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REDDING PLANNING COMMISSION
 Regular Meeting, 4 p.m.
 Tuesday, April 8, 2008
 City Council Chambers
 777 Cypress Avenue
 Redding, California 96001

MINUTES

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

APPROVAL OF MINUTES

Commissioner Jim Chapin moved approval of the minutes of the meeting of March 11, 2008. Commissioner Randy Memeo corrected the minutes to reflect his "No" vote on the motion for the Recommendation to the City Council on the Amendment of the City of Redding Zoning Code and Zoning Map. Commissioner Bert Meyer seconded the motion, with the noted correction, which carried by a unanimous vote.

SITE DEVELOPMENT PERMIT APPLICATION SDP-4-08, by LINC Housing, requesting approval to construct a 21-unit senior apartment project on property located at 1225 South Street in an "RM-10" Residential Multiple Family District. Environmental Determination: Categorically Exempt. Staff Recommendation: Approval. L-010-390-700

Due to a conflict of interest, Commissioner Jim Chapin abstained from the item and left the dais.

Associate Planner Linda Burke summarized the staff report. She described the project, noting that it was for affordable rental housing, targeting very low- to low-income senior households. She said the project consisted of 16 one-bedroom and 5 two-bedroom units (one being the manager's unit). Ms. Burke advised that the project necessitated a density bonus in accordance with the State's density bonus law and the Redding Municipal Code. She explained that under the City's General Plan designation of "Residential, 6 to 10 units per acre" and the "RM-10" zoning of the property, 9 units could be allowed within the .68-acre portion of the property proposed for development, but that a density bonus of 12 units was being requested. Ms. Burke continued that as proposed, the project density would be approximately 30 units per acre for the developed portion of the property. She pointed out that the State density bonus law did not place a cap on the number of units that may be allowed, even if it exceeded the density of the General Plan.

Ms. Burke advised that in accordance with the State's density bonus law, applicants who applied for a density bonus on the provision of affordable housing may also request that the City grant certain "concessions or incentives." She said the requested concessions reflected only very minor reductions in the required setbacks, including a reduction of the required 20-foot-wide buffer yard along the west property boundary and a 4-foot encroachment into the required 10-foot building setback for the decks along the south property boundary.

According to Ms. Burke, tree preservation was not a feasible option because of the grading necessary to develop the site, along with the increase in density requested. She commented that although there was a moderate cover of trees, the varieties found included many nonnative species, such as bean, locust, mulberry, and palm trees. She indicated that the only noteworthy tree on-site was the cedar tree, which would be removed, located near the north property line with the adjoining office building.

Concerning the parking requirements, Ms. Burke indicated that the Parking Ordinance allowed parking to be reduced to 0.5 parking space per unit for projects serving low-income seniors. She said staff had some concerns over the use of proposed tandem spaces; however, the project met the parking-requirement ratio without use of the tandem spaces. Ms. Burke remarked that the applicant indicated that the presence of an on-site property manager made the tandem spaces much more

manageable and, while they often took some period of adjustment for residents, in LINC's experience, they were usually very easily accepted and successful.

Ms. Burke mentioned that the applicant had indicated that an application for additional single-family units along the East Street frontage would be made at a later date. She noted that the applicant was informed that no approval of that project was implied and that a future project would be considered on its own merit. She said staff recommended that the Planning Commission approve Site Development Permit Application SDP-4-08 subject to the conditions of approval, which she reviewed.

Commissioner Emmett Burroughs asked about requirements for stormwater drainage.

Land Development Manager Marty Wayne explained that the project would be required to detain water on-site to mitigate to predevelopment levels.

In response to questioning from Commissioner Randy Memeo, Planning Manager Douglas DeMallie addressed the density bonus issue. He clarified that the State mandated that "when housing was being provided for low-income families, the City shall approve the increase." He said the State required that the minimum bonus start at 35 percent with no cap; in this case, the bonus was over 100 percent. Mr. DeMallie stated that, given the target population and since the site plan worked, staff was in support of the density bonus.

Regarding the parking issue, Mr. DeMallie said the Parking Ordinance strongly discouraged tandem parking, but staff supported it in this case because the parking requirements were already met, so the four additional tandem spaces were beyond what was required.

Commissioner Bert Meyer inquired if staff had considered staggering the height on the nine-foot retaining wall. He also asked how someone in a wheelchair would take access to the street. Ms. Burke said the applicant was required to provide a path of travel to the street. She noted that the applicant would have to show how the path-of-travel requirements for the Americans with Disabilities Act (ADA) were being met when applying for a building permit.

