste disposal?	9, 10			<u>X</u>	
g.	Local or regional water supplies?	4, 9, 10			<u>X</u>	
13.	AESTHETICS. Would the proposal:					
a.	Affect a scenic vista or scenic highway?	1, 9, 10			<u>X</u>	

	<u>SOURCE NO.</u>	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
b. Have a demonstrable negative aesthetic effect?	9, 10			<u>X</u>	
c. Create light or glare?	9, 10			<u>X</u>	
14. CULTURAL RESOURCES. Would the proposal:					
a. Disturb paleontological resources?	2, 11				<u>X</u>
b. Disturb archaeological resources?	2, 9, 11			<u>X</u>	
c. Affect historical resources?	2, 9, 11				<u>X</u>
d. Have the potential to cause a physical change which would affect unique ethnic cultural values?	2, 11				<u>X</u>
e. Restrict existing religious or sacred uses within the potential impact area?	2, 11				<u>X</u>
15. RECREATION. Would the proposal:					
a. Increase the demand for neighborhood or regional parks or other recreational facilities?	1, 9, 10			<u>X</u>	
b. Affect existing recreational opportunities?	1, 9, 10			<u>X</u>	
16. GREENHOUSE GAS EMISSIONS. Would the proposal:					
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant effect on the environment?	13, 14			<u>X</u>	
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gasses?	12, 13			<u>X</u>	
17. MANDATORY FINDINGS OF SIGNIFICANCE.					
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?					<u>X</u>
b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?				<u>X</u>	
c. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connect with the effects of past projects, the effects of other current projects, and the effects of probable future projects).				<u>X</u>	

	SOURCE <u>NO.</u>	POTENTIALLY SIGNIFICANT <u>IMPACT</u>	POTENTIALLY SIGNIFICANT UNLESS MITIGATION <u>INCORPORATED</u>	LESS THAN SIGNIFICANT <u>IMPACT</u>	<u>NO IMPACT</u>
d. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?					<u>X</u>

**INITIAL STUDY
STATEMENT OF ENVIRONMENTAL EVALUATION
FOR THE
"WOODVIEW RETIREMENT COTTAGES" PROJECT
[PL17-00272] AND [PL18- 00028]**

III. DISCUSSION OF ENVIRONMENTAL EVALUATION

1. **General Evaluation.** Potential environmental impacts associated with the proposed project have been identified upon the preceding environmental review checklist form. It has been determined that the proposed project will not result in a significant adverse effect on the environment because the project applicant agrees to application of the mitigation measures contained within this Initial Study.

The text that follows identifies and evaluates potential impacts and mitigation measures designed to minimize the environmental effects to an insignificant level. All mitigation measures contained within this initial study shall be incorporated into the proposed project either by the project applicant or the Town of Paradise.

- a. **Item 1 – Land Use and Planning.** If approved and established as currently proposed the project site shall experience an alteration of its existing vacant land usage to a fifty-six (56) dwelling unit senior housing complex. The project property has been assigned a "MR" (Multi-Family Residential) Paradise General Plan land use designation and a "MF" (Multiple Family Residential) zoning. The General Plan land use designation and zoning district classification affecting the project property potentially permits a future residential land use development density up to fifteen (15) dwelling units per acre if served by a Town approved clustered wastewater treatment and disposal system. In addition, California's Density Bonus Law qualifies senior citizen housing developments (of at least 35 units) for a 20% density bonus. Therefore, the land use density of this proposed project at 17 dwelling units/acre can be determined to be consistent with its Paradise General Plan land use designation and zoning with the application of the density bonus regulations contained within Paradise Municipal Code Chapter 17.44.

The proposed project has generally received favorable responses from commenting agencies and appears to be a suitable location for the establishment of a planned multi-housing development project for the following reasons:

1. The site is situated within relatively short distances to public recreation facilities, public arterial roadways, etc.;
2. The design of the project is compatible with existing residential land uses in the immediate area;
3. The project will result in the establishment of a type of housing stock that is generally absent from the Paradise housing market;
4. The project can be found to be consistent with all 1994 Paradise General Plan policies applicable to higher density residential development.

Accordingly, no significant adverse land use and planning impacts resulting from project approval are anticipated by staff.

