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REDDING PLANNING COMMISSION  
 Regular Meeting, 4 p.m.  
 Tuesday, March 25, 2008  
 City Council Chambers  
 777 Cypress Avenue  
 Redding, California 96001

## MINUTES

Chairman Michele Goedert called the meeting to order at 4 p.m., with Commissioners Jim Chapin, Randy Memeo, Bert Meyer, and Chris Young present. Absent were Commissioners Emmett Burroughs and Randall Smith. Also present were Development Services Director Jim Hamilton, Planning Manager Douglas DeMallie, City Attorney Rick Duvernay, Land Development Manager Marty Wayne, Associate Planner Zach Bonnin, Executive Assistant II Anita Felion, and Administrative Assistant II Emily Lopez.

***PUBLIC HEARING - TENTATIVE SUBDIVISION MAP APPLICATION S-14-06 AND PLANNED DEVELOPMENT PLAN PD-7-06, TIERRA KNOLLS SUBDIVISION, by M & N Ranch, LLC, requesting approval of a 93-lot planned development for single-family homes on 112 acres located at 12590, 12628, 12750, and 12900 Old Oregon Trail. The site is zoned "RE-1-PD" Residential Estate District with Planned Development Overlay District and "RE-2" Residential Estate District. Environmental Determination: Mitigated Negative Declaration. Staff Recommendation: Adoption of the Mitigated Negative Declaration and approval. S-101-121***

Associate Planner Zach Bonnin summarized the staff report. He noted that the tentative map/planned development represented buildout of the last remaining parcels of the property originally encompassed by the Tierra Oaks Planned Development (Tierra Oaks), which was originally approved in 1989 by Shasta County for development of 191 large single-family lots on private streets with gated access around an 18-hole golf course. He continued with the history of the parcel, advising that in 1998, the City Council granted an amendment to Tierra Oaks to allow development of 230 single-family residences in addition to the 90 lots already recorded with previous approvals. Mr. Bonnin explained that after the approval, the property was sold in three separate portions. He said two units were purchased by North Valley Properties and annexed into the existing Tierra Oaks Homeowners' Association (Association), and the last area of undeveloped land was purchased by the current applicant.

Mr. Bonnin stated that the project proposed internal streets similar to those existing in the Tierra Oaks development to the north. He indicated that an internal gated connection to Tierra Oaks to the north would be created but would be for emergencies only and would satisfy the requirement for two points of street access by development of the 50<sup>th</sup> lot. He advised that grading would be minimized and initially limited to streets and utility infrastructure; grading of lots would not occur until the house-development stage and would be limited to the building and yard envelope.

According to Mr. Bonnin, the project included a request by the developer to acquire a right to use a 0.23-acre portion of a 0.94-acre City-owned parcel to construct the access street from Oasis Road into the project. He explained that the City accepted ownership of this parcel as part of the mitigation required for the County-approved Whispering Oaks Subdivision in 1978 and that a portion of the parcel contained a known Native American cultural site. He stated that monitoring by a qualified archaeologist and representative of a local Native American tribe was required for the site during initial grading and ground-disturbance activities.

Mr. Bonnin noted that a letter had been received just prior to today's meeting from Don MacDonald, President of the Tierra Oaks Estates Homeowners' Association, in which he requested that: a "condition of sale" be included under any transfer of ownership to ensure that the roads in Tierra Oaks may not be used by residents of Tierra Knolls; the emergency breakaway gate be for emergency exit only; design standards include a proper plan for enforcement; and a notice for a sewer bond be included as a condition of sale.

Mr. Bonnin advised that the applicant had requested deletion of Condition 26, since the requirement was already addressed and was now a moot point; revision of Condition 29 to specify that signs shall be placed not more than 150 feet on-center; revision of Condition 41 to add the words "not sheet" to concentrated flow; and revision of Condition 74 to reflect that the open-space parcels are A through P and not A through J. He said staff recommended that the Planning Commission adopt the Mitigated Negative Declaration and approve Tentative Subdivision Map Application S-14-06 and Planned Development Plan Application PD-7-06, Tierra Knolls Subdivision, subject to the conditions of approval, which he reviewed.

Planning Manager Douglas DeMallie provided an additional history of the project. He added that staff had been working with the applicant to create a project that conformed to the General Plan and respected land forms and existing neighborhoods. He mentioned that there had been a controversial approval in 1998 for a totally different type of project and stated that the current project was more in keeping with the original Tierra Oaks project design. Mr. DeMallie pointed out that the project conformed in terms of lot sizes, unit density, and open space. He said the lots would be built out with homes under strict criteria of design guidelines that would be incorporated into the Covenants, Conditions, and Restrictions (CC&Rs). He, too, referenced the letter from Don MacDonald.