Mr. Meyer requested that the large tree be preserved, since he believed it was the largest tree of its type in Redding. Mr. DeMallie agreed that the tree was unique but did not believe it was native to Redding. He admitted that staff struggled with the decision on whether or not to preserve the tree, but because the item was an infill project for affordable housing, staff did not pursue preservation.

Commissioner Chris Young observed that LINC said it intended to construct a Leadership in Energy and Environmental Design (LEED) certified project. He believed it was very difficult to meet LEED certification and questioned who would determine that it did so. Mr. DeMallie said the City did not have a mandatory program for projects to be LEED-certified. Mr. Young mentioned the future project and asserted that the slope would be difficult to build on. Mr. DeMallie agreed and noted that any future project would come before the Planning Commission for approval.

Commissioner Randall Smith inquired about the density bonus and why the increase could be over 100 percent.

Senior Planner Kent Manuel explained the State law that required density increases. He said the State had found that there was a housing crisis, particularly for multiple-family units. He noted that the City had been very aggressive in accommodating and trying to build low- and very-low-income units. Mr. Manuel said staff had to consider if the project made sense and if it was compatible with the neighborhood. The Chairman opened the public hearing at 4:39 p.m.

Lana Chapin, part owner in the commercial property and office adjoining the parcel, agreed that there was a need in Redding for low-income housing but that the project should be built somewhere else. She believed the safety of the elderly tenants would be at risk because of cars parking and backing up in the narrow driveway. She mentioned the danger of pulling out onto South Street due to the hill and poor sight distance. Ms. Chapin mentioned that the applicant showed access going across her property and sidewalk but noted that no one had asked her for the access. She did not approve of the density and asked where the families of the residents were going to park when visiting. Ms. Chapin also requested that the heritage tree be saved.

Frank Borden, also one of the co-owners of the parcel and building adjacent to the subject property, endorsed the concept of low-income housing, but also shared Ms. Chapin's concern about the density. He asked if a traffic study had been done. He, too, worried about pedestrian access and wanted the access to be along the eastern edge of the flag lot. Mr. Borden mentioned his existing trash enclosure encroaching onto the applicant's property. He said it would be his intention to move the trash enclosure to the west onto his property. He asked that the exit onto South Street be a right-turn only. Mr. Borden pointed out that the cedar tree was 30 inches in diameter and 65 feet tall and asked that it be preserved. He also asked that the sign, directing people into the facility, be attractive and not confusing with his business.

Mr. DeMallie reminded the Commissioners that the flag lot with the existing driveway was actually the applicant's property, so it would not be an off-site sign. Mr. Borden acknowledged that he had a right-of-way across the driveway from his office.

Mr. Burroughs also voiced concern about the traffic and speed on South Street.

Pete Grant and James Theimer, applicant's representatives, jointly addressed the comments and issues raised by the Commissioners. Mr. Theimer said they could put in some stepping and plantings along the retaining wall and that it would be dealt with during the design process. He pointed out that topography was also a consideration and that the design in front of the Commissioners was just preliminary.

Mr. Grant said the pedestrian path of travel had not been resolved yet. He mentioned that he only had one opportunity to discuss the project with the neighbors but that safety was a major concern. He and Mr. Theimer did not object to a condition requiring a right-hand turn onto South Street.

Mr. Meyer asked if the applicant and the neighbors could agree to a joint trash enclosure between both properties, which would help save the cedar tree. Mr. Grant agreed to pursue that option.

Mr. Memeo observed that there was one elevator toward the south end of the building. He asked if there was a distance requirement for placement of elevators. Mr. Theimer said the elevator was in keeping with the requirements and that distances were much greater in larger housing projects. Mr. Grant added that the least-mobile residents would be sited closest to the elevator.

Regarding Mr. Young's inquiry, Mr. Grant explained that there were four different levels of LEED certification. He was confident that they would achieve LEED-certification at the entry level. Mr. Grant continued that the budget might force them to reduce some of the items but that they were committed to building a project that met all the LEED criteria; however, the certification process might be too expensive for them to undergo. Mr. Grant indicated that LINC Housing had "greened up" most of its portfolio (about 4,000 units), achieving energy savings of approximately 25 to 45 percent, and that they would do their best on this project.