- b. **Item 2 – Population and Housing**. The Town's 2014 Housing Element identifies the special housing needs of seniors and the difficulty in finding decent and affordable housing. Approval and establishment of the Woodview Retirement Cottages project application would have a beneficial effect upon area housing opportunities. The proposed project should experience an approximate increase of 112 year-round residents and an additional fifty-six (56), one bedroom single-family dwellings units. Potential adverse impacts to population and housing associated with the proposed project population and housing associated with the proposed project is not deemed significant for the following reasons:

1. Area infrastructure is sufficient to accommodate the potential increase;
2. The project would not necessarily create a net increase in overall Town population, as some future residents may simply relocate to the site from within the community.
3. Comments submitted to the Town by the Paradise Irrigation District (PID) regarding the project have not revealed a concern regarding water supply.
4. Comments received from other agencies have not indicated a concern regarding any potential increase in population linked to this project.
5. The project will advance policies in the Town's adopted General Plan Housing Element.

Therefore, no significant adverse impacts to housing or population are expected as a result of the proposed development project.

- c. **Item 3, 4 and 5 – Drainage/Soils Erosion/Air Quality.** The project site is currently vacant. If the Woodview Retirement Cottages development application is approved, land clearing, tree removal, grading and excavation work activities for purposes of site development associated with the proposed planned development project will disturb the physical environmental setting of the project site. Compaction of soils will reduce absorption rates and the creation of additional impervious surfaces will alter drainage patterns. In addition, ground disturbance activities conducted during the dry and windy times of the year could create short-term increase in dust particulate emissions. However, such activities would be subject to Town review of detailed and engineered grading, erosion control, dust emissions control, and site development improvement plans designed satisfactory to the Town Engineer (and possibly the Butte County Air Quality Management District). These plans would be required to be submitted and approved by the Town of Paradise **prior to commencement** of construction activities. If approved, the project would be conditioned accordingly by the Town. Therefore, no significant adverse erosion or air quality impacts are anticipated as a result of approval of the project applications.

- d. **Item 4(h) and 12(d) – Water Quality/Sewage Disposal.** The mode of sewage disposal proposed for the project advocates the establishment and operation of an onsite clustered wastewater treatment and disposal system. This system will assign a series of septic tanks to serve the dwelling units within each structure. Septic tank effluent will be “gravity flowed” to a community special design wastewater treatment facility; and the treated effluent will be pumped and uniformly dosed into community leach fields.

Comments generated by the Town of Paradise Onsite Sanitary Official indicates the existing soils and the project’s proposed means of sewage disposal can be designed, constructed, and operated in a manner that legally satisfies the Town’s applicable onsite sewage disposal system requirements. No significant adverse effect upon local water quality is foreseen.

- e. **Item 6 – Transportation/Circulation.** The project site is provided access via Buschmann Road, a public collector street. It is anticipated that upon full build out and occupancy of the proposed project, an additional 195 average daily vehicle trips per day (ADT) will be generated (3.42 trips per day per unit based on the Institute of Transportation Engineers trip generation rates for attached senior housing). Buschmann Road has a current level of service of C at a projected current volume of 2,650 ADT making the potential addition of 195 ADT an incremental increase to existing traffic volume (+/-7%) that has the potential to exacerbate existing speeding issues. The Town Public Works Director/Town Engineer has indicated that, based upon existing traffic studies, the installation of edge lines offset on both sides of the street will reduce lane width and will reduce the average vehicle speed by

approximately 3 miles per hour without reducing the existing level of service and has recommended the following mitigation measure to reduce any impacts of higher traffic volume induced by the project:

Mitigation Measure.

1. Prior to the issuance of certificates of occupancy for the project, the project developer shall secure a contractor and encroachment permit to install white, thermoplastic 4" edge lines along the north side and south side of Buschmann Road between Foster Road and Clark Road, with a pre-striping layout approved by the Town Engineer prior to installation. These edge lines shall be 10' off of the existing centerline. Installation of these edge lines will create a traffic calming effect and mitigate the impacts of higher roadway volumes anticipated in the project vicinity.
- f. **Item 7 – Biological Resources.** A review of the California Department of Fish and Wildlife [CDFW] natural diversity data-base information for the USGS topographic quadrangle map this project is located in reveals that no known, rare, endangered or sensitive animal or plant species exist or inhabit the project site or its immediate vicinity. In addition, the site has been impacted by grading activity as noted in the cultural resources survey completed by project Archaeologist John Furry.

In association with the overall design of the proposed project a tree felling application has been filed for processing by the Town of Paradise. The tree felling permit application includes a project evaluation by a registered arborist that takes into account the magnitude of soil and root disturbance on the project site that is associated with the construction of various project elements (i.e. building sites, roadway improvements, the community wastewater treatment/disposal system, underground utilities distribution, etc.) and the resulting impact upon existing trees.

