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REDDING PLANNING COMMISSION
 Regular Meeting, 4 p.m.
 Tuesday, March 24, 2009
 City Council Chambers
 777 Cypress Avenue
 Redding, California 96001

MINUTES

Chairman Randall Smith called the meeting to order at 4 p.m., with Commissioners Emmett Burroughs, Jim Chapin, Michele Goedert, Bert Meyer, Lynne Wonacott, and Chris Young present. Also present were Development Services Director Jim Hamilton, Planning Manager Douglas DeMallie, City Attorney Rick Duvernay, Land Development Manager Marty Wayne, Senior Planners Kent Manuel and Jim Wildauer, Associate Planner Lily Toy, and Executive Assistant II Anita Felion. Commissioner Wonacott left the meeting at 6:15 p.m., as hereinafter noted.

PUBLIC HEARING - HISTORIC PRESERVATION APPLICATION HP-1-09, by Jason and Dawn Waybright, requesting approval to upgrade their property from the list of "Candidate Historic Properties" to the list of "Qualified Historic Properties" so that it can be included in the Mills Act Historic Property Tax Incentive Program. The property is located at 1314 Trinity Street in an "RM-20" Residential Multiple Family District. Environmental Determination: Exempt from CEQA. Staff Recommendation: Approval. H-100-500

Senior Planner Kent Manuel summarized the staff report. He noted that General Plan Natural Resources Element Goal NR12C directed the City to encourage public and private efforts to identify, preserve, protect, and/or restore historic buildings, structures, landmarks, and important cultural resources. He observed that in order to implement this goal, the Redding City Council added Chapter 18.23, *Historic/Architectural Preservation*, to the Zoning Ordinance in June 2008 as recommended by the Planning Commission. He explained that this ordinance implemented California's Mills Act legislation.

Mr. Manuel continued that the Mills Act was a voluntary, locally administered property tax-incentive program intended to encourage maintenance, restoration, and preservation of privately owned historic resources. He stated that property owners who entered into a Mills Act contract with the City committed to rehabilitate and/or maintain their properties in accordance with the provisions of the contract in exchange for a reduction in property taxes. He said the term of the contract was ten years, with automatic one-year extensions at each anniversary date.

According to Mr. Manuel, if a Mills Act application involved commercial property within a redevelopment area, the final contract determination would rest with the Redding Redevelopment Agency (Agency), since these contracts might have a significant adverse effect on Agency finances. He indicated that the subject property was within the Market Street Redevelopment Project Area. He pointed out that although the structure was originally constructed as a single-family residence, it had since been converted for office uses; therefore, the determination regarding approval of a Mills Act contract rested with the Agency.

Rehabilitation and maintenance were also discussed by Mr. Manuel. He noted that property-tax savings realized from participation in the program were required to be used for rehabilitation and/or maintenance of the property. He indicated that as part of the application process, a schedule and cost estimate of programmed activities that would be undertaken during the initial ten-year contract period was required. He said this was generally updated every five years as part of the contract-renewal process. Mr. Manuel explained that the Mills Act did not require that rehabilitation efforts be made, and depending on the condition of the property, program savings might legitimately be directed to maintenance activities. He stated that in most cases, some amount of rehabilitation work would be part of the contract; further, all work must be done in accordance with the "Secretary of the Interior's Standards for Rehabilitation," which would ensure that the historical integrity of the property was maintained.

A project schedule and cost estimate provided by the applicants was discussed by Mr. Manuel, which included: roof and rain-gutter repair, exterior painting, weatherproofing, landscape maintenance, electrical-service upgrade, window replacements, and replacement of missing architectural details. Mr. Manuel advised that the 10-Year Preservation Work Program provided by the applicants estimated that repairs and maintenance of the building would total approximately \$86,000. He observed that based on tax-reduction estimates provided by the applicant, the Mills Act program would result in a property-tax reduction of approximately \$3,500 per year, for a ten-year total of \$35,000; thus, the improvements would only be partially funded by the tax relief realized through participation in the program. He pointed out that the indicated tax savings was an estimate only and that the final tax determination would be made by the Shasta County Assessor once the contract was executed, as required by law.

Mr. Manuel said staff recommended that the Planning Commission find the project exempt from the California Environmental Quality Act (CEQA), certify the property as a *Qualified* Historic Property to allow the property to participate in the Mills Act Historic Property Tax Incentive Program, amend the *Local Register of Qualified and Candidate Historic Properties* to reflect the above certification, and recommend that the Redding Redevelopment Agency authorize the City Manager or his designee to enter into a Mills Act contract with the applicant on behalf of the City.

Commissioner Lynne Wonacott inquired about the timeline for the recommended roof repair. She noted that the recommendation in the Historic Property Report was to repair the roof before repainting the exterior. Mr. Manuel explained that staff would be monitoring the maintenance and repair program. He said the applicant desired that the roof be repaired sooner rather than later; however the order of work was modified based on his recommendation, since the cost of the roof repair/replacement significantly exceeded the estimated tax savings for much of the contract period. Mr. Manuel indicated that if the work program showed that the work would be done in the first year and it did not get completed, the applicant would technically be in violation of the contract; moving the roof repair further into the contract period provided more flexibility.

