

BOARD OF ADMINISTRATIVE REVIEW
 Regular Meeting, 2 p.m.
 Wednesday, March 12, 2008
 Caldwell Park Conference Room, City Hall
 777 Cypress Avenue
 Redding, California 96001

M I N U T E S

Chairman Chris Young called the meeting to order at 2 p.m., with Senior Planner Jim Wildauer, Land Development Manager Marty Wayne, Assistant Planner Josh Keener, and Executive Assistant II Anita Felion present.

PUBLIC HEARING - SITE DEVELOPMENT PERMIT APPLICATION SDP-3-08, by Unity in Redding Church, requesting approval for a joint parking agreement, reducing parking requirements to allow for establishment of the religious facility in a leased space at 1852 Buena Ventura Boulevard in a "GC" General Commercial District. Continued from the meeting of February 27, 2008. Environmental Determination: Categorically Exempt. Staff Recommendation: Approval. L-010-390-700

Assistant Planner Josh Keener summarized the staff report. He noted that the item had been continued from the meeting of February 27, 2008, to allow an additional public-notification period. He said this action was prompted by concern expressed by members of the public that the individual tenants in the commercial center were not notified of the initial public hearing.

Mr. Keener described the request, noting that the proposed agreement would require the property owner to verify that all current and future tenants, including Unity in Redding, did not create a parking demand on Sunday in excess of the available 54 spaces. He pointed out that the agreement would allow for up to a 27 percent reduction in the number of required parking spaces on Sundays. Mr. Keener indicated that the parking situation for all other days of the week would continue to meet the requirements of the Redding Municipal Code, and the uses taking place during the rest of the week could not generate a parking requirement in excess of the existing 54 spaces.

Mr. Keener stated that staff had observed the parking situation on March 2 and March 9 (both Sundays). He said on March 2, there were three cars in the parking lot at 11 a.m., and one car at 1:05 p.m. He continued that on March 9, staff observed two cars in the parking lot at 12:35 p.m., which seemed to support the applicant's contention that the majority of tenants were not currently open on Sundays.

Public comment was also discussed by Mr. Keener. He noted that staff had received two phone calls from tenants in the center, and those individuals also attended the February 27 meeting. He mentioned letters received from adjacent landowner, Dr. Serr, and tenants Heidi Hartigan and Jaqueline Kirk, from the Speech Therapy Center. He said the comments indicated their concern about the proposed parking agreement and that the parking situation, which was already very tight, would limit their hours of operation. Mr. Keener advised that to address their concerns, staff had proposed revising some of the conditions of approval: Condition 2 was revised to include language that if the existing tenants opened on Sunday and the parking became an issue, the agreement would be revisited by staff for changes or revocation; Condition 3 was added to ensure that the church's main activities took place during times when the parking should not conflict with existing tenants; and Condition 4 was added to require a review of the permit six months from date of church occupancy in order to assess the impact on parking. He said staff recommended that the Board of Administrative Review approve Site Development Permit Application SDP-3-08 subject to the conditions of approval, which he reviewed. The Chairman opened the public hearing at 2:13 p.m.

Dr. Cheryl Serr was in the process of constructing a building adjacent to the subject commercial center. She worried that the church would start holding classes during the weekdays and that the parking would overflow into her area, which would affect parking for her patients. She pointed out that a church always tried to increase its membership.

Shelly Kibler, Dr. Serr's representative, wanted to ensure that the adjacent property owners would also be notified of the six-month review.

Chairman Chris Young noted that an owner could restrict parking on his or her parcel and post "No Parking" signs for noncustomers. Mr. Keener confirmed that adjacent property owners would be notified of a future public hearing. He advised that approximately 30 people attended church on Sundays, and classes on Tuesdays and Thursdays usually had from six to eight in attendance. He added that during the day, there would be approximately 8 people in attendance, and in the evening, there would be approximately 12.

Machelle Hinkle, owner of Shear Heaven, noted that she had increased the size of her business over the previous year and voiced concern that parking for the church would encroach into her area. Mr. Keener explained the method for determining the required number of parking spaces. Ms. Hinkle observed that she had seen a number of near accidents due to the narrow turning radius in front of Bobba Lou's Sandwich Shop. Mr. Keener advised that the parking lot was laid out to current standards.

Lisa McFall, owner of Lisa's Book Nook, felt her main concern of her ability to be open on Sundays had been addressed. She believed a six-month review was not long enough and asked that an additional six-month review be added.

Senior Planner Jim Wildauer agreed to an additional six-month review.

Robert Constantino mentioned the handicap-parking spaces in front of his sandwich shop. He agreed that parking could be a problem during the weekdays and worried that parking for the church activities would make the situation worse. He said people had trouble driving in and out of the center due to the narrow turning area. Mr. Constantino felt some of the handicap parking should be moved away from in front of his sandwich shop. Mr. Young observed that the handicap parking spaces were actually not in front of Mr. Constantino's, they were street-side. He recalled that at the previous meeting, the possibility of moving one or two of the handicap-parking spaces was discussed.

