



**CITY OF CORNING
PLANNING COMMISSION MINUTES**

**TUESDAY, JUNE 19, 2007
CITY COUNCIL CHAMBERS
794 THIRD STREET**

A. CALL TO ORDER: at 6:30 p.m.

B. ROLL CALL:

Commissioners: Robertson
Reilly
Lopez
Barker
Chairman: Howell

All Commissioners were present except Commissioner Barker.

C. WAIVE THE READING AND APPROVE MINUTES OF THE MAY 15, 2007 PLANNING COMMISSION MEETING WITH ANY NECESSARY CORRECTIONS.

This item was removed from the Agenda at the request of the City Clerk. They will be presented at the July 17, 2007 Planning Commission meeting.

Commissioner Barker entered the meeting at 6:35p.m.

D. BUSINESS FROM THE FLOOR:

Mayor Strack addressed the Commission and audience stating that he wanted to congratulate Chairman Julian Howell for his numerous (20 years) of dedication to the Planning Commission. Julian announced that his term expires June 30, 2007 and he is not seeking another term.

E. PUBLIC HEARINGS AND MEETINGS: Any person may speak on items scheduled for hearing at the time the Chairman declares the Hearing open. **ALL LEGAL NOTICES PUBLISHED IN ACCORDANCE WITH LAW.**

- 1. Tentative Parcel Map 07-08, Robert Vardanega, to create two Single Family Residential Lots in an R-1-2 Zone, located between Fourth and Chicago Avenues and approximately 76 feet south of Center Street; site address is 1311 Fourth Avenue; APN 71-273-02.**

Chairman Howell introduced this item by title and gave a brief explanation of the project. He then opened the Public Hearing and asked if anyone in the audience had any questions. With no questions the motion was made by Commissioner Barker to close the Public Hearing. Commissioner Lopez seconded the motion. **Ayes: Robertson, Reilly, Lopez, Barker and Howell. Opposed: None. Absent/Abstain: None. Motion was approved by a vote of 5-0.**

Commissioner Reilly motioned to recommend the City Council approve Tentative Parcel Map 07-08 and adopt Findings 1-4 and adopt Recommended Conditions of Approval 1-9 on the Vardanega Tentative Parcel Map 07-08. Commissioner Lopez seconded the motion. **Ayes: Robertson, Reilly, Lopez, Barker and Howell. Opposed: None. Absent/Abstain: None. Motion was approved by a vote of 5-0.**

- 2. Revision to Planned Development Use Permit No. 1976-65; to revise the Use Permit to permit residents other than Senior Citizens to occupy the Olive Grove Apartments. Located at 1960 Butte Street in a Planned Development Zoning District; Best Investment Group, LLC; APN 71-080-45.**

Chairman Howell introduced this item by title, gave a brief explanation of the proposed revision, and stated that a letter of opposition had been received from Sylvia Clark. He then opened the Public Hearing.

John Eller addressed the Commission stating that he and Best Group LLC had tried unsuccessfully to operate the Olive Grove Apartments as a "Senior" complex. They have tried many advertising avenues including television, yet to date nothing has worked. Mr. Eller stated that financially they are not able to continue operation as solely a Senior Complex. He said that they have rented a few apartments to non-seniors unaware that they were violating their existing Use Permit. City Planning Director John Brewer informed him of this violation. Mr. Eller stated that currently there are 18 seniors residing in the complex and 12 non-seniors. When asked when the meal service ended by the Commission, Mr. Eller stated he believed it was four months ago. At that time the rent was reduced to \$500 a month.

Members of the Commission stated that Tehama Village seems able to operate sufficiently, what are they doing to make it work that might be applied at the Olive Grove Complex? Mr. Eller and various members of Best Group LLC responded stating that Tehama Village uses State vouchers to subsidize their rental units.

Walter Dodd addressed the Commission stating his opposition to a revision of the existing Use Permit. Mr. Dodd stated that he has seen the property at its best and worst, he believes it is at its worst now. He said that he supported the provision for seniors when the development first started. He also stated that he is a member of the Tehama County Commission on Aging and they oppose this proposed action. Mr. Dodd said he believes there is a demand for senior units in the community, that these units are really not suitable for cooking, however if each two unit section were combined, enlarging the units, they might be more desirable. He stated that the City did not give an allowance for reduced parking at the time of the original development.