Chairman Michele Goedert noted that Mr. MacDonald's letter requested the revision of Condition 59 to change the wording from the gate "may" be signed to "shall" be signed. She saw no opposition to that request. Mr. DeMallie agreed.

Commissioner Bert Meyer complained that the tentative map was incredibly hard to read. He said there was too much information, and the colors were not delineated. He stated that he had a hard time trying to figure out the open-space area. Mr. Meyer felt the developer should have done a better job of making the map user-friendly.

Mr. Meyer observed that the tentative map originally was to be developed as one parcel and that all the roads were supposed to be interconnected, but now they were not. He asked if the public was allowed to drive into the existing Tierra Oaks subdivision. Mr. DeMallie responded that the subdivision was a private-street subdivision and that permission to access was required. He indicated that all the streets in the Tierra Knolls Subdivision would be owned by the homeowners' association and that there was no plan for a gate into the subdivision at this time, but legally there could be one, with public access prohibited.

Mr. Meyer noted that he could not determine where the access onto Old Oregon Trail would be and questioned the impact on the line of sight due to the crest of the hill. Mr. DeMallie informed him that the crest of the hill was taken into consideration and that it met sight-distance standards for the speed on Old Oregon Trail.

Commissioner Chris Young asked about the gate addressed in Condition 59. Mr. DeMallie explained that the gate was pressure-activated and would be signed for emergency use only. He hoped that residents on both sides of the gate respected that designation and that they recognized that it was for their benefit, due to the fire potential and history of the area. Mr. Young wondered who would maintain and police the proper use of the gate. Mr. DeMallie replied that the homeowners' association would be responsible for the maintenance. He said staff had initially discussed incorporating the area with Tierra Oaks, but the Association did not want that. He continued that the problem of people using the gate for non-emergency purposes would be handled similarly to a civil dispute between two property owners.

Commissioner Jim Chapin felt this project was a major improvement over past proposals. He was pleased with the amount of open space and minimal grading on the lots. He pointed out that one of the advantages of a planned development was the maintenance of streets by the homeowners' association. Mr. Chapin clarified that the gate was a two-way gate and that it would benefit both projects.

Mr. Meyer believed the residents on some of the roads would choose to use the gate for egress rather than drive out through the planned route.

Development Services Director Jim Hamilton agreed that this was a two-way street. He said if residents chose to start using the emergency gate for non-emergency purposes, the two homeowners'

associations would have to come together to reach a compromise. The Chairman opened the public hearing at 4:37 p.m.

Fire Marshal Bruce Becker advised that the Fire Department checked all gates once a year for proper operation. Regarding maintenance, he said the California Fire Code stipulated that he had the authority to cite the homeowners' association if maintenance was not done. He acknowledged that it would have been better to have an open road to help with circulation, but staff was aware that the Association did not want that.

Seth Merewitz, applicant's representative, thanked staff and the members of the Association for working to reach an agreement on the conditions of approval. He described the project and some of the amenities being offered. Mr. Merewitz remarked that there would be a minimum 150-foot frontage for homes along the golf course and that all homes would have tile roofs. He noted that he did not anticipate having to apply for U.S. Army Corps of Engineers (ACOE) permits because the applicant was trying to avoid all waters of the U.S. and had spent money up front to avoid that.

Regarding Condition 59, Mr. Merewitz agreed to change the wording from "may" to "shall." He stated that he would be working with Mr. Becker and the Association concerning the emergency access gate. Mr. Merewitz apologized to Mr. Meyer for the condition of the map. Concerning Mr. MacDonald's request in his letter submitted to the Commissioners, Mr. Merewitz did not think that notation on the tentative map to advise purchasers that golf-cart traffic was not allowed on the Tierra Oaks private roads was necessary. He recalled that he had already met with the Association and would be happy to meet with the members again to respond to any concerns.

Mr. Meyer mentioned the cost to the applicant of the improvements to Oasis Road. He asked if the applicant had a fair-share agreement with the City. Mr. Merewitz noted that the environmental document was done prior to the City's adoption of the impact fees. He said the applicant had been reassured by the City that if the improvements were made, he could enter into a fair-share agreement.

Neil Bray, Board of Directors, Tierra Oaks Homeowners' Association, said the Association's two major concerns were access through Tierra Oaks by the new subdivision residents and enforcement of the CC&Rs for the new subdivision. He stated that the overall concerns were also included in the letter submitted prior to today's meeting. Regarding Alicia Parkway, Mr. Bray said he had been told that the gate to be placed there would be a collapsible gate, it would not be a two-way gate for vehicles, and it would not allow vehicle access between the two developments. He said the separation of the subdivisions needed to be maintained for the Association's liability purposes, due to the fact that each of the homeowners' associations would be required to pay for maintenance of the roads in their own subdivision. He pointed out that there would be no gate at the entrance to Tierra Knolls and that one of the reasons why people wanted to live in Tierra Oaks was for the security of a gated community. Mr. Bray commented that without a gate into Tierra Knolls, anyone would be able to travel down Alicia Parkway and drive directly into his community. He contended that it was very important that the gate that connected Alicia Parkway would not be passable on an ordinary basis by just anyone. He advised that the Tierra Oaks residents indicated at the informational meeting that they did not want access in either direction through the Tierra Knolls subdivision.