Responding to questions from the Commissioners, Mr. Manuel explained that there was a termination clause if the applicant wished to end the contract, as well as a breach-of-contract clause. He advised that if the contract was terminated, the applicant would be required to pay back any property taxes that had been deferred. Mr. Manuel also noted that the applicants were not exempt from complying with building permits and codes; however, there would be some exceptions, since the intent was also to preserve the character of the building. The Chairman opened the public hearing at 4:18 p.m. Determining that no one wished to speak, the Chairman closed the public hearing at 4:19 p.m.

Motion: Commissioner Jim Chapin moved that the Planning Commission adopt Resolution No. 2009-02, which finds the project exempt from CEQA, certifies the property as a *Qualified* Historic Property to allow the property to participate in the Mills Act Historic Property Tax Incentive Program, amends the *Local Register of Qualified and Candidate Historic Properties* to reflect the above certification, and recommends that the Redding Redevelopment Agency authorize the City Manager or his designee to enter into a Mills Act contract with the applicant on behalf of the City.

Second: Commissioner Emmett Burroughs.

Ayes: Commissioners Burroughs, Chapin, Goedert, Meyer, Smith, Wonacott, and Young.

Noes: None.

Abstain: None.

Absent: None.

PUBLIC HEARING - TENTATIVE SUBDIVISION MAP APPLICATION S-2-08, WEST PLACER SUBDIVISION, by Signature Northwest Partnership, requesting approval to divide 2.32 acres into eight lots for development of single-family homes on property located at 4315 Placer Street in an "RS-3" Residential Single Family District. The request includes a one-lot density increase. Environmental Determination: Categorically Exempt. Staff Recommendation: Approval. S-101-138

Senior Planner Jim Wildauer summarized the staff report. He noted that the subdivision map represented an infill project request to subdivide 2.32 acres into eight single-family residential lots ranging in size from 7,000 to 16,817 square feet. He added that a density increase of one additional lot was also being requested.

Mr. Wildauer continued that the project site was a remnant of what was originally part of a large tract of land which was developed as the Mary Lake Subdivision located on the opposite side of Placer Street. He advised that all eight of the lots derived access from a short cul-de-sac directly off Placer Street. He explained that to relieve the potential for parking congestion caused by narrow lot frontages on the cul-de-sac, the project had been designed with half the number of driveway encroachments than would typically be built. Mr. Wildauer said the flag-lot driveways served this approach and would be shared by the adjacent lots (Lots 2, 3, 4, 6, 7, and 8). He stated that the width of the southwest portion of the cul-de-sac bulb had been expanded to meet lot-width minimums at the front-yard building-setback line, which provided more area for street-side parking and street-side landscape and facilitated street-side waste and recycling collection. Regarding the flag lots, Mr. Wildauer commented that given the odd triangular shape of the property, it would be difficult to efficiently use the land without allowing at least one flag lot; and since the development did not share access with the adjoining neighborhood, he believed the two flag lots would not compromise privacy or otherwise be out of character with the neighborhood.

According to Mr. Wildauer, the project side of Placer Street had Pacific Gas and Electric (PG&E) overhead utility lines from Buena Ventura Boulevard to the city limits and beyond. He observed that since these lines were not likely to be placed underground in the foreseeable future, staff was recommending that the project not be required to underground but that conduit be installed underground in conjunction with new street-frontage improvements. He explained that if there was a comprehensive underground program pursued in the future, the conduit would be in place and impacts to existing street improvements would be minimized.

Grading and tree management were also discussed by Mr. Wildauer. He advised that significant grading was necessary to achieve positive drainage to the detention basin, given the shape and sloping topography of the project site. He noted that as a consequence, the majority of oak trees on the site would be removed but that 24 trees would be planted, along with trees within the cul-de-sac parkway and the Placer Street landscape planter. He continued that the City strived for a maximum landscape slope of 3:1 adjacent to City streets and that landscape on slopes steeper than 3:1 was difficult to irrigate, expensive to maintain, and prone to erosion. Mr. Wildauer pointed out that although the grading plan showed a 2:1 slope along Lot 1, the final landscape plan would incorporate natural boulders or decorative masonry retaining walls to soften the slope.

Mr. Wildauer stated that the applicant had asked staff to eliminate the requirement for a landscape maintenance district (LMD) for landscape, since there were only eight lots involved in the project. He said the applicant requested to have the homeowners of the three lots that bordered the arterial be responsible for maintaining those areas after a certain period of time. He indicated that staff did not agree with the applicant's proposal because it would be difficult to ensure that the property was maintained in a satisfactory manner.

Mr. Wildauer remarked that the Fire Marshal had requested the installation of fire sprinklers for the homes located on the flag lots (Lots 3 and 7). He said the Fire Marshal felt flag lots made accessibility to homes more difficult, and since the subdivision was just outside the High Fire Hazard Severity Zone, believed the lots warranted sprinklers.