While efforts have been implemented to retain trees on the site via a carefully considered project design, physical development of the site associated with establishment of the Woodview Retirement Cottages development project will result in the felling and removal of a majority of large trees on the site. Therefore, it is likely that the loss of approximately 106 of an existing 138 trees on the site will adversely alter the physical character and the environmental setting of the site, resulting in an aesthetic impact, particularly if left unmitigated.

Mitigation Measures.

1. The required landscape plan for the proposed Woodview Retirement Cottages development project shall include provisions for the planting of tree species within landscape areas, particularly in areas visible from Buschmann Road and

neighboring residences. Trees shall be a minimum five-gallon size and most 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. Small ornamental tree species (i.e. dogwood, crepe myrtle) shall not be considered suitable for purposes of mitigating the loss of native trees on the site unless larger native tree species are conspicuously and aggressively included in the landscape plan.

2. No heavy equipment shall be operated or stored within the drip line of any tree that is not planned for felling and removal.
 3. Open areas of the project's approved landscape plan shall be planted with native California plants indigenous to the Cascade and northern Sierra Nevada regions.
- g. **Items 8 – Energy and Mineral Resources.** Due to the fact that the project is limited to a request for approval of a multi-housing project located upon a relatively small site (3.3 acres), no significant loss or use of non-renewable resources is expected. The proposed new construction project proposed for the site will be required to be constructed in accordance with current Town adopted California Building Standards Code energy-efficiency standards and CalGreen building design features. Therefore, no significant loss of energy or natural resources is expected in association with approval of the Woodview Retirement Cottages project.
- h. **Item 9 – Hazards.** The administrative permit, tree felling permit, and the proposed Woodview Retirement Cottages planned multi-housing project should not pose significant or unusual health risks associated with explosions or the release of toxic substances. Therefore, no hazards or risk of upset are foreseen by staff.
- i. **Item 10 – Noise.** The proposed planned multi-housing development project will result in increases of existing noise levels that should occur predominantly during the eventual construction of onsite improvements and residential structures. Such impact should be short term and should not be substantially adverse provided permissible community noise levels as established by the Town's noise ordinance are not exceeded. It is not expected that the project would be the source of any significant long-term noise related impacts, since the land uses proposed in association with the Woodview Retirement Cottages development project are relatively quiet land uses.

Under section 9.18 of the Paradise Municipal Code, construction activities that are audible across property lines are limited to occur between the hours of 6 a.m. and 7 p.m. Monday through Saturday and prohibited on holidays. These existing noise limitations imposed by the municipal code for construction activities will ensure that the project will not result in significant temporary increases in noise levels that require mitigation.

j. **Item 11 – Public Services [Fire and Police Protection, Schools, etc.]**

Fire Protection: Fire protection and fire flow requirements are the responsibility of the Paradise Fire Department with cooperative actions implemented by the Paradise Irrigation District (PID) and the project developers. The project is in compliance with the Paradise General Plan policies requiring average emergency response times. Information provided by the Fire Department and PID staff relative to this project indicate that fire flows in the vicinity of the project site are sufficient to provide adequate fire protection for the project site. The project applicant has proposed the installation of municipal fire hydrants and water mains on site as required and all-weather interior access roadways fully accessible to emergency vehicles, in accordance with Uniform Fire Code standards. In the event that the Woodview Retirement Cottages development applications are approved, the Town will condition the project accordingly. Therefore, no significant impacts related to fire protection are foreseen.

Police Protection. The project site is zoned to permit the proposed multiple family residential land uses in a manner that is consistent with the Town of Paradise General Plan Land Use Designations Map, formally adopted by the Paradise Town Council in 1994. Therefore, any impacts associated with the establishment of the proposed multi-housing planned development on the site has been recognized through broad based community review and could not have been unforeseen. Due to its limited size and scope, approval of the proposed Woodview Retirement Cottages development should not pose any significant or unusual challenges for local law enforcement personnel. Further, the project should not in and of itself cause community law enforcement service levels to decline. Accordingly, no adverse impacts to police protection are anticipated by staff.

