

BOARD OF ADMINISTRATIVE REVIEW  
 Regular Meeting, 2 p.m.  
 Wednesday, April 23, 2008  
 Caldwell Park Conference Room, City Hall  
 777 Cypress Avenue  
 Redding, California 96001

## MINUTES

Chairman Emmett Burroughs called the meeting