Paul Felker voiced concern about Old Oregon Trail and asked if the applicant was required to realign the street. Mr. DeMallie acknowledged that there was a stretch of road that was substandard and needed to be repaired. He acknowledged that with the original Tierra Oaks subdivision proposal, there was a requirement that the realignment occur at some point in time. Mr. DeMallie advised that the project now had a new entrance and that the number of previously planned lots had been reduced. He said the project had changed enough that the City could not require the realignment as this time, but the applicant would contribute a fair share to the future improvements. Mr. Felker asserted that the traffic had increased dramatically and that the road needed to be improved. He noted that his property had been included in the development fees required for the Oasis Road improvements, even though he did not access that area. He could not understand why the developer was not required to carry his fair share.

Arnold Lenk addressed the access to the Tierra Oaks Golf Course and the emergency access. He had previously been in a planned development that used a collapsible gate, which worked very well, and he wondered why a collapsible gate was not being considered for this project. He voiced concern

about the setbacks, side areas, and roof pitches and noted that the developer was not intending on building the project but instead would sell to individuals. Mr. Lenk contended that a 25-foot setback on half-acre lots and 15-foot side yards were not appropriate, particularly if there was to be a limited amount of grading. He maintained that guidelines should be put in place now, since the lots would not be built by the developer. He requested that side yards, setbacks, and roof pitches similar to Tierra Oaks be required. Determining that no one else wished to comment, the Chairman closed the public hearing at 5:15 p.m.

Chairman Michele Goedert asked why the pressure-sensitive gate was selected over the collapsible gate.

Fire Marshal Bruce Becker explained that he did not want the gate to be intimidating or require special knowledge in order to get through. He advised that the quickest way for fire personnel to access a fire in Tierra Oaks would be through Tierra Knolls. Mr. Becker recalled that a fire truck was damaged by trying to go through a collapsible gate when fire personnel were responding to a fire in the Valentine Lane/Dove Street area.

Commissioner Bert Meyer worried that a pressure-sensitive gate would cause security problems. He asked Mr. Becker if he would accept a collapsible gate if the Commissioners so decided. Mr. Becker reiterated that he did not want the gate to be intimidating or require special knowledge. He maintained that a collapsible gate was not acceptable.

Mr. Chapin pointed out that a collapsible gate did not provide any more security than a pressure-sensitive gate. The Chairman reopened the public hearing at 5:22 p.m.

Art Kallan observed that a pressure-sensitive gate could be opened and accessed by anyone. He asked if an alarm on the gate had been considered to deter everyday access. Ms. Goedert advised that staff would look into the possibility of an alarm. The Chairman closed the public hearing at 5:24 p.m.

In response to questioning from the Commissioners, Mr. Bonnin elaborated on the revised conditions. He said Condition 26 would be deleted; Condition 29 would have the same language as Condition 39, regarding the 150-foot distance between signs; Condition 41 would have the words "not sheet" added when discussing concentrated flow; Condition 59 would change the word "may" to "shall"; and Condition 74 would be amended to reflect Parcels A through P instead of Parcels A through J.

Commissioner Randy Memeo reminded staff to consider an alarm or similar alternative on the gate. The Commissioners agreed that Condition 59 should be revised to require an alarm.

Mr. Young wanted to see energy efficiency, such as solar water heaters, considered in future draft conditions of approval.

**Motion:** Commissioner Jim Chapin moved that the Planning Commission adopt the Mitigated Negative Declaration 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-14-06 and Planned Development Plan PD-7-06, Tierra Knolls Subdivision, subject to the conditions of approval as recommended by staff, including the deletion of Condition 26 and the revision of Conditions 29, 41, 59, and 74.

**Second:** Commissioner Chris Young.

**Ayes:** Commissioners Chapin, Goedert, Memeo, Meyer, and Young.

**Noes:** None.

**Abstain:** None.

**Absent:** Commissioners Burroughs and Smith.

***PUBLIC HEARING - AMENDMENT TO USE PERMIT UP-57-93, by Living Hope Compassion Ministries, requesting approval for a 1,920-square-foot addition and internal/external remodel of an existing community social service facility on property located at 1043 State Street in an "HC" Heavy Commercial District. Environmental Determination: Categorically Exempt. Staff Recommendation: Denial. L-010-390***