Schools. Based upon a 0.39 student yield factor per new home, it is estimated that up to 22 new students could be generated by the proposed multi-housing development project though 1-bedroom senior units are unlikely to generate any additional school-aged children. Current revenues received from developers of new dwelling construction accounts for only a portion of the actual Paradise Unified School District (PUSD) costs for permanent and interim school facilities, transportation, and also, administrative support facilities. However, the project site was designated via adoption of the 1994 Paradise General Plan in a manner that accommodates the proposed project and the potential residential density for the project site, any impacts to schools created by approval of this project should not have been unforeseen by PUSD staff and no significant adverse impacts related to schools are expected.

k. **Item 12 – Utilities and Service Systems.**

Sewage Disposal: Any development of the project site must be in compliance with the Town of Paradise sewage disposal ordinance. The Town's Onsite Sanitation Division staff has carefully evaluated the details for the proposed project and the characteristics of the project site. Onsite Division staff has determined that the site can safely accommodate the calculated wastewater discharge for the project. If the Woodview Retirement Cottages development project applications are approved, the proposed project and its residential components would be conditioned in a manner that is consistent with the requirements of Town sewage disposal regulations. Therefore, no significant adverse effect regarding sewage disposal is foreseen.

Water Supply: The Paradise Irrigation District (PID) currently supplies water to the project site. Comments received from PID staff relative to this project have not revealed a concern regarding the district's delivery facilities or adequate water supply for residential purposes. Therefore, no significant impacts related to water supply are anticipated as a result of project approval.

- I. **Item 13 – Aesthetics.** The project site is not located in a scenic vista or highway as defined in the General Plan. Although the undeveloped site would be altered by construction of residential units, it would not adversely affect the aesthetics of the existing residential character of the surrounding neighborhood. Required project landscaping would serve to soften and buffer the structures to maintain the established character of the site.

All proposed buildings are to be single story and the Town of Paradise shall require all buildings to be constructed of non-glare materials. Lighting fixtures will be required to be shielded and/or designed to reflect away from any nearby land uses. In addition, multi-family developments are formally reviewed for compliance with architectural aesthetics and design standards as adopted by the Paradise Municipal Code. Therefore, no significant adverse effects regarding aesthetics are anticipated.

- m. **Item 14 – Cultural Resources.** The project site is located within an area that is identified as being sensitive for prehistoric, ethnographic, and historic cultural resources. A written report of an archaeological inventory survey and evaluation for the site was prepared by archaeologist John Furry of Cultural Resource Specialties and has been submitted to the Town by the project applicant, based upon a field survey of the project site by Mr. Furry on February 7, 2018. The field survey detailed within this report did not result in the location of any prehistoric or historic cultural resources. Mr. Furry recommended archaeological and historical clearance for the project. He also recommended a mitigation measure to address the discovery of any other resources, during construction, on the site. If left unmitigated, residential development of the property could potentially disturb this archaeological site, resulting in a significant

adverse impact to area cultural resources.

Mitigation Measure:

1. If, during site preparation activities such as grading, excavation, and the installation of utilities, sewage disposal systems, etc., any archaeological resources are discovered, all work shall be immediately halted. The Paradise Development Services Department (planning division) shall be notified of the discovery, and a qualified archaeologist shall be retained, at the expense of the property owner, to perform a site assessment and to develop mitigation measures as appropriate.

- n. **Item 15 – Parks and Recreation.** The creation of fifty-six (56) dwelling units and their resultant occupancy will add Paradise citizens that will utilize existing park and recreation facilities. This additional usage contributes toward an ongoing cumulative impact upon the existing park and recreation facilities.

However, the project applicant will be assessed impact fees based on the square footage of the housing units that will be paid directly to Paradise Recreation and Park District (PRPD) in an effort to mitigate those potential impacts on existing recreational facilities, as adopted by the PRPD board of directors. As such, no additional mitigation measures are determined to be warranted.

- o. **Item 16 – Greenhouse Gas Emissions.** The main sources of greenhouse gasses for development projects are the combustion of fossil fuels from construction equipment, vehicle trips generated by the project, and from the subsequent on-going use of electricity once the project is established. New development must adhere to a number of Town policies, building code requirements, development standards design guidelines, and standard practices that contribute to the reduction of greenhouse gasses. Below is a list of standards applied to this project which aid in implementing emissions reductions:

- 1) Compliance with California's Title 24 Building Energy Efficiency Standards for Residential Buildings
- 2) Compliance with the Town's tree protection ordinance
- 3) Incorporation of replacement trees and landscaping consistent with the Town's Municipal Code
- 4) Consistency with the Town's Design Standards for energy efficiency
- 5) Consistency with the State's Water Efficient Landscape Ordinance
- 6) Adherence to Butte County Air Quality Management District mitigation measures for construction sites (e.g., dust suppression measures, reducing idling equipment, maintenance of equipment per manufacturer specs, etc.)
- 7) Diversion of 65% of construction waste
- 8) Reduced parking standards for senior housing based on a 60% reduction in

ADT per ITE trip generation rates

In addition, the developer has noted in the project description that each of the buildings will be designed with rooftop solar which in turn will reduce the carbon emissions associated with the production of electricity.

