

BOARD OF ADMINISTRATIVE REVIEW
 Regular Meeting, 2 p.m.
 Wednesday, January 16, 2008
 Caldwell Park Conference Room, City Hall
 777 Cypress Avenue
 Redding, California 96001

M I N U T E S

Chairman Randy Memeo called the meeting to order at 2 p.m., with Senior Planner Lily Toy, Land Development Manager Marty Wayne, Assistant Planner Josh Keener, and Executive Assistant II Anita Felion present.

PUBLIC HEARING - SITE DEVELOPMENT PERMIT APPLICATION SDP-20-07, by Steven Woods, requesting approval to construct a 5,923-square-foot market/convenience store with an associated fuel island on property located at 1292 College View Drive in a "GC" General Commercial District. *Environmental Determination: Categorically Exempt. Staff Recommendation: Approval. L-010-390*

Assistant Planner Josh Keener submitted the Standard Conditions of Approval to the Board and noted that they had not been included in the staff report. He also submitted a letter from Gary and Lori Schmidt, who were concerned about the hours of operation, excessive pavement, sale of pornography, and loitering. He said the applicant indicated that the gas company had its own prohibition on the sale of pornography. Mr. Keener advised that Condition 5 had been revised to require a line-of-sight analysis, and two conditions had been added regarding noise levels and lighting.

Mr. Keener summarized the staff report. He noted that of major concern were the locations of the two driveway entrances. He said traffic-safety considerations required that the southern driveway along College View Drive be moved as far east as possible and narrowed to a width of 30 feet. He continued that the driveway entrance onto Churn Creek Road would be required to be right-in/right-out only, and the applicant would be required to install a median in Churn Creek Road to accomplish this requirement.

According to Mr. Keener, two large existing oak trees are on-site, and the retention of these trees was considered. He indicated that the applicant's arborist recommended that the westernmost oak tree be removed due to its health and proximity to the proposed fuel island. He stated that site revisions were made to retain the second oak and ensure its health and longevity. Mr. Keener observed that improvement plans were required to be reviewed by an arborist to ensure that these goals were met.

Site improvements were also discussed by Mr. Keener. He noted that there would be significant on-site landscaping, including a landscape island adjacent to the fuel island facing Churn Creek Road. He added that the large area between the property line and the resultant edge of pavement would also be landscaped, resulting in a large and appealing swath of landscape along the project frontage, which included a large section of Caltrans right-of-way. Mr. Keener said staff recommended that the Board of Administrative Review approve Site Development Permit Application SDP-20-07 subject to the conditions of approval, which he reviewed.

Chairman Randy Memeo asked if a tenant had been signed for the commercial space. Mr. Keener replied that a tenant had not been obtained but that the applicant had desired to have as much parking space as possible, in case a fast-food operation wanted to lease the building. The Chairman opened the public hearing at 2:17 p.m.

Steve Woods, applicant, believed the item had been presented satisfactorily.

Ryan Prins observed that the store would be closed at night but that the fuel islands would still be open for credit card use. He worried that vehicle headlights would shine into his bedroom window. Mr. Prins requested that a fence with slats and plant barrier be installed to help alleviate the lighting problem. Mr. Keener pointed out that there were limitations for barriers at the corner and driveway because of sight-distance issues.

Land Development Manager Marty Wayne suggested installing a landscape berm, which would allow smaller-sized shrubs but still achieve a satisfactory height to resolve the issue.

Mr. Prins also asked about the tall sign that displayed the gas prices. He worried about the light from the sign shining into his backyard and asked if the sign could be moved. Mr. Woods responded that the sign needed to be on the corner and quoted a law regarding the dispensing of fuel that required the prices to be visible from both streets. He added that the sign height was 25 feet. Mr. Prins felt the height was acceptable.

Mr. Prins noted that the subject property had once been a towing yard. He voiced concern about contamination from ground disturbance. Mr. Woods acknowledged the previous use but noted that a geologist would be inspecting the area. He said he had been told that there was never any disposal or spillage of any type on the property. Mr. Memeo observed that there were City requirements for the project to be in a dust-free zone.

More discussion ensued regarding the possibility of installing a landscape berm to alleviate the problem of lights shining into the residents' homes. Mr. Wayne felt there was sufficient depth to landscape from the property line to the fuel dispensers.

Senior Planner Lily Toy suggested revising Condition 15 to reflect the additional landscape berm.

Lori Schmidt worried that the lights would shine into her backyard. She requested that the southern entrance to the property be for entrance only. Mr. Memeo replied that having only one exit would cause significant traffic problems. Mr. Wayne suggested extending the length of the slope to the extent practicable. He advised that the sloping would be part of the grading plan, which was not being considered at this meeting.

Bruce Glavaz voiced concern about the traffic, noting there had been an increase in vehicles on College View Drive. He suggested limiting the egress to right-turn only, because allowing a left turn could be a safety issue. Mr. Keener noted that there was a two-way turn lane, which allowed the driver to transition into the traffic flow. He explained that the traffic engineer had reviewed the project and that the lane was within the guidelines established. Mr. Woods added that College View Drive would be widened. He indicated that there was satisfactory sight distance, as well.

Mr. Keener mentioned access to the property by the tenants in the apartments to the east. He noted that the General Plan addressed the need for pedestrian connection. He said staff required a path to the chain-link fence until the path was extended in the future.

Mr. Prins mentioned the corner sign that advertised the fuel prices. He asked if the sign could be shorter and wider. Mr. Woods explained that there were laws regarding the size of the lettering for fuel pricing, in addition to sign-size regulations.

Ms. Toy referred to Condition 16 regarding tree management and stated that the wording should be revised to add "Prior to issuance of grading permit . . ."

Motion: Senior Planner Lily Toy moved that the project be found categorically exempt under the provisions of the California Environmental Quality Act and that, based upon the testimony presented by staff, the Board of Administrative Review determine that the necessary findings for approval as identified in Section 18.13.090 of the Redding Municipal Code are in evidence and that the site development permit be granted subject to the conditions of approval as recommended by staff, including the revision of Conditions 5 and 16 and the addition of two new conditions regarding noise levels and the shielding of lighting.

Second: Land Development Manager Marty Wayne.

Ayes: Senior Planner Toy, Land Development Manager Wayne, Chairman Memeo.

Noes: None.

ADJOURNMENT

There being no further business to come before the Board, Chairman Randy Memeo adjourned the meeting at 2:50 p.m.

Anita M. Felion, Executive Assistant II

Randy Memeo, Chairman