Mr. Theimer explained that the building could be very "green" but that the cost of documenting and commissioning the process could possibly not fit within the budget. He reassured the Commissioners that the project would be the type of building they desired, whether or not it had the title of LEED-certification.

Mr. Grant mentioned that the applicant currently had plans to build some single-family homes for Habitat for Humanity on the undeveloped portion on the East Street side. He acknowledged that the site was challenging because of the topography.

Mr. Meyer thought the buildings looked a bit drab. He maintained that more design should be done on the building so that those on East Street would see more of an attractive building.

Mr. Smith was surprised that staff seemed so nonchalant about not saving the cedar tree. He believed an effort should be made to save it. Mr. DeMallie explained that the term "heritage tree" was a generic term and that the cedar tree was not native to the area. He acknowledged that the City's landscape technician and arborist both said it was a unique tree and in good health. Mr. DeMallie advised the Commissioners that they could require in the conditions of approval that the tree be preserved; however, the requirement could result in a reduced number of units. He believed affordable housing was more important to the City than a nonnative cedar tree.

Mr. Meyer again questioned placement of the sign. Mr. DeMallie responded that the plan for the signage had not been worked out yet. He pointed out that an address was needed for emergency responders, in addition to a path of travel meeting ADA requirements.

Mr. Smith asked if moving the trash enclosure would help save the tree. Mr. Theimer answered that it probably would help, but he also needed to consider the drip line of the tree.

Mr. DeMallie said the Solid Waste Division requested that the trash enclosure be placed as far to the north as possible due to sight-distance requirements at the intersection, explaining that the trucks needed to back in and out, since there was no room to turn around.

Mr. Borden asked about the anticipated daily car traffic from the residents. He also requested that a foot trail be constructed to East Street, although it might be a challenge because of the slope. Mr. Theimer explained that most of the traffic would come from visitors. He said there would not be a substantial amount of movement, either pedestrian or vehicle.

Mr. Grant noted that a traffic study was not done for the site. He advised that the average parking ratio at the applicant's other senior projects was about .67 space per unit. Regarding the foot trail, Mr. Grant noted that the slope was very severe but that, given the population and the possible future development, he would look into providing the amenity.

Ms. Chapin inquired where the visitors would park. Mr. Smith believed the City of Redding's downtown core was one of the most "overparked" places in northern California. He maintained that visitors would find a parking space; if not within the project site, they would find one in the immediate area. Mr. DeMallie said Mr. Grant had told him that, based on his experience at the other senior projects, about 60 percent owned cars, which would be approximately 13 spaces for this development, and 20 spaces were being provided.

Marie Coen, who lived nearby, was not opposed to the project but asked if the area was safe for senior citizens. She noted that crime had persisted in the neighborhood for several years. Mr. DeMallie advised that RPD had not commented on the project. He said RPD officers had oftentimes stated that the more "eyes and ears" on the street, the safer the area. He added that the project would also have an on-site manager. The Chairman closed the public hearing at 5:22 p.m.

Mr. Burroughs was still concerned about the number of vehicles entering the driveway and the speed of vehicles on South Street. He worried about water-retention issues that were present on projects that were built on steep terrain.

Mr. Memeo also voiced concern about density, traffic, and driveway access. He agreed with Mr. Meyer's comments about the massive nine-foot retaining wall that seemed very unattractive. Mr. Memeo noted that there were no outside areas for people to sit or to have a picnic.

Mr. Meyer was in favor of senior housing but felt the project needed more work before he would vote in favor of it.

Mr. Smith countered that the project was badly needed. He concurred with staff's recommendation, as long as the issues were addressed, including installing a common area, preserving the cedar tree, changing the viewscape from East Street, and making a right-turn only onto South Street.

Mr. Burroughs asked if it was possible to request that the applicant and neighbors get together to discuss the item before the Commissioners voted on the project. Mr. Memeo liked the project but sensed some apprehension on the part of the Commissioners. He preferred to vote on a project he was more comfortable with. Mr. Smith did not want to stymie a much-needed project that deserved to move forward, but he desired to see some of the minor concerns worked out.

Mr. Young asked if it was possible to require that the project come back to the Planning Commission at building-permit stage. He wondered if the project could be approved in concept, similar to the Monaco Condominiums.

City Attorney Rick Duvernay explained the difference between a discretionary process and ministerial procedure and did not want to mix the two. He said the Commissioners could move to continue the item and have the matter brought back.