Planning Manager Douglas DeMallie summarized the staff report. He described the services of Living Hope Compassion Ministries (Living Hope), which generally was comprised of a daytime drop-in service to the general public, with hours of operation from 8 a.m. to 4 p.m., Monday through Friday and Sundays. He stated that Living Hope provided services to meet the basic needs of people, including breakfast and lunch, laundry and shower facilities, groceries and clothing, a computer lab, art classes, healthcare/hygiene, and employment training, with the goal of assisting homeless and indigent people to become stable and self-sufficient. He said a Sunday church service was also held, which typically attracted 40 or more people, and the Sunday lunch drew between 70 and 120 people over a two-hour period. Mr. DeMallie noted that Living Hope was not a housing facility and did not provide overnight shelter. He said the applicant stated that the expansion and remodel would create separate dining and chapel areas (now combined) and allow Living Hope to improve service delivery, including creating separate shower and bathroom facilities for men and women, improving laundry service, and gaining a better floor-plan design for monitoring of activities by staff.

Zoning was discussed by Mr. DeMallie, who noted that the project site was located within the northwest area of the Parkview Neighborhood, where the heavy commercial district zoning of the project site transitioned into a multiple-family residential district.

Mr. DeMallie explained that staff concentrated on evaluating this application along the lines of findings for approval necessary to approve a use permit. He advised that all four findings must be made for approval. Regarding Finding 1 that the proposed use would not be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood, Mr. DeMallie advised that staff determined that the project was likely to have a detrimental impact on the immediate neighborhood; therefore, Finding 1 could not be met. He observed that in order to assess the depth of the concern by the neighborhood, staff encouraged, and the applicant responded to, a meeting with staff and the Parkview Neighborhood Association (Association), which resulted in a very open and sincere discussion. He said staff came away from the meeting with a sense that the Association, in summary, believed the cumulative effect of multiple social service providers within and nearby the neighborhood was detrimental to the overall health of the neighborhood due to loitering, littering, loud noises, and confrontations. He remarked that the Association felt the services provided by the applicant, as well as other attractors in the area, led to a constant non-neighborhood population moving through the area, affecting the visual health and safety of the neighborhood. Mr. DeMallie stated that staff spent considerable time on the surrounding streets, including talking with the residents of State Street and observing the activities of those who utilized the services provided by Living Hope.

Mr. DeMallie advised that the callout record for the Redding Police Department (RPD) was reviewed by staff and included approximately 225 calls in 2007 for various reasons, including theft, public intoxication, verbal assault, and physical assault. He said it was not possible to know which, if any, of the calls not directly tied to the Living Hope or the nearby Alano Club (which provided substance-dependency counseling) addresses were attributable to use of these agencies' services. He pointed out that four residential properties in the two-block area had 10, 10, 12, and 17 calls, respectively. He said for comparison, staff asked RPD for callout statistics for a similar two-block area of a mix of single-family and multiple-family residences of about the same age and near commercial uses in the vicinity of Butte and Sequoia Streets. He commented that this area also had a similar community social services facility, a convenience market, and the ACID canal open space nearby, but the number of police calls in this area in 2007 was 74.

Regarding Finding 2, that the proposed use would not be injurious or detrimental to the general welfare of the City, Mr. DeMallie noted that Living Hope provided support for the homeless and poor and assistance to the substance-addicted to any member of the community and that this service reduced demands on government-supported social service agencies and law enforcement. In regard to Finding 3, which addressed whether or not the item met the policies and goals of the General Plan

and Redding Zoning Ordinance, Mr. DeMallie noted that the staff report identified specific policies in regard to protection of neighborhood quality of life and those in support of the type of services provided by Living Hope. In an overall context, Mr. DeMallie stated that staff felt that this finding could be made. Regarding Finding 4, which addressed the City's Design Criteria, Mr. DeMallie stated that the site and exterior building improvements clearly satisfied the intent of the guidelines.

Mr. DeMallie said he struggled with staff's recommendation, but found that although Findings 2, 3, and 4 could be met, Finding 1 could not, necessitating a staff recommendation for denial of the use permit amendment. He said it was determined that although not intended to increase capacity to serve, the addition of a 1,900-square-foot chapel would allow the potential expansion and increased efficiency of services within the existing building that would inevitably foster an increase in users, which would increase the effects the immediate neighborhood was already experiencing. He pointed out that there was also a cumulative effect of having both Living Hope and the Alano Club at the very edge of the residences on State Street and felt the neighborhood had already more than accepted its share of the community need for these types of facilities. He agreed that Living Hope was well-managed and sincere in its efforts, but pointed out that it could not control its patrons when they were off the property. Mr. DeMallie said the issue was not about Living Hope itself, but about the nature of the use at this specific location. He pointed out that quite a bit of effort and time had been spent outside the normal work hours by staff observing the neighborhood, trying to assess the affect of Living Hope and that staff did not come to the recommendation lightly. He contended that Finding 1 should not be made and recommended that the Planning Commission deny Use Permit Amendment Application UP-57-93. He said if the Planning Commission felt otherwise, staff would ask for direction and time to work on appropriate findings and conditions of approval.