The Town of Paradise does not have a Greenhouse Gas Reduction Plan. The project does not conflict with any local plans, policies or regulations regarding greenhouse gas emissions. While it is acknowledged that increases in greenhouse gas emissions associated with future development of the site will occur, the site will be subject to numerous development regulations that will aid in implementing emissions reductions. Due to the small size of the site and in consideration of the land uses that are permitted and potentially permitted pursuant to the zoning assigned to the site, these increases will not rise to significant levels and no mitigation measures are deemed to be necessary.

2. **Mitigation Monitoring:**

It shall be the responsibility of the project proponent to comply with any mitigation measures assigned to the project in a timely fashion. It shall be the responsibility of the Town of Paradise to ensure that the applicant successfully complies with any proposed mitigation measures at the appropriate milestones in the overall project review and development process.

IV. DETERMINATION.

On the basis of this initial evaluation:

1. I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared. _____
2. I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described in this document shall be added to the project. **A NEGATIVE DECLARATION WILL BE PREPARED.** X
3. I find the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required. _____
4. I find that the proposed project **MAY** have a significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed. _____
5. I find that although the proposed project could have a significant effect on the environment, there **WILL NOT** be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project. _____



Craig Baker
Community Development Director/Planning Director for the Town of Paradise

Date 05/07/2018

V. REFERENCES

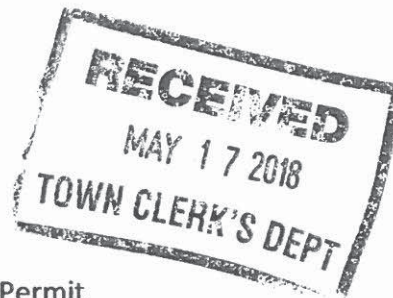
1. Town of Paradise 1994 General Plan, Volumes I-III, Town of Paradise Community Development Department and Quad Consultants, October 1994
2. Town of Paradise inventory map of archaeologically sensitive areas 1987, CSUC Anthropology Department
3. Master storm drainage study and facilities plan, Paradise, California, 1980, McCain Associates
4. Paradise Irrigation District water distribution map, 1993
5. USGS topographic map: Cherokee Quadrangle, 1994
6. The California natural diversity data base, state Department of Fish and Wildlife
7. "Soils of Paradise and Their Ability to Treat Domestic Wastewater," Wert and Associates, 1992
8. Town of Paradise Zoning Ordinance; Town of Paradise Development Services Department
9. Site inspections by Town planning staff; April 3, 2018
10. Woodview Retirement Cottages project application materials submitted to the Town of Paradise on November 9, 2017
11. Correspondence regarding archaeological resources from John Furry, Archaeologist, Cultural Resource Specialties, dated February 7, 2018, on file with the Paradise Development Services Department.

Initial Study



Prepared by: _____
Craig Baker, Community Development Director/Planning Director

Town Clerk
Town of Paradise
5555 Skyway
Paradise, Ca. 95969



May 15, 2018

Re: Woodview Retirement Cottages Administrative Permit
Application (PL17-00272) @ 926 Buschman Road, Paradise CA
AP No. 054-090-075

Dear Mr. Craig Baker,

My name is Evelyn Daniels and I live at 5530 Floral Lane, Parcel # 054-090-045-0000 just behind Dudley Lane.

In the past years I have experienced high water runoff from Dudley Road and the lot above it (the three acre development in question) when we have heavy rainfall. Also there appears to be lots of groundwater coming from the Aquatic Park/Buschman Road area. It has been so severe at times, that I have had to install pumps to remove the water from my backyard to the street in front of my house – Floral Lane. This causes water problems for my neighbors across the street from me at lot # 44 and # 43. Lot # 40 (next door) has experienced the same problems as myself.

My questions and concerns are:

Will this project increase the water runoff to my property?

Will something be done to contain the water runoff on Dudley Lane and my property?

Will this project have sewer access?

Are all of the trees going to be removed, or will some of them remain for shade and privacy?

Please help me understand how this project will impact my property and my surrounding neighbors, so that we can respond appropriately.

