

BOARD OF ADMINISTRATIVE REVIEW  
 Regular Meeting, 2 p.m.  
 Wednesday, March 24, 2010  
 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, Associate Civil Engineer Rich Cutforth, Associate Planner Linda Burke, and Executive Assistant I Emily Lopez present.

***PUBLIC HEARING - SITE DEVELOPMENT PERMIT APPLICATION SDP-D-2-10, by Dr. Everett Trevor, requesting approval to convert an existing storage area to office use in the existing medical-office building located at 1145 Whiskeytown Court and for the establishment of off-site employee parking (15 existing spaces) at the Pilgrim Congregational Church located at 2850 Foothill Boulevard. The medical-office property is zoned "GO" General Office District, and the church property is zoned "RS-2" Residential Single Family District. Environmental Determination: Categorically Exempt. Staff Recommendation: Denial. L-010-390-750***

Associate Planner Linda Burke summarized the staff report. She noted that in 2006, Dr. Trevor was granted permission to construct a medical-office building at 1145 Whiskeytown Court. She stated that due to the topography of the site, Dr. Trevor constructed a two-level building into the hillside, with a parking lot on the south side of the building accessing office space on the second floor, and a parking lot on the north side of the building at the grade of the unfinished bottom floor. Ms. Burke advised that currently, the entire second floor was utilized for medical office, while the first floor was used for storage, with the exception of access to the building elevator and janitorial space.

Ms. Burke continued that parking for the building was provided at a ratio of 1 space for every 225 square feet of medical office and 1 space for every 1,250 square feet of storage, for a total of 35 spaces. She said the applicant acknowledged at the time the building was being built that additional office space was not permitted on the first floor unless additional parking was provided. Ms. Burke was advised that Dr. Trevor attempted to purchase adjoining land to meet the additional parking requirement, but to no avail. She explained that a provision in the Parking Ordinance allowed for up to 30 percent of the parking requirement for a commercial use to be provided off-site, subject to an agreement with the property owner and approval of a site development permit. She said in this case, the applicant had requested to utilize 15 existing parking spaces at the adjacent Pilgrim Congregational Church (Church) to meet the additional parking requirement to convert storage space to medical-office space.

According to Ms. Burke, a pedestrian walking path was proposed to the medical-office building from the parking lot. She said the conditions of approval specified that the off-site parking lot be used for employees only, from 6 a.m. to 6 p.m., Monday through Friday.

Ms. Burke advised that staff received two letters from Philip and Carol Grauel expressing concerns regarding noise, lighting, and security issues that might be associated with the off-site access path. She said the letters also expressed concern that the only access to the off-site parking would be through residentially zoned neighborhoods. Ms. Burke mentioned that two sets of photos reflecting overflow parking from Manzanita Elementary School and Church events were submitted, as well as a letter of petition against commercial parking signed by 34 residents of the surrounding neighborhood. She pointed out that staff determined that the photos of the Church parking lot were taken on a Saturday during a funeral. Ms. Burke referred to an additional petition that was submitted by Mr. Grauel at today's meeting, which was signed by others also in opposition to the proposal for off-site parking.

Ms. Burke said all those who signed the petition and those within the 300-foot legal-noticing boundary of the application were invited by the applicant's representative to attend a neighborhood meeting with the applicant and staff on Thursday, March 18, to discuss the proposal, but only two

residents attended the meeting, Mr. Grauel and one other property owner on Foothill Boulevard. She said their main concerns were the introduction of additional traffic into the residential neighborhood and felt the proposal would further exacerbate existing traffic and parking problems along Foothill Boulevard that were associated with Manzanita Elementary School and special events at the Church, as well as through traffic between Placer Street and Eureka Way.

Ms. Burke said staff realized that the parking facility at the Church was underutilized and that the doctor would like to make use of the parking lot during the weekdays. She pointed out, however, that the proposal would inject more commercial traffic into the residential neighborhood. She observed that the employee parking would add approximately 50 to 60 trips per day. Ms. Burke continued that this number seemed insignificant compared to traffic on a residential street but that traffic volumes on Foothill Boulevard and Manzanita Hills Drive appeared to be at the upper limits of what was well tolerated for residential streets. She said because of the issues surrounding the proposal, staff was recommending denial of the project. She advised that conditions of approval were included if the Board desired to approve the project, or the Board could refer the matter to the Planning Commission. The Chairman opened the public hearing at 2:12 p.m.