Chairman Michele Goedert thanked Mr. DeMallie for arranging to have her tour the facility.

Mr. DeMallie clarified that staff's strong recommendation was that the Commissioners deny the amendment request on the basis that they could not make the finding that the project would not have a detrimental effect on the neighborhood; however, if they felt they could make all the necessary findings, they could direct staff to come back in two weeks with a list of conditions of approval.

Commissioner Chris Young believed Finding 1 could be made. He stated that the general commercial district and residential district had different boundaries and that a person living to the east of the Living Hope property line was really in a different neighborhood. Mr. DeMallie discussed the boundaries, noting that neighborhoods were not defined by zoning boundaries. He contended that there would be less impact if the location was one or two blocks away from the residential homes. He added that the Parkview Neighborhood Plan included all the property being discussed. Mr. DeMallie continued that a location further west would make a difference in the context that it would result in less of the impact that he observed and that was noted by the residents of the area. He said this specific location clearly brought people immediately to the west end of State Street; if it was located one or two blocks further west, staff would still go through the same process in considering impacts on that location. Mr. DeMallie reminded the Commissioners that with Living Hope, the issue was what happened outside and around the facility. More discussion ensued regarding previous and allowed uses in the area. Mr. DeMallie also noted that in addition to letters received opposed to the amendment request, several letters were also received in favor of the project. The Chairman opened the public hearing at 6:04 p.m.

Don Meek, Living Hope project team member and Shasta County and City of Redding Homeless Continuum of Care (COC) Coordinator, was aware that this was an issue of location and appreciated and respected the efforts of Planning Division staff. He explained that the COC was a regional-based organization of developers, community members, and faith-based groups and provided a background of how and why the organization was formed. Mr. Meek said the essential value of a day drop-in center was to provide food, clothing, job training, bathing facilities, etc. He stated that other locations were considered when developing the COC program, including those near the Good News Rescue Mission (Mission), and it was decided to choose the location where the services were already being offered. Mr. Meek felt it made sense to be in a location where the homeless were—near the river, the Mission, the library, etc. He stated that the COC finally decided to approach Living Hope, because it was already providing those services. Mr. Meek commented that Living Hope was trying to be a good neighbor by picking up trash, not allowing food items to be

taken outside, etc. He maintained that if the application was denied, then it was incumbent on the community to help find another location.

Commissioner Bert Meyer asked how many homeless were in the Sequoia and Butte Streets area. Mr. Meek did not have the figures and did not think it was an ideal comparison; the primary area was in the South Market Street area because of the highway, railroad, and river access.

Mr. Meyer desired more information on where the homeless were and what the community was presently doing to deal with the problem. Mr. Meek asserted that if Living Hope did not exist, the homeless people would still be in the area. He contended that the services offered by Living Hope were vital, noting that during the previous year, approximately 3,300 individuals (with about one-third being children) were homeless in Redding. He stated that Living Hope was the best place to offer the services needed and was trying to be a good neighbor; it was a matter of control when the individuals were off the premises. Mr. Meek acknowledged that he was previously a supervisor in the City of Redding Housing Division. He noted that his job duties had included lobbying for housing and that he sometimes disagreed with Planning staff. Mr. Meek continued that he had faith in Living Hope and what they offered.

Commissioner Jim Chapin asked if other locations had been studied. Mr. Meek responded that other properties had been checked, but COC approached Living Hope because it already had the services there.

Mr. Young wondered where the people spent their time when not at Living Hope. Mr. Meek replied that some came from the Mission, some might be camping, and some were on the fringes. He remarked that a few gave the others a bad reputation and that the vast majority of the people tried to be discreet and respectful. Regarding funding, Mr. Meek said the group had submitted an application to the City and would seek private donations from churches, the Shasta Community Health Center, and others. Mr. Meek reiterated that it was imperative that if this location was not approved, that another place be found, because the services were essential. He clarified that the hours of operation would remain as they were presently.

Susan Riffel applauded staff members for their efforts, and she supported approval of the amendment request. She challenged those present to think about their last 24 hours, where they enjoyed a shower, food, a job, and friends. She said she donated to Living Hope and was humbled by what happened there. Ms. Riffel contended that not all the calls to RPD were due to Living Hope. She observed that Living Hope was already providing services to individuals; to be more efficient just seemed logical.

Danyett Cloward, Director of Volunteers of Living Hope, said the agency really worked hard to meet the needs of the homeless. She explained the services and hours of operation. Ms. Cloward noted that the end of the month brought more people in, but there were approximately 30 to 80 people per day, and she did not expect a change in attendance with the expansion. She observed that there were some who were chronically homeless and some who only needed help for a brief period of time.