A letter received from Jerry and Carolyn Cordell, neighboring property owners, was mentioned by Mr. Wildauer. He stated that they opposed the density increase, asked that all lots be graded so that water runoff did not flow to existing properties, and requested that only single-story dwellings be allowed. Mr. Wildauer advised that the Zoning Code did not prohibit two-story homes, so staff could not condition the project as such. He said staff recommended that the Planning Commission approve Tentative Subdivision Map Application S-2-08, West Placer Subdivision, subject to the conditions of approval.

Responding to questions from the Commissioners, Mr. Wildauer advised that there would be no lot-to-lot drainage. He noted that the trees in the pond and riparian areas would be saved, as well as the oak trees of greatest stature at the north end of the project site within Lot 7. Regarding the LMD, Mr. Wildauer further explained that the applicant acknowledged that there would be one for maintaining the detention basin; however, the applicant asked that the street-side landscape not be in the LMD and that the property owners of the three lots be required to maintain the property. The Chairman opened the public hearing at 4:51 p.m.

Eihnard Diaz, applicant's representative, referred to Condition 39 regarding conduit installation for future undergrounding of the existing overhead utility lines. He asked that the condition not include vault installation, due to the high cost of installing them. Concerning Condition 42 requiring residential sprinklers, he asked why they were required on Lots 3 and 7, since the property was not in a High Fire Hazard Severity Zone. Mr. Diaz referred to the California Fire Code (Code) and asked for clarification of the requirement for fire sprinklers. He said from his interpretation of the Code, there should not be a requirement for any residential fire sprinklers. He addressed the letter from the Cordells and noted that the homes would be single-story.

Regarding the requirement for an LMD, Mr. Diaz said the applicant was concerned with the high administrative costs to the individual homeowners, since the project consisted of only eight lots. He asserted that additional monthly costs would disqualify potential buyers, noting that the applicant was trying to keep the homes under 300,000. Mr. Diaz suggested implementing a restoration project where landscape would be returned to a natural, drought-resistant state. He indicated that the applicant would be willing to maintain the natural landscape for the first two years. Mr. Diaz felt a homeowners' association (HOA) could also suffice in maintaining the frontage along Placer Street.

Mr. Wildauer explained that the undergrounding of the conduit was an alternative to the Subdivision Ordinance requirement for undergrounding of utilities within subdivisions. Regarding the vaults, he advised that the facilities were under the control of PG&E and that City staff could not determine what would be required.

Commissioner Michele Goedert referred to Mr. Diaz's suggestion of forming an HOA for the neighborhood. She felt a homeowner should not be responsible for maintaining street-side landscape. Mr. Diaz contended that an HOA could perform the same function as an LMD at less of a cost. He offered to hold the requirement and formation for an LMD in abeyance, with the option of reverting to the LMD if the HOA did not perform satisfactorily.

City Attorney Rick Duvernay said he would be willing to meet with the applicant to discuss the requirement for an LMD. He advised that it was difficult to legally use an HOA to maintain property that was not held in common by the HOA. Mr. Duvernay explained that it was a problem maintaining the areas adjacent to a public right-of-way or easement because they were not held by the HOA. He added that another possibility to avoid costs associated with administering an LMD was to provide a lump sum of endowment to be set aside in perpetuity.

Commissioner Jim Chapin observed that if there were vacant lots, there would not be any viable HOA to handle the maintenance. Mr. Diaz suggested that the applicant could enter in a development agreement where the developer would fund maintenance for a two-year period.

Deputy Fire Chief Phil Paige explained that under certain conditions, the California Fire Code defined a driveway as a Fire Department-access roadway, which would have different requirements. He observed that in this case, the flag-lot driveways were serving three residences in order to keep the number of driveways down. Mr. Paige pointed out that the residential fire sprinklers would help suppress the fire until the Fire Department could respond.

Mr. Diaz read several excerpts from the California Fire Code and maintained that the applicant should not be required to install fire sprinklers. Mr. Paige noted that fire lanes, unlike driveways, did not allow parking and that there could be a problem with the residents' vehicles blocking the common driveway or parking in the cul-de-sac and blocking the access. He also pointed out that the state allowed a minimum width for the roadway to be 20 feet, while the City's standard was 26 feet.

Mr. Chapin observed that only two homes were required to be sprinklered.

Sandy Menefee was relieved that there were no two-story homes planned. She said her neighbors had voiced concern about the loss of trees on the site and worried about drainage. Ms. Menefee was surprised that a turn lane was not required from Placer Street, since the road had so much traffic.

Ms. Goedert informed Ms. Menefee that there was no condition preventing the developer from building a two-story home in the subdivision; the applicant had indicated he would not, but he was not bound to build only single-story homes.

William Drumm inquired about grading requirements along the fence line, noting that he had a large shop in his backyard.

Land Development Manager Marty Wayne explained the requirements for grading and advised that the minimum setback from the property line was five feet. Regarding drainage, he advised that the law required a homeowner to accept runoff from other properties if the homeowner's property had historically accepted drainage. He noted that in the case of this project, stormwater from the lots would drain away from existing residential lots.