Motion: Commissioner Bert Meyer moved that the Planning Commission continue the item so that City staff, the applicant, and neighbors could reach an agreement on the issues.

Second: Commissioner Emmett Burroughs.

At this point, Mr. DeMallie clarified the issues the Commissioners wanted addressed, which included: the appearance of the retaining wall and building elevations that needed some enhancement; right-turn only from the driveway, which would involve discussion with the City Engineer; tree preservation; an outdoor common area; and consideration of a foot path to East Street. The Commissioners did not require LEED-certification, with Mr. Smith noting he would not be comfortable mandating the certification process. Regarding the foot path, Mr. DeMallie advised that a series of stairs and railings would probably be needed, due to the slope of the parcel and ADA requirements. Mr. Meyer desired to see the applicant work with the neighbors for a joint trash enclosure and wanted the signage issue addressed. Mr. Burroughs requested hydrology clarifications on the level of flow after it reached East Street.

Mr. Grant interjected that the primary source of funding, in addition to a generous contribution from the Redding Redevelopment Agency, were low-income-housing tax credits. He said these tax credits involved an extensive application process, and he was hoping to drive to Sacramento to submit the application the day after this meeting. Mr. Grant continued that one of the documents needed for submittal was Planning Commission approval of the project. He stated that if the application deadline was not met, the project would probably be pushed out, based on later submittal and construction schedules, an additional 18 months. He recognized the Commissioners' concerns but was pleased at the general support for the project. Mr. Grant suggested a motion to approve the project, pending resolution of the issues discussed above to the satisfaction of the Development Services Director, which would still allow him to submit the application for funding and ensure a high-level staff review of all the issues discussed.

Mr. Duvernay further explained the process for approval. He cautioned Mr. Grant that the approval could be appealed to the City Council, which would remove the approval until another public hearing was held. He continued that the applicant would actually not have final approval until the 10-day appeal period had passed. Mr. Grant understood but noted that the State accepted applications while in the appeal period.

Mr. Meyer was still uncomfortable with the number of unresolved issues. Mr. DeMallie reassured the Commissioners that staff would ensure that the items would be addressed. Mr. Meyer confirmed that if the Commissioners approved the project, Mr. DeMallie was confident that the items would be taken care of satisfactorily.

Mr. Young clarified that the Commissioners were being asked to determine that the necessary findings were in evidence and that the other issues would be dealt with during the grading and building permit process. Mr. DeMallie reiterated that he would ensure that the issues and conditions would be adhered to and implemented.

Mr. Smith continued the motion, asking if the Commissioners still wanted to continue the item to a future Planning Commission meeting.

Ayes: None.

Noes: Commissioners Burroughs, Memeo, Meyer, Smith, and Young.

Abstain: Commissioner Chapin.

Absent: Commissioner Goedert.

Motion died.

Motion: Commissioner Chris Young moved that the project be found categorically exempt under the provisions of the California Environmental Quality Act and that, based upon the testimony presented by staff, the Board of Administrative Review determine that the necessary findings for approval as identified in Section 18.13.090 of the Redding Municipal Code are in evidence and that the permit be granted subject to the conditions of approval as recommended by staff, including the added conditions that: the retaining wall be redesigned with use of terraces or other feasible means to reduce the height to six feet; that an arborist prepare a report containing measures for preservation of the cedar tree, short of the loss of any units; that an outdoor space of a minimum of 100 square feet with sitting benches be provided on-site; that the south end of the east building elevations and south end of the west building elevations be enhanced with additional architectural features; and that a pedestrian walkway to East Street would be provided as practicable as determined by the Development Services Director. (Note: Mr. DeMallie said he was leaving out the right-turn only onto South Street until he received input from staff. He also was leaving out the ADA access and signage that would have to be resolved in accordance with existing Codes.)

Second: Commissioner Emmett Burroughs.

Ayes: Commissioners Burroughs, Memeo, Meyer, Smith, and Young.

Noes: None.

Abstain: Commissioner Chapin.

Absent: Commissioner Goedert.

Commissioner Jim Chapin returned to the dais at 5:52 p.m.

COMMISSION CONSIDERATION - *Review of Project Study Report and General Plan Consistency Determination regarding Airport Road Widening Alternatives. S-070-100*

Due to a conflict of interest, Commissioner Randy Memeo abstained from the item and left the dais.