Carolyn Heaton supported the amendment request. She believed some of the calls to RPD probably came from the apartments in the neighborhood. She acknowledged that there were a lot of different reasons why people were homeless. Ms. Heaton contended that the community needed to help the homeless. She pointed out that she also had homeless people in her neighborhood; sometimes they littered and it made her angry, but she felt the problems could be dealt with.

Bill Ulch, Parkview Neighborhood Association Vice Chairman, appreciated the work of staff and urged denial of the amendment request. He acknowledged that this was a difficult issue and believed the homeless were underserved and that Living Hope provided important services; the issue was that the homeless did not live in his neighborhood. He complained that the homeless had beaten a path through the neighborhood. Mr. Ulch stated that the neighborhood's past did not need to be its future. He pointed out that residents had cleared brush to make camping less appealing and lobbied to have Clayton-Ward Recycling moved. He asserted that the Parkview Neighborhood Park was unusable for families because of needles and debris that were dumped. He hoped the Commissioners would

realize and appreciate what the neighborhood had accomplished in trying to fix the problems. Mr. Ulch asked that Living Hope be relocated out of the neighborhood.

Chris Solberg, Redding Loaves and Fishes Director, observed that Living Hope was the only daytime emergency shelter in Redding. He read from California Senate Bill 2, a bill that required cities and counties to identify specific sites with by-right zoning to accommodate the community's need for homeless shelters, required cities and counties to identify zones where special-needs facilities and transitional housing were permitted either by right or with a conditional use permit, and prohibited a city or county from disapproving applications for shelters and special-needs facilities unless specified findings were made. He believed it was the responsibility of the City's Housing Department to take a census of the homeless population in order to meet their needs. Mr. Solberg maintained that the Commissioners could not base their denial on a perceived fear; in fact, he believed the Commissioners should be eliminating the regulations to make it easier to provide for the homeless.

Nancy Geer, who previously worked as a probation officer, was familiar with the "old" Parkview Neighborhood, which had substandard housing, drug abuse, and violence. She continued that Living Hope moved in and began meeting the homeless needs. Ms. Geer noted that a "new" neighborhood was built with help from the Redding Redevelopment Agency, and others moved in and contributed to make the area more stable. She continued that though the crime rate had fallen, the area around Living Hope continued to receive more police calls. She believed Living Hope's program was wonderful but that it didn't belong in the neighborhood.

Vera Perkins pointed out that she did not become homeless due to drugs or alcohol. She had been at the Mission for over two months and had made some wonderful friends. She commented that people came to Living Hope to rest and get something to eat. Ms. Perkins remarked that just because people were homeless did not mean they were worthless.

Patti Davenport spoke of her experience of being homeless, sleeping under the bleachers, while receiving over 100 illegal camping tickets. She did not like being homeless and said the agency was the only hope she and her husband had. She asked where the homeless were supposed to go. Ms. Davenport asserted that homeless people felt better with a shower and a place to get a cup of coffee. She urged the Commissioners to approve the amendment request and allow Living Hope to continue offering its services.

Bob Denham, Living Hope Director, did not want to be in conflict with the neighbors or City staff. He pointed out that Living Hope also served the working poor—people who worked every day but did not make enough to meet their needs—as well as the homeless. He commented that these people were trapped in motels or sleeping anywhere they could. Mr. Denham remarked that Living Hope did not cause the poor or homeless; they were present before Living Hope appeared. He contended that the services offered reduced the number of homeless walking through the neighborhood. He said Living Hope's ministry was unique, and if Living Hope made it easier for the needy people to shower and wash their clothes, why was that a problem. Mr. Denham clarified that there was no intention of extending hours of operation. He explained that the only washer was in the shower room, which limited both activities. He added that the upstairs, where the volunteers worked, was boiling hot during the summer and freezing cold in the winter.

Mark Cram, applicant's representative, The Engineering Company, stated that Living Hope was badly in need of handicap accessibility. He was asked to help design room for three washing machines, separate showers for men and women, and separate areas for common use. He noted that Living Hope provided shelter during the hours that the Mission did not. Mr. Cram said the expansion could not be done within the existing structure, unless the second story was utilized, and then it would require elevators and would be less than desirable in terms of supervision and monitoring. He observed that in designing the expansion, he tried to maintain the buffer area between the facility and the residents. Mr. Cram said the kitchen and pantry would remain where they were, and a lot of the materials would be donated. He reminded the Commissioners that this was a faith-based organization, which relied on donations.