Chairman Randall Smith informed Mr. Drumm that the conditions of approval addressed dust control. Determining that no one else wished to comment, the Chairman closed the public hearing at 5:28 p.m.

Commissioner Lynne Wonacott observed that the project reminded her of a previously approved cluster-type subdivision, rather than a single-family development. She felt more amenities should be included to warrant the one-lot density increase. Ms. Wonacott said she would not vote for approval of the project unless an LMD was included, because she did not want to see homeowners responsible for the maintenance of the landscape. She also contended that a wrought-iron fence, and not chain-link, should be required in front of the detention area.

Commissioner Chris Young felt the condition for the residential fire sprinklers could be eliminated but favored the requirement for an LMD. He suggested the applicant request a reduction in LMD fees from the City Council.

Mr. Chapin believed the LMD requirement was important. He commented that the condition for residential fire sprinklers was a trade-off when flag lots and long driveways were utilized.

Commissioner Bert Meyer concurred with the other Commissioners. He acknowledged that there were financial constraints and topography issues when dealing with infill subdivisions.

Mr. Smith agreed that the requirements for the LMD and residential fire sprinklers were necessary.

Motion: Commissioner Michele Goedert moved that the Planning Commission find the project to be categorically exempt under the provisions of the California Environmental Quality Act and find and declare that, as set forth in the Government Code of the State of California, Section 66474, none of the conditions as listed in (a) through (g) exists with regard to this proposed subdivision and that the proposed subdivision is consistent with the Redding General Plan and approve Tentative Subdivision Map S-2-08, West Placer Subdivision, subject to the conditions of approval as recommended by staff, including the revision of Condition 9 to eliminate chain-link and require a wrought-iron fence on the detention-basin site.

Second: Commissioner Jim Chapin.

Ayes: Commissioners Burroughs, Chapin, Goedert, Meyer, Smith, and Wonacott.

Noes: Commissioner Young.

Abstain: None.

Absent: None.

PUBLIC HEARING

RECOMMENDATION TO THE CITY COUNCIL - FINAL ENVIRONMENTAL IMPACT REPORT EIR-3-06, prepared for the Highland Park Subdivision/Planned Development project (Project). The Project consists of a proposal to divide approximately 95 acres for the development of 420 residential units, a 6-acre public park, and retention of open space (S-18-05). The Project also includes Rezoning Application RZ-8-05 and Planned Development Plan PD-9-05, to apply the "PD" Planned Development Overlay District to the property, and a Develop Agreement. The Project site is generally located east of Interstate 5 and north of Hilltop Drive. Staff Recommendation: Recommend to the City Council adoption of EIR-3-06. L-010-075

HIGHLAND PARK SUBDIVISION/PLANNED DEVELOPMENT PROJECT (PROJECT), by S and J Properties, on property generally located east of Interstate 5 and north of Hilltop Drive. Environmental Determination: Environmental Impact Report. The project consists of the following applications:

TENTATIVE SUBDIVISION MAP APPLICATION S-18-05. Subdivide property to create 364 single-family lots of variable sizes and home types and one large parcel for 56 apartment units, for a total of 420 units; a neighborhood park; and open space. S-101-102

PLANNED DEVELOPMENT APPLICATION PD-9-05. A planned development request to allow single-family residential lots in an "RM" Residential Multiple Family District and certain lot-size configuration exceptions to accommodate the various housing styles and to establish overall project-design parameters. L-010-210

REZONING APPLICATION RZ-8-05. Rezone the entire project site to apply the "PD" Planned Development Overlay District. L-010-230

HIGHLAND PARK DEVELOPMENT AGREEMENT. An agreement between the applicant and the City, granting a six-year term for the tentative subdivision map and allowing credit to the project's park development fee obligation in exchange for construction of a public neighborhood park with project development. A-070

Environmental Determination: Accept EIR-3-06. Staff Recommendation: Recommend to the City Council approval of the Project.

Commissioner Lynne Wonacott recused herself due to a conflict of interest and left the dais.

Planning Manager Douglas DeMallie summarized the staff report. He said in June 2008, a Draft Environmental Impact Report (EIR) was published, and the Commission conducted a public hearing to accept comment on the document. He added that three neighborhood meetings were also held. Mr. DeMallie indicated that subsequent to this hearing, the project was redesigned to relocate the public park from the southwest corner of the site to a location adjacent to Interstate 5 and to modify the mix of housing types, although the total unit count remained at 420. He stated that as a result of this redesign, a Revised Draft EIR was published and copies were forwarded to the Commission in January 2009; a copy of the Final EIR was forwarded to the Commission on March 16, 2009.