Ken Robison spoke on behalf of Kirk Silverman who is a prospective purchaser of the property. Mr. Robison also stated that he also works with the Best Group LLC. Mr. Robison stated that the complex has been in existence for 17 years, the parking is limited with usually 8 to 10 parked vehicles at a time, however it has the prospect to provide for 18 additional parking spaces along street frontages. Mr. Robison said that it had not been age restricted for some time.

Commissioner Reilly informed Mr. Robison that it had been age restricted the entire time; it has just not been enforced.

Mr. Robison briefed the Commission on the residents currently residing at this complex. He then stated that they have conceded to limit the parking and stated that Mr. Silverman has a reputation for remodeling/refurbishing property nicely as is displayed by his property located on Highway 99W.

Chris Hill addressed the Commission stating that his daughter currently resides in one of the units. He stated that she has a medical condition that sometimes results in her having seizures; these apartments are equipped to allow her to live on her own and accommodate the needs of her condition.

Gale Locke of the Tehama County Commission on Aging spoke in opposition of the Use Permit revision. She stated that without the provided meals and with residents cooking in these units, the units might need to be updated to accommodate this use. She stated if a revision to the existing Use Permit is approved, these facilities definitely should be updated.

Phil Sullivan, previous owner/operator addressed the Commission in support of the proposed Use Permit revision and gave a history of the complex. Planning Director John Brewer asked the monthly rental cost of the units when meals were provided. He was informed that at the beginning it was in the \$750 range and later rose to over \$1,000 with meals. He stated that the residency rate continued to decline. Mr. Sullivan stated that they had tried numerous times to turn that around but it was to no avail.

Ross Tye addressed the Commission stating that they had tried a number of avenues of advertisement to raise the residency rate. He stated that times have changed and there is a need for one-bedroom rental units. Many active seniors are now looking for larger living accommodations; others are looking for assisted living quarters.

Georgie Bellin, Commercial Real Estate Broker from Chico spoke on behalf of Dr. Ross Tye and the Best Group stating her support of a revision to the existing Use Permit. She stated that the previous owner lost a half million dollars on this project. She also suggested making this a Conditional Use Permit with a review in 24 months.

Louisa Barker, member of the Tehama Commission on Aging stated the Association's opposition to the proposed Use Permit Revision.

Commissioner Barker left the meeting at 8:04 p.m.

Commissioner Reilly stated that he had really mixed feelings on this proposal. He stated that he understood the economic issues behind the revision request. Commissioner Robertson stated her concerns relating to previous comments of opposition from residents in close proximity to this complex that were presented at a previous public hearing for a proposed apartment complex. She also stated her concerns relating to the size of the units, how to regulate number of inhabitants per unit, and how discrimination and rental laws could affect the ability to regulate unit habitant numbers. Commissioner Lopez suggested limiting permitted use to half disabled and half seniors. Chairman Howell suggested allowing the Use Permit to allow a small number of non-seniors/disabled residents. Members of the Commission suggested having Staff meet again with the perspective property buyer (Kirk Silverman), John Eller and members of Best Management Group LLC to discuss a possible Alternate "C".

Commissioner Reilly motioned to continue the Public Hearing to the July 17th Planning Commission meeting to allow time for City Staff to meet with the Best Management Group LLC and the perspective buyer of the property to discuss an Alternate "C" Plan to be considered at the next meeting along with the existing proposed Alternate "A" and "B". Commissioner Lopez seconded the motion. **Ayes: Robertson, Reilly, Lopez, and Howell. Opposed: None. Absent: Barker. Abstain: None. Motion was approved by a vote of 4-0 with Barker Absent.**

F. **REGULAR AGENDA:** None.

G. **ITEMS PLACED ON THE AGENDA FROM THE FLOOR:** None.

H. **ADJOURNMENT:** 8:10 p.m.



Lisa M. Linnet, City Clerk