Gale Clarke remarked that the City had a leash law to make sure that animals did not do anything to annoy the neighbors or others in the neighborhood; the annoyance included getting into garbage cans and spreading contents up and down the street, entering someone's property, fighting with other animals, etc. She commented that neighbors become angry when someone does not deal with the unruly animal responsibly. Ms. Clarke continued to use the analogy of lack of control of animals in the neighborhood to describe the homeless population. She contended that the problem was the ongoing lack of responsibility to ensure that the clients did not infringe on the rights and lives of the neighbors. She was told by parents that they would not allow their children to walk to or play unattended in South City Park. Ms. Clarke said her neighbors would not walk alone to enjoy the new Parkview Park, and the new library had security at all times. Ms. Clarke stated that she was told by Living Hope representatives that they were not responsible for their clients after they left their property. She contended that it was the responsibility of Living Hope, the Mission, and all other sites that offered services to the homeless to ensure that their clients acted as good citizens and good neighbors.

Frances Jenkins also was opposed to the expansion, because it was a magnet into the neighborhood. She said twice in the past year she had to call RPD because of serious trespassing through her property. She mentioned that last summer, a portion of her fence was knocked to the ground and a transient camp was built in her backyard and on property owned by the Redding Redevelopment Agency. She noted that the transients did not have money for food but that there was a pile of beer cans and wine bottles on the property, as well as a makeshift latrine. Ms. Jenkins did not think the neighborhood should have to live with the consequences of what the homeless and transients did after visiting Living Hope.

Kevin Kacalek, Church of the Nazarene representative, believed Living Hope should be a magnet for the homeless so they could get served and nurtured. He thought the expansion should be viewed as a neighborhood improvement. He pointed out that Living Hope was not going away; it would still be there and would be an unattractive building if the amendment request was denied.

Jean Murillo wanted to see Living Hope continue offering its services but in another location that would better meet its needs. She had previously volunteered at the Mission and taught Bible study there. She mentioned the woman who was murdered on State Street and wanted to see the neighborhood cleaned up so that women would feel safe. Ms. Murillo asked the Commissioners to consider the possibility of having the facility in a different location. She contended that the residents had worked hard to clean up the neighborhood.

Alden Cockerell, Living Hope Board Chairman, advised that Living Hope wanted to be part of the solution and partner with the City and the Association to resolve the issues.

Mark Keyes stated that the comparison of police calls between the Living Hope area and the area of Butte and Sequoia Streets was not an accurate comparison, because State Route 44 was right behind Redding Loaves and Fishes, and the facility was open only two days a week.

Development Services Director Jim Hamilton explained that the Butte and Sequoia Streets area was not chosen for comparison because of the presence of Redding Loaves and Fishes; it was chosen because of a similar age and types of uses and the combination of residential and commercial properties.

Commissioner Jim Chapin asked how many calls could be attributed to Living Hope as opposed to nearby apartments and homes.

Pete Hansen, Captain, RPD, said there was a number of calls directly attributable to the Living Hope address but that a precise number would be difficult to derive. He stated that the Parkview Neighborhood had made significant improvements over the last few years but that it was in a location between the railroad, river, and highway and near several agencies that provided services that were an attraction to the indigent.

Ms. Goedert clarified that the calls were not necessarily associated with the hours of the day that Living Hope was operating. Capt. Hansen replied affirmatively. Determining that no one else wished to comment, the Chairman closed the public hearing at 7:45 p.m.

Mr. Hamilton addressed Mr. Solberg's reference to Senate Bill 2. He explained that the City was consistent with State law at this time and that the City was not prohibited from regulating the subject use. He noted that Living Hope's request was for an expansion to provide more efficient services; there were no plans by the City to limit the facility or to limit services in the current facility. Mr. Hamilton continued that homelessness was a Citywide problem but that most of the services being provided happened to be in this one area. He advised that the project needed to be considered, not the services provided, and that what occurred in that area would continue to occur in that area. Regarding the findings, Mr. Hamilton reiterated that three of them could be made, but Finding 1 could not.

Commissioner Randy Memeo inquired if this was an expansion of services or an expansion for efficiency. He believed it was an expansion of services for the people coming in to use the facility, as opposed to being more efficient in the way the facility was presently being used. He did not believe the expansion would enhance the quality of life of the neighbors and agreed with staff that the Planning Commission should deny the amendment request, because Finding 1 could not be made. He also felt Finding 3 could not be made because the item did not meet Goals CDD 9 and 12 and the Parkview Neighborhood Focus Area PN1 of the Community Development and Design Element, nor could it meet the goals and policies of the Housing Element.

Mr. Meyer noted that the Rotary Club was involved with the City in refurbishing the Martin Luther King Center. He asserted that homelessness was not just in the Parkview Neighborhood. He owned a hotel and office building in Redding and observed that people were camped out between his office building and the adjacent office building, which resulted in the installation of 12-foot-tall barriers so that the homeless would not camp in that area. Mr. Meyer commended Living Hope for its efforts. He observed that no one from the Mission was present. Mr. Meyer disagreed with Mr. Memeo and was in favor of the amendment request.