Mr. DeMallie continued that the three main issues addressed in the EIR were traffic, noise, and geology, with traffic being the main concern based on the public comments received. He provided a background of the Project, noting that the subdivision would generate approximately 4,000 daily trips, 296 of which would occur during the morning peak hours and 397 during the evening peak hour. He added that these additional trips would be distributed throughout the surrounding street network and noted that projected counts on the main streets were provided in the staff report. Regarding the existing-level traffic counts, Mr. DeMallie confirmed that the earlier study conducted in May 2005 did count traffic while schools were in session. He stated that for the current counts in the Final EIR, 16 intersections were studied to take into consideration that three years had passed since the first traffic study. He said it was determined that there was not a significant change in the traffic counts.

Mr. DeMallie noted that another item of concern was trip distribution. He explained that the distribution was predicated upon the location and "pull" of trip-destination points (e.g., employment centers, shopping centers, schools, recreation centers, arterial streets, and highways), congestion points, and travel times. He said staff was confident of the trip-distribution numbers. Mr. DeMallie mentioned that the Redding General Plan did not establish Level of Service (LOS) standards for residential/local streets, but did provide guidance for thresholds in the Transportation Element. He said 3,000 trips per day was the generally accepted traffic threshold for local residential streets but that at 2,000 trips per day, traffic on a neighborhood street might begin to negatively affect the quality of a residential environment.

According to Mr. DeMallie, a traffic signal and appropriate improvements would be constructed at the Churn Creek Road/Bodenhamer Boulevard intersection prior to recordation of the 175th single-family lot. He stated that prior to recording of the 200th single-family lot and constructed apartment unit combined, the developer was required to construct short-term-scenario improvements at the Churn Creek Road, Whistling Drive, and Canby Road intersections.

Mr. DeMallie observed that during the public hearing and written comment period on the Draft EIR, the Commission and staff had received considerable public testimony, both advocating and opposing an off-site northerly extension of Bodenhamer Boulevard (Bodenhamer) across Boulder Creek to allow creation of a direct connection to the subdivision. He said the advocates for the extension/connection believed it was necessary to relieve project traffic impacts in the Hidden Hills Subdivision; the opponents were property owners north of Boulder Creek on whose property the extension would occur. He pointed out that the project EIR did consider the extension of Bodenhamer in Chapter 6.0, Alternatives.

Mr. DeMallie provided a background of the Bodenhamer extension, explaining that a collector street between Churn Creek Road and College View Drive and crossing Boulder Creek had been shown on the Redding General Plan since 1975. He noted that the need for this street segment was affirmed in 1985 upon adoption of the Circulation Element of the Redding General Plan and again in 2000 with adoption of the City's comprehensive General Plan update. He said the exact alignment for the southerly portion of the street segment between Churn Creek Road and Boulder Creek was established in 1988 with approval of the Hidden Hills Subdivision, establishing the location of the Boulder Creek crossing. Mr. DeMallie recalled that construction of this street segment was initiated in 1990 with recordation of Unit 1 of the Hidden Hills Subdivision and eventually completed to Boulder Creek with completion of Unit 3 in 2002.

Mr. DeMallie continued that Bodenhamer was intended to provide a primary and a second access to an area encompassing approximately 200 acres north and 120 acres south of Boulder Creek. He advised that the north area encompassed the "Davis family" property with a development potential of approximately 185 residential units, the Bethel Church property, and a 40-acre City property identified as a future regional park site. He stated that the south area encompassed the existing 104-lot Hidden Hills Subdivision and the majority of the Highland Park site.

Mr. DeMallie advised that the project design did not include the extension of Bodenhamer for the following reasons:

- The traffic study concluded that the extension was not necessary to mitigate or relieve traffic impacts directly attributable to this Project.
- In addition to the Bodenhamer crossing of Boulder Creek, the connecting street would necessitate a second crossing of the creek; additional fill within the floodplain; and loss of approximately .05 acre of jurisdictional waters, including vernal-pool features. Elimination of those jurisdictional features would necessitate a U.S. Army Corps of Engineers 404 Permit.
- Bodenhamer is not a "project frontage" improvement. The alignment does not lie within or adjacent to the project boundary.

- The extension would require acquisition of off-site right-of-way from a property owner on record as firmly opposed to the extension, potentially necessitating eminent domain without a project-specific need at this time.

Mr. DeMallie said the noise analysis of the EIR concentrated on the potential impact that traffic noise associated with Interstate 5 would have on interior and exterior noise levels within the subdivision. He noted that due to variations in topography, the noise study concluded that the noise barrier along Interstate 5 would have to range in height from a minimum of 7 feet to 15 feet in order to achieve the 60 dB threshold standard of the Noise Element, with the length of the barrier approximately 1,600 feet south and 850 feet north of the park. Mr. DeMallie remarked that to address the aesthetic and practical aspects of a barrier up to 15 feet high, the noise analysis also measured the required height to achieve a 63 dB level. He noted that to achieve 63 dB, the barrier height must range from a minimum of 6 feet to 10 feet. Mr. DeMallie stated that a 3 dB variation may be allowed by the Project approving body, as permitted in the Noise Element.