Land Development Manager Marty Wayne explained that the center might have one extra handicap-parking space, based on the requirements. He recalled that there had been grading issues during development of the center, which was why there weren't any handicap-parking spaces at the other end. Ms. Hinkle interjected that she had spoken with the center's owner, who indicated he was willing to move one of the handicap-parking spaces.

Tom Shuck, applicant's representative, Real Estate 1, believed Dr. Serr's concerns had been met. He recalled that there had been 22 desks in his real estate office at the center and that there were 15 real estate agents present at one time. He asserted that the building and parking area met Redding's Municipal Code; the accidents in the parking lot were not the responsibility of the tenants. He addressed the letter from the speech therapists who noted that they had expressed interest in expanding their business and would be using the parking lot on Saturdays and Sundays in order to meet their customers' needs.

Mr. Shuck referred to his letter submitted to staff, which indicated the number of available parking spaces on certain days and times. Regarding the church membership, Mr. Shuck advised that at one time, there were 35 members, now there were approximately 30.

Rev. Sandra Soley Keep, applicant, said she wanted the church to grow but also wanted to be in harmony with the community. She mentioned that the church consisted of families who would ride together to church in one car. She indicated that the average age of the congregation ranged between 50 and 60.

Mr. Shuck added that if the applicant's request was not approved, he would be renting the space to someone else, who could have a much more intensive use during the weekdays as well. He advised that if the use was for an office or retail and was labor-intensive, he would not have to notify the neighboring tenants at all. Mr. Young confirmed that a call center or medical or real estate offices with a higher intensity of use would also be allowed.

Mr. Wildauer observed that the busiest hours during the week for the sandwich shop were from 11:30 to 2. He asked if the church had activities during that time. Rev. Keep said she had a class that occurred at noon once a week, but would probably not use more than three spaces, even though she would be allowed ten. Determining that no one else wished to comment, the Chairman closed the public hearing at 2:57 p.m.

Mr. Wildauer asked the tenants if they were more confident in this project with revisions to the conditions discussed today. Dr. Serr, Ms. McFall, and Mr. Constantino felt comfortable with the additional review period.

Motion: Senior Planner Jim Wildauer moved that the Board of Administrative Review approve Site Development Permit Application SDP-3-08 subject to the conditions of approval, including the revised condition to require an additional six-month review period and an added condition to relocate one handicap-parking space.

Second: Land Development Manager Marty Wayne.

Ayes: Senior Planner Wildauer, Land Development Manager Wayne, Chairman Young.

Noes: None.

PUBLIC HEARING - PARCEL MAP APPLICATION PM-17-07, by Arlo McRoberts, requesting approval to divide 4.24 acres into two parcels on property located at 5637 Airport Road in a "GI" General Industrial District. Environmental Determination: Categorically Exempt. Staff Recommendation: Approval. L-010-150

Assistant Planner Josh Keener summarized the staff report. He noted that the existing self-storage facility was developed under Use Permit UP-79-91. He said most of the required improvements were deferred, and revised deferral agreements would be required for each of the new parcels. Mr. Keener advised that the deferral agreements would deal with potential improvements to Airport Road and the associated frontage road, as well as any other improvements necessary for the project to meet development standards. He further explained that the existing deferred improvement agreement addressed frontage-road improvements to the north; he expected that the new deferred improvement agreements would address frontage-road improvements to the south. He said staff recommended that the Board of Administrative Review approve Parcel Map Application PM-17-07 subject to the conditions of approval, which he reviewed. The Chairman opened the public hearing at 3:09 p.m.

In response to questioning from Chairman Chris Young, Dave Boren, applicant's representative, WBA Engineering, advised that there was an occupied residence at the self-storage-facility office. Determining that no one else wished to comment, the Chairman closed the public hearing at 3:11 p.m.

Motion: Senior Planner Jim Wildauer moved that the parcel map be found categorically exempt under the provisions of the California Environmental Quality Act and that, in accordance with the Government Code of the State of California, the Board of Administrative Review find and declare that, as set forth in Government Code, Section 66474, none of the conditions as listed in (a) through (g) exists with regard to this proposed subdivision. He further moved that the Board find that the proposed subdivision is consistent with the Redding General Plan and applicable specific plans and that the parcel map be granted subject to the conditions of approval as recommended by staff.

Second: Land Development Manager Marty Wayne.

Ayes: Senior Planner Wildauer, Land Development Manager Wayne, Chairman Young.

Noes: None.

ADJOURNMENT

There being no further business to come before the Board, Chairman Chris Young adjourned the meeting at 3:12 p.m.

Anita M. Felion, Executive Assistant II

Chris Young, Chairman