Senior Planner Jim Wildauer observed that average daily trips on a residential street should be between 2,000 to 3,000 to maintain quality of life. Ms. Burke said in 2005, traffic counts on Foothill Boulevard were 2,252 daily trips west of Almond Avenue and 1,783 daily trips where it becomes Manzanita Hills Avenue. She noted that both counts were taken in December 2005 after the Shasta Street connection to Downtown was made at Manzanita Hills Avenue but before the recent connection of Foothill Boulevard to Lakeside Drive.

Dr. Trevor, applicant, described his medical practice, which included pulmonary medicine, critical care, and sleep medicine. He pointed out that sleep-medicine services, including sleep-apnea problems, were provided at night. Dr. Trevor indicated that his was the only accredited sleep clinic in northern California. He hoped for a balance between the residents' quality of life and the services he provided to the community.

Mike Dormer, applicant's representative, Sharrah Dunlap Sawyer, Inc., indicated that he had been monitoring Dr. Trevor's parking lot to see how many cars were parking in the spaces at peak hours; he noted there were 17 unused stalls. He did not believe that the actual off-site stalls would be needed but understood that they were required by the Redding Municipal Code. Mr. Dormer continued that Dr. Trevor had attempted to purchase property from the Church a year earlier, in order to acquire more space for parking. He said the applicant's proposal had been submitted to the Church but that it was denied by two votes.

Mr. Dormer remarked that some residential streets generated more traffic than others. He mentioned that subdivisions built near Buenaventura Boulevard, as well as Manzanita Elementary School, also contributed to more traffic and parking problems in the area. He stated that Dr. Trevor's project was not going to increase parking within the public right-of-way. Mr. Dormer contended that, at worst, there would be 15 vehicles arriving in the morning and 15 vehicles leaving at night. He pointed out that the Church was a permitted use and had a certain number of parking spaces available to use within the guise of that permit. He advised that if the proposal was approved, the applicant would approach the Church's board and request 15 stalls farthest away from the Church's door.

When asked why the applicant was not successful in purchasing the property from the Church, Mr. Dormer informed the Board that the Church had archived documents for complete build out of Frank Lloyd Wright's original plans.

Gary Brum, resident of Los Animas Way, claimed that there were times when the neighborhood was overrun with cars. He contended that traffic had at least doubled since Lakeside Drive had been extended. He stated that parking could not be policed and that other people besides employees could end up parking in the Church parking lot.

Philip Grauel, resident of Foothill Boulevard, stated that it was difficult for two cars to pass each other when other cars were parked along either side of Foothill Boulevard. He observed that the number of students at Manzanita Elementary School had increased, which added to the parking problem on the street. He contended that neighbors' friends could not visit because they had nowhere to park and that residents had trouble backing out onto the street from their driveways.

Mr. Grauel also mentioned the problems stemming from high school students using Foothill Boulevard as a cut-through to get to Holiday Market.

Nancy Ragsdale, Pilgrim Congregational Church member, indicated that the Church building was not at full buildout. She said the plans called for the main entrance to be at the north side of Whiskeytown Court, not Foothill Boulevard. She stated that she was present during Mr. Dormer's presentation to the Church Committee and that the vote not to sell was decided by more than two votes. Ms. Ragsdale indicated that Church members did not want to sell the land for parking but acknowledged that some of the members were enticed by the money being offered.

Greg Werner, Monte Bello Drive, asked how the parking spaces, if granted, would be secured.

Mr. Dormer explained that the applicant planned to make a formal offer to the Church's pastor, who would then present it to the Church's Committee, once the project was approved. He further explained that the agreement would be between two private property owners and that if the agreement was breached, and the people started parking on the street, the City would be notified for enforcement purposes.

Mr. Werner contended that the conditions of approval should address a possible lapse in the agreement. He asked if both the spaces and walkway would be designated as permanent, which could affect the Church's plans. Mr. Wildauer replied that the City was not aware of the Church's plans; if the Church approached the City with a project that included the area with the walkway, another access to those parking spaces from Dr. Trevor's office would be required.