Planning Manager Douglas DeMallie noted that the item was continued from the Planning Commission meeting of March 11, 2008, to allow more time for Commission review of the Airport Road Project Study Report (PSR) document. He continued that on October 22, 2007, the Transportation and Engineering Department conducted a public workshop on the Airport Road Widening Study; overall, attendees of the workshop were in support of the proposal. Mr. DeMallie stated that the presentation would not be made again but that staff was available to answer any questions. He indicated that the purpose of the Commissioners' consideration was determination of the PSR's consistency with the General Plan. He said staff recommended that the Planning Commission accept the PSR and determine that the preferred alternative was consistent with the General Plan.

In response to questions from the Commissioners, Mr. DeMallie explained that actual construction for the area improvements would be predicated on growth and traffic volumes.

Project Coordinator Chuck Aukland agreed that the improvements were dependent on development and funding. Mr. DeMallie confirmed that as Airport Road developed, it would not be piecemealed, as had happened in the past. Mr. Aukland added that the realignment of the road would work in concept, as proposed, based on staff's knowledge of the environmental and geological issues and engineering standards of today.

Motion: Commissioner Emmett Burroughs moved that the Planning Commission accept the Project Study Report and find that the preferred alternative identified in the Project Study Report was consistent with the General Plan.

Second: Commissioner Chris Young.

Ayes: Commissioners Burroughs, Memeo, Meyer, Smith, and Young.

Noes: None.

Abstain: Commissioner Memeo.

Absent: Commissioner Goedert.

PUBLIC PARTICIPATION

None.

COMMISSIONERS' COMMENTS

Assistant City Manager Barry Tippin announced that Channel 9 (KIXE) would be airing a program soon on ShastaFORWARD that was the kickoff to public participation.

Commissioner Bert Meyer commented on a letter to the editor of the Record Searchlight in which the author mentioned that Mr. Meyer had admonished City staff for its presentation on a project. He said when the Commissioners got projects that they had to negotiate on behalf of the public, he was not so much admonishing City staff as much as he was admonishing the applicants because they had not finished their work.

Commissioner Chris Young countered that he did not mind being put in a position of having to negotiate on some of the projects. He did not want to see the Commissioners become just a rubber-stamp committee.

Mr. Meyer also mentioned an article in the Sacramento Bee that referred to the downturn in the housing market. He asked if the City could be proactive and possibly provide some incentives or deferral of costs to encourage development.

City Attorney Rick Duvernay advised that he and Development Services Director Jim Hamilton had been working together to defer some of the development impact fees.

Commissioner Randall Smith voiced his concern regarding Benton Airpark. He worried that a small plane from Benton Airpark might crash into Mercy Hospital or a nearby school and asked about the Planning Commission's responsibility in dealing with this issue. Mr. Duvernay noted that other communities also had to deal with this situation because of older municipal airports being surrounded by development. He advised Mr. Smith that he would research the issue and get back to him.

Commissioner Jim Chapin indicated that planning around the airport was in the General Plan and that it had met all the FAA requirements. He recalled discussing the airport in the 1980s and stated that all safety criteria required by the FAA, City, and County were met. Mr. Smith recalled several emergency landings near the airport and wondered if the item should be studied again.

Mr. Young noted that he had a private pilot's license and that planes were more likely to crash into homes farther away from the airport. He pointed out that people who bought homes near the airport were notified in disclosure statements that they were buying close to an airport.

Mr. Smith announced that Planning Manager Douglas DeMallie and three Commissioners (Smith, Goedert, and Young) had attended the Planners Institute in Sacramento in March 2008. He thanked the City for the opportunity to attend and stated that he came away with a greater and renewed appreciation for the role of planners.

DIRECTOR'S REPORT

Senior Planner Kent Manuel announced that staff would soon be starting the Housing Element update and would be asking one or two of the Commissioners to be on the update committee. He briefly discussed the Regional Housing Needs Allocation Plan and the State's requirements to analyze the City's vacant land supply on a parcel-by-parcel basis.

Mr. Manuel mentioned that Assembly Bill 2 was in effect, which required the City to assess the need for emergency shelters in Redding. He briefly discussed Senate Bill 1087, which required that water- and sewer-service providers grant priority service to developments that served low- and moderate-income people. He noted that this legislation was a result of the State's concerns about the housing situation for lower-income residents.

ADJOURNMENT

There being no further business to come before the Planning Commission, Vice Chairman Randall Smith adjourned the meeting at 6:29 p.m.

Jim Hamilton, AICP
Acting Secretary

Randall Smith
Vice Chairman