Mr. Young also found it interesting that no one from the Mission, which was a major player in the area, was present to speak in support of Living Hope's request. He stated that one of the applicant's problems was that it had been outmarketed; the Mission had been in its location a lot longer, it had more supporters, was more vocal, and was constantly marketing. Mr. Young contended that the homeless would still be in the area even if Living Hope was not there. Regarding the number of police calls, he noted that four of the residential properties logged 49 calls. He disputed Mr. Memeo's interpretation of Finding 3. Mr. Young believed helping people find homes and jobs could help a residential neighborhood. He felt the problems off-site were a policing problem and not an assistance problem. Mr. Young also supported the amendment request.

Ms. Goedert recalled her visit to Living Hope and felt the improvement request was an issue of efficiency for its present operation. She believed if Living Hope relocated, the problems in the neighborhood would increase tremendously. She felt Living Hope had done a lot to address the problems in the neighborhood. Ms. Goedert did not want to minimize the struggles of the Parkview residents. She believed the expansion of the ministry would improve the general welfare of persons residing in the neighborhood. She agreed with Mr. Young and Mr. Meyer. Ms. Goedert asked that staff come back to the Planning Commission with conditions of approval for the amendment request.

Mr. Chapin recognized that the Parkview Neighborhood had experienced a lot of problems in the previous years and had made great strides in improving the area. He continued that if the Living Hope proposal had been for a new project, he would feel differently, but he felt the subject proposal would improve the present services and the conditions of the existing building. Mr. Chapin observed that Living Hope provided very valuable services, the services were not going to change, and there was no indication that the number of people using its services would increase significantly. He asserted that the problems were not going to go away even if Living Hope relocated. He pointed out that he had an office building downtown and also experienced homeless people living behind it on a vacant lot; homelessness was a Citywide problem. Mr. Chapin felt Finding 1 could be made. He agreed that staff should come back to the Planning Commission with conditions in order to approve

this project. He felt mitigations, such as landscape and/or a wall, could be put in place, and monitoring could be done by a third party.

**Motion:** Commissioner Jim Chapin moved that the Planning Commission approve in concept Amendment to Use Permit UP-57-93 and direct staff to return to the Planning Commission with conditions of approval.

**Second:** Commissioner Bert Meyer.

**Ayes:** Commissioners Chapin, Goedert, Meyer, and Young.

**Noes:** Commissioner Memeo.

**Abstain:** None.

**Absent:** Commissioners Burroughs and Smith.

### ***COMMISSION CONSIDERATION***

Development Services Director Jim Hamilton announced that the City Council was taking a recess and canceling its meeting on July 16. He noted that staff usually tried to tie the Planning Commission recess into the same time period. Mr. Hamilton said the second meeting for Planning Commission would be July 22. After discussion, it was decided to cancel the meeting of July 22, 2008.

### ***PUBLIC PARTICIPATION***

None.

### ***COMMISSIONERS' COMMENTS***

Commissioner Bert Meyer referred to the amendment request for Use Permit UP-57-93, by Living Hope. He hoped to see the neighborhood involved so that the concerns could be met.

Commissioner Jim Chapin mentioned that perhaps Living Hope could offer a community education program for its clients to education them about their responsibilities in the neighborhood.

City Attorney Rick Duvernay did not believe Living Hope could do that in this situation, but sometimes cities could cap enrollment or limit it in some way.

### ***DIRECTOR'S REPORT - Follow-up on "Shasta Forward" Blueprint Planning Workshop.***

Development Services Director Jim Hamilton advised that because of a conflict with the dates, staff could not conduct the workshop on April 24, as planned, because both the Community Room and Council Chambers were being used. He said the Regional Transportation Planning Agency wanted to move the project forward and perhaps could schedule the workshop at the first meeting in May.

Commissioner Chris Young recalled that he had questioned Planning Manager Douglas DeMallie at a previous meeting about the use of chain-link on James Theimer's building on Pine Street. He said Mr. DeMallie had informed him that, after review of the project and discussion with Mr. Theimer, the project was within code and that the chain link met the criteria. Mr. Young wondered if the conditions could be tightened for future projects so that what was proposed and approved would actually be the final product.

Mr. Hamilton explained that the intent was to allow for sun solar screens to be installed during certain times of the year to shade the windows. He advised that the Commissioners could be more specific in the conditions of approval in the future.

Mr. DeMallie said the applicant decided he did not want to install the shades at this time, and there was nothing in the Downtown Plan or design guidelines that said he had to install the shades. He continued that it's often a judgment call on his part when a builder said he did not have the money to complete the project as presented.

Commissioner Jim Chapin observed that this would happen until the City had design review for commercial buildings.

***ADJOURNMENT***

There being no further business to come before the Planning Commission, Chairman Michele Goedert adjourned the meeting at 8:22 p.m.

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Jim Hamilton, AICP  
Acting Secretary

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Michele Goedert  
Chairman