Ms. Burke read Condition 5 regarding the parking agreement, noting that it would need to be reviewed by the Planning Division and the City Attorney for adequacy prior to recording. She explained that if the medical building was converted to another use that needed less parking, the agreement would no longer be required. She added that Condition 6 addressed the use of the parking spaces by employees. Mr. Werner wondered what the result would be if something happened to Dr. Trevor and the use changed. He warned that other similar requests would be made in the future by those who would like to utilize off-site parking when constructing a building. He urged the Board of Administrative Review to deny the request and to encourage the applicant and Church to work out an agreement that would allow parking to be accessed off Whiskeytown Court.

Mr. Dormer clarified that the subject project would not be adding to the street parking. He pointed out that the paved areas would be maximized and should not affect the ability of the Church to expand. Determining that no one else wished to comment, the Chairman closed the public hearing at 3:01 p.m.

Mr. Young felt the impact of 15 vehicles at two trips per day was insignificant, although he understood Mr. Grauel's concerns about the increase in traffic that had occurred over the years. Mr. Young believed the solution would be to access Whiskeytown Court through a part of the Church's parcel that was not being utilized at this time. He contended that the Church should be working with Dr. Trevor to figure out a solution to access off Whiskeytown Court, while collecting a fee for use of the parking. He said when the Church was then ready to develop, the 15-space parking lot could be eliminated and the 15 parking spaces could be relocated in the final buildout of the Church. Mr. Young observed that there were no parking requirements involved when Frank Lloyd Wright designed the Church and that the site plan might not be able to be built out due to today's engineering standards.

Associate Civil Engineer Rich Cutforth suggested that Dr. Trevor make another offer to the Church.

Mr. Wildauer did not think that the 15 parking spaces on the lower level (Whiskeytown Court) would negatively impact the Church's long-term building plans. He was uneasy about introducing more traffic onto the residential streets. Mr. Wildauer favored denial and suggested that the applicant and Church come to an agreement.

Mr. Young acknowledged that extending Foothill Boulevard to Buenaventura Boulevard increased traffic. He reiterated his suggestion to build the parking lot on the lower level of the Church's property and access off Whiskeytown Court.

Mr. Dormer asked if a condition could be included which would state that upon further development of the Church, the stalls would be reassigned and access would be off Whiskeytown Court.

Mr. Grauel also objected to the suggested temporary use of the Church parking lot and wondered who would be liable for injuries sustained in the parking lot.

Mr. Werner opposed the use, as well, and repeated his request to keep commercial traffic off residential streets.

Mr. Wildauer said another alternative would be to approve the project with an added condition that the applicant acquire the 15 parking spaces that were accessible from the commercial street, which would require the applicant to work out an agreement with the Church for the lower-level parking.

Mr. Young agreed that the best solution would be for a new parking lot on the lower level, which would be closer to the building and would be accessed off the commercial street and not impact the neighborhood.

Mr. Dormer reminded the Board of Administrative Review that the applicant's first proposal (to purchase the lower-level property for parking) was refused by the Church. He asked if the Board would make a motion on the application "as is" and if the approval was denied, the conditions could then be modified and another vote taken.

**Motion:** Senior Planner Jim Wildauer moved that the Board of Administrative Review deny approval of Site Development Permit-Director SDP-D-2-10, based upon an inability to make the necessary findings for approval.

**Second:** Associate Civil Engineer Rich Cutforth.

**Ayes:** Senior Planner Wildauer, Associate Civil Engineer Cutforth.

**Noes:** Chairman Chris Young.

Mr. Young suggested modifying the proposal. He wished there were more members from the Church present so that the issue could be resolved at today's meeting.

Ms. Ragsdale advised the Chairman that the proposal for parking would still need to be voted on by the Church membership.

When asked by Mr. Young what his preference would be, Mr. Dormer indicated that he would like to present the item to the Planning Commission.

Mr. Young advised that since the vote for denial was not unanimous, the matter would be referred to the Planning Commission.

### ***ADJOURNMENT***

There being no further business to come before the Board, Chairman Chris Young adjourned the meeting at 3:25 p.m.

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Emily Lopez, Executive Assistant I

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Chris Young, Chairman