Mr. DeMallie noted that the applicant would set aside ten homes in a mix of three single-family housing types for low-income households through agreement with the Redding Redevelopment Agency (RRA). He said five of the units may be constructed in other subdivisions being built by the applicant in the community. Mr. DeMallie added that the homes would be constructed exactly the same as all the other homes in the project and that the affordability was provided through RRA financing participation.

A letter received from Jackie Wilson, a homeowner on Fair Hill Drive, was also discussed by Mr. DeMallie. He said her letter advised that in 2002, prior to purchasing her lot, she had asked staff if the slope behind her house could be developed in the future. Mr. DeMallie indicated that handwritten notes on the letter showed that a staff member responded that this area was too steep for development. Mr. DeMallie commented that the staff member's response was incorrect. Mr. DeMallie said in response to Ms. Wilson's letter, staff had specifically field-reviewed this area and concluded that it did not offer any connection or benefit to the larger open-space swale to the north and was not so steep as to preclude common development practices. He noted that the proposed manner of grading of Lots 147 through 153 was the same as the adjoining lots in Hidden Hills, including Ms. Wilson's property; the finished grade elevations would be within one to two feet of the existing home lots. Mr. DeMallie said staff concluded that this error in making a premature decision could not be the sole basis to override development of the property in accordance with General Plan policy.

The Development Agreement was also discussed by Mr. DeMallie. He explained that the City and applicant wished to enter into an agreement whereby the applicant would construct the park improvements in conjunction with development of the subdivision in exchange for receiving credit toward the project's park-development fee obligation.

Mr. DeMallie referred to the Staff Report Additions submitted at the meeting, which included the revision of Conditions 14, 19, 36, 38, 40, and 82; the addition to the Project Development Agreement; the applicant's request to revise Conditions 86 and 87 pertaining to park fee credit for trail construction; and the Park Fee Credit Agreement attachments to the Project Development Agreement. He said staff recommended that the Planning Commission forward a recommendation to the City Council supporting certification of the Final EIR by adoption of the Planning Commission resolution; and forward a recommendation to the City Council for approval of the applications constituting the Highland Park Subdivision/Planned Development subject to the conditions of approval. The Chairman opened the public hearing at 6:25 p.m.

Commissioner Chris Young referred to the 43 percent traffic distribution onto Mission de Oro Drive (Mission de Oro). He believed residents would instead choose to travel on Tanglewood Drive (Tanglewood) to Canby Drive in order to avoid turning onto Browning Street from Mission de Oro. He felt using only one speed table on Tanglewood would not be enough to discourage cut-through traffic. Mr. DeMallie recalled that there were two speed tables placed on Freebridge Street to help with the same situation in the Parkview Neighborhood. Mr. DeMallie noted, however, that Freebridge Street was a longer street and that there were some dips on Tanglewood, which could cause problems with placement of another speed table. He said staff felt one speed table would

suffice but that the Commissioners could recommend another one if they felt it was warranted. Mr. Young asked about placement of a midblock stop sign. Mr. DeMallie responded that placement of unnecessary stop signs actually created more problems because people tended to run stop signs if they felt they were not needed.

Bill Walker, representing Janice Kehnle (homeowner on Reddington Drive), advised that when Ms. Kehnle moved into the subdivision, she assumed that any future development would use Bodenhamer as the primary access. He noted that Bodenhamer was designed as a collector street, whereas Reddington Drive (Reddington) was a nice, quiet neighborhood street where people played basketball, skateboarded, and walked their dogs. He contended that residents would avoid Tanglewood and would use Reddington to access Churn Creek Road. Mr. Walker claimed that the traffic study was inaccurate, since the location of Greenbriar Court was not accurately depicted on the trip-distribution schematic in the EIR and Fair Hill Drive was not depicted at all on the maps. Mr. Walker believed the way the consultants had initially considered (and then excluded) the Bodenhamer extension was the worst possible design with the most impact to the wetlands and the most difficult to construct. He felt Bodenhamer should be extended to wrap around back into the neighborhood and did not need to cross Boulder Creek for a direct connection. He requested that the Commissioners not recommend certification of the EIR and asked for a continuance of the public hearing so that these issues could be studied in more detail.

Mr. DeMallie explained that traffic counts were not given for every neighborhood street. He said the consultant identified what sections on Reddington would have the highest amount of traffic. He also noted that the schematic map was used to provide percentages; it was not intended to show every segment of every block. Mr. DeMallie advised that the study showed peak traffic on Reddington at its intersection with Greenbriar Court at approximately 720 trips per day and that the traffic in front of Ms. Kehnle's home would not exceed that count. He reiterated the reasons for not extending Bodenhamer. Regarding Mr. Walker's suggestion to wind Bodenhamer back through the neighborhood, Mr. DeMallie said the design could not be engineered satisfactorily from its existing termination point and would run the street directly above Boulder Creek itself. He also mentioned the opposition from the family that owned the property through which the extension would run.

Mr. Young understood the general alignment of Bodenhamer was considered in 1975, prior to establishment of the California Environmental Quality Act (CEQA). Mr. DeMallie responded that CEQA was adopted in 1970. He explained that Bodenhamer would serve as a collector for 36 percent of Highland Park but that the traffic would flow through the Hidden Hills Subdivision. He continued that not every subdivision could have a direct connection to a collector or arterial street. He stated that the traffic levels in Hidden Hills Subdivision would remain fairly low compared to other subdivisions.

Development Services Director Jim Hamilton interjected that Reddington was obviously planned to go through to the next subdivision. He repeated that the extension of Bodenhamer for the new subdivision would put the road adjacent to Boulder Creek, which was not reasonable or practical. He added that there never was a plan to connect Bodenhamer at the boundary of Hidden Hills Subdivision with this new subdivision.

Tim MacLean, applicant's representative, Sharrah Dunlap Sawyer Inc., discussed Conditions 86 and 87 and the applicant's request for credit for park development fees for the trail costs. He explained that the subdivision would generate approximately \$1.6 million in park fees under the current fee structure. He said the applicant's preference was to utilize as many of those fees as possible on-site by constructing the park and the trail system required in the conditions of approval. Mr. MacLean added that the Redding Municipal Code allowed the Planning Commission and City Council the ability to include trails as part of the park fee credits offered to developers. He also referred to Condition 80 that allowed no more than 18 lots to be recorded with access from either Rollingview Drive or Reddington until a second permanent public-street access was provided as a means of minimizing traffic on those streets. He mentioned the Bodenhamer extension and confirmed that it would be a challenge to run the road parallel with Boulder Creek because not only were there wetlands in the area, there were also vernal pools.

Russ Wenham, applicant's traffic engineer, Omni-Means, Inc., said a very extensive traffic analysis had been done with various scenarios, and he was comfortable with the numbers in the EIR. He advised that computer models were used to analyze trip distribution and trip generation but that not every street was analyzed. Mr. Wenham repeated that traffic through the infill subdivision would exit to Bodenhamer at two locations—through Greenbriar Court and Rollingview Drive. He indicated that the study projected that the majority of traffic would exit at the earliest opportunity; for example, turning from Reddington to Greenbriar to Bodenhamer. Regarding an extra speed table on Tanglewood, Mr. Wenham pointed out that speed tables worked best on flat streets and that Tanglewood had dips in the road. He agreed with Mr. DeMallie that unnecessary stop signs created more problems; unless a driver perceived that the stop sign was warranted, the collision rate would increase.

Commissioner Emmett Burroughs did not understand why Bodenhamer was designed to be a collector street but dead-ended and was not going to be extended. He understood the costs of bridges and the environmental concerns but could not understand why vehicles would be allowed to exit through the two streets in the subdivision. He voiced concern with the steepness of the roads, especially if another 720 trips would be added.

City Attorney Rick Duvernay acknowledged that Bodenhamer was intended to be a collector street, eventually connecting with College View Drive. He said extension would be necessary at full buildout of that part of the city to serve future development to the north. He cautioned, however, that when dealing with an off-site improvement that was not under the control of the subdivider, eminent domain might need to be utilized. He further explained that one of the necessary findings for declaring eminent domain was for the purpose of public necessity, with no other feasible alternative. Mr. Duvernay pointed out that there was another alternative in this case within the City's standards for traffic counts and General Plan policy, and therefore the findings for use of eminent domain would be difficult to make.

Janice Kehnle, a Reddington resident, reported that she had called the Planning Division in 2006 before buying her property to find out about the future subdivision. She said she was told that Bodenhamer would be the collector street. Ms. Kehnle worried about the loss of quality of life for her neighborhood and felt she was misled by the Planning Division staff.

Terry Hanson, Senior Planner, Community Services Department, addressed the issue of park credit fees. He advised that the original development proposed a larger park site in a different location but that the developer requested an alternative. He said in deference to the request, the relocation was approved with some conditions of approval, one of which was the development of the park by the developer under a credit agreement. Mr. Hanson noted that another condition was that the trail shown in the proposed development would not be included in the credit agreement. He remarked that when the EIR was distributed, the project description included several thousand feet of trail. He said the trails were never included in any proposal for inclusion in the credit agreement. Mr. Hanson continued that the project description included several on-site trails but that the park and trails were always separate. He indicated that the Community Services Advisory Commission specifically recommended the alternative location as long as the park was developed under the credit agreement and that the trails were not included in the credit agreement.

Mr. Duvernay advised that the Redding Municipal Code allowed for credit for recreational facilities. He said if there was no agreement for construction of the park, the developer could proceed and the City would require the fees in accordance with the Redding Municipal Code. He pointed out that there was a maximum that the City could require from new development for park and recreational facilities. He acknowledged that the package of improvements may exceed the maximum amount.

Mr. Hamilton informed the Commissioners that the City Council would have to make the decision on whether it should grant credit for the trails but that the Planning Commission could make the recommendation to the Council. Determining that no one else wished to comment, the Chairman closed the public hearing at 7:24 p.m.

Commissioner Bert Meyer mentioned the economy and voiced concern about Condition 14g that allowed only five years for completion of the ten units for low-income households. Mr. DeMallie

understood that the units needed to be completed in a timely fashion because the money from the RRA could not be committed for too long of a period.