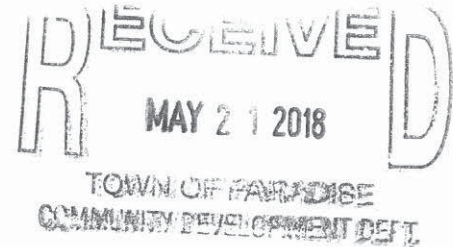
Sincerely,

Evelyn R. Daniels
530-872-5636

Central Valley Regional Water Quality Control Board

16 May 2018

Town of Paradise
Attn: Susan Hartman
5555 Skyway
Paradise, CA 95969



COMMENTS ON THE INITIAL STUDY AND PROPOSED NEGATIVE DECLARATION FOR THE WOODVIEW RETIREMENT COTTAGES ADMINISTRATIVE PERMIT (PL17-00272) AND TREE FELLING PERMIT (PL18-00028), APN 054-090-075-000, STATE CLEARINGHOUSE NUMBER. 2018052026, PARADISE, BUTTE COUNTY

The Central Valley Regional Water Quality Control Board (Central Valley Water Board) is a responsible agency for this project, as defined by the California Environmental Quality Act (CEQA). On 11 May 2018, we received your request for comments on the Initial Study and Proposed Negative Declaration for the Woodview Retirement Cottages Administrative Permit (PL 17-00272) and Tree Felling Permit (PL18-00028).

The applicant is proposing an administrative permit application to establish six multi-unit single story buildings that will result in fifty-six, one-bedroom senior housing units on a 3.3 acre vacant parcel zoned Multiple-Family Residential (MF) and tree felling permit for the removal of 106 qualifying trees to accommodate the proposed site improvements. The project is located at the cross streets of Buschmann Road (public) and Dudley Lane (private).

Based on our review of the information submitted for the proposed project, we have the following comments:

General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (CGP)

Construction activity, including demolition, resulting in a land disturbance of one acre or more must obtain coverage under the CGP. The Woodview Retirement Cottages Administrative Permit (PL17-00272) and Tree Felling Permit (PL18-00028) must be conditioned to implement storm water pollution controls during construction and post-construction as required by the CGP. To apply for coverage under the CGP the property owner must submit Permit Registration Documents electronically prior to construction. Detailed information on the CGP can be found on the State Water Board website:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml

Isolated wetlands and other waters not covered by the Federal Clean Water Act

Some wetlands and other waters are considered "geographically isolated" from navigable waters and are not within the jurisdiction of the Clean Water Act. (e.g., isolated wetlands, vernal pools, or stream banks above the ordinary high-water mark). Discharge of dredged or fill material to these waters may require either individual or general waste discharge requirements from the Central Valley Water Board. If the U.S. Army Corps of Engineers determine that isolated wetlands or other waters exist at the project site, and the project impacts or has potential to impact these non-jurisdictional waters, a Report of Waste Discharge and filing fee must be submitted to the Central Valley Water Board. The Central Valley Water Board will consider the information provided and either issue or waive Waste Discharge Requirements. Failure to obtain waste discharge requirements or a waiver may result in enforcement action.

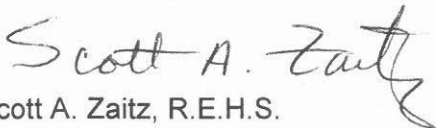
Any person discharging dredge or fill materials to waters of the State must file a report of waste discharge pursuant to Sections 13376 and 13260 of the CWC. Both the requirements to submit a report of waste discharge and apply for a Water Quality Certification may be met using the same application form, found at:

http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf

Post-Construction Storm Water Requirements

Studies have found the amount of impervious surface in a community is strongly correlated with the impacts on community's water quality. New development and redevelopment result in increased impervious surfaces in a community. Post-construction programs and design standards are most efficient when they involve (i) low impact design; (ii) source controls; and (iii) treatment controls. To comply with Phase II Municipal Storm Water Permit requirements the Town of Paradise must ensure that new developments comply with specific design strategies and standards to provide source and treatment controls to minimize the short and long-term impacts on receiving water quality. The design standards include minimum sizing criteria for treatment controls and established maintenance requirements. The proposed project must be conditioned to comply with post-construction standards adopted by the Town of Paradise in compliance with their Phase II Municipal Storm Water Permit.

If you have any questions or comments regarding this matter please contact me at (530) 224-4784 or by email at Scott.Zaitz@waterboards.ca.gov.



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SAZ: db

cc: Department of Fish and Wildlife, Region 2, Rancho Cordova
Jim Harding Jr., Harding Enterprises, Inc., Paradise