Chairman Randall Smith, still disappointed by the Council's decision to remove the extension of Hawley Road from the General Plan, understood the reasons for not extending Bodenhamer. He noted that this particular decision regarding Bodenhamer was not in violation of the General Plan, and he supported the findings for the EIR.

Motion: Commissioner Jim Chapin moved that the Planning Commission recommend to the City Council certification of Final Environmental Impact Report FEIR-3-06 for the Highland Park Subdivision/Planned Development project by adoption of Planning Commission Resolution No. 2009-01.

Second: Commissioner Chris Young.

Ayes: Commissioners Burroughs, Chapin, Goedert, Meyer, Smith, and Young.

Noes: None.

Abstain: Commissioner Wonacott.

Absent: None.

More discussion ensued regarding approval of the Project.

Mr. Chapin commented on the freeway noise and the requirement for a wall between six and ten feet in height. He requested that the condition include the planting of trees, which would help to reduce the noise impacts. Mr. DeMallie responded that the condition could include the planting of evergreen trees on the outside wall, since the Project already included a landscape maintenance district for maintenance of the wall and detention basin.

Mr. Young favored granting the applicant fee credit for the trail construction.

Mr. Smith and Ms. Goedert concurred.

Mr. Chapin opposed giving the applicant credit, since credit was already given through the planned development option. He believed the requirement should stay as is.

Mr. Young referred to the letter from Jackie Wilson. He said many people had the same perception and problems with City staff. He claimed that a person getting information at the Permit Center counter on Tuesday would receive different information on Thursday. He felt City employees needed to be consistent in their answers. Mr. Young also felt the employees were not always helpful in answering questions; he asked that the employees not put others in a position similar to Ms. Wilson's predicament.

Mr. Hamilton replied that City employees wanted to help the public with their questions. He pointed out that as a realtor, Mr. Young probably encountered the same situations regarding errors and incorrect advice.

Mr. Hamilton continued that some of the lots in Hidden Hills Subdivision were within areas identified as greenway on the General Plan for the same reasons considered with Hidden Hills. He stated that much better information was now available, such as an aerial survey, better definition of the boundaries, etc. He said staff tried to do everything it could to avoid problems.

Mr. Smith added that sometimes people only heard what they wanted to hear. He complimented the City employees and stated that they always tried to help him and gave him as much information as possible.

Mr. Chapin reminded staff and the Commissioners that people should not be told that areas over 20 percent slope could not be developed.

Motion: Commissioner Chris Young moved that the Planning Commission recommend that the City Council determine that the project is within the scope of the project defined in Final Environmental Impact Report EIR-3-06 and approve the Highland Park Subdivision/Planned Development Project, consisting of Tentative Subdivision Map Application S-18-05, Rezoning Application RZ-8-05, and Planned Development Plan Application PD-9-05; and approve the Development Agreement. The recommendation for approval is subject to the conditions of approval and includes application of the 63 dB exterior noise standard to allow for lower sound-barrier height and the revision of Conditions 14, 19, 36, 38, 40, 82, and 86 and 87 (to allow fee credit for trails); the addition of Condition 95 (to require evergreen trees along the sound wall on the freeway side); and the additional language to the Project Development Agreement, as presented in the material provided by staff prior to the meeting.

Second: Commissioner Emmett Burroughs.

Ayes: Commissioners Burroughs, Chapin, Goedert, Meyer, Smith, and Young.

Noes: None.

Abstain: Commissioner Wonacott.

Absent: None.

COMMISSIONERS' COMMENTS

Commissioner Chris Young noted that he had witnessed some of the flooding in downtown Redding from the storm on March 16. He learned later that there was also a sewer overflow. Mr. Young understood that this might have been a 200-year-storm event, but he hoped that the developments the City approved in the future would take into account the things learned from this type of situation.

Development Services Director Jim Hamilton confirmed that this was a 200-year-storm event. He pointed out that to build all the pipes to accommodate a 200-year-storm event was a costly challenge, which was why it was important to put in overland-flow routes for those events that could not be designed for. Regarding sewage, Mr. Hamilton advised that the leakage was not a significant spill; in fact, City crews were at the Mary Street Lift Station and shuttled trucks with the runoff to keep pressure off the system.

Commissioner Michele Goedert remarked that the new drainage system in the refurbished Downtown Mall area worked very well.

PUBLIC PARTICIPATION

None.

DIRECTOR'S REPORT

Development Services Director Jim Hamilton reminded the Commissioners that the second April Planning Commission meeting would be held on Thursday, April 30, instead of the usual Tuesday meeting.

Planning Manager Douglas DeMallie commented on the status of the Linc Housing Project that was approved on East Street. He advised that the funding was not available this year, so the project was at least three years away from construction.

ADJOURNMENT

There being no further business to come before the Planning Commission, Chairman Randall Smith adjourned the meeting at 8:02 p.m.

Jim Hamilton, AICP
Acting Secretary

Randall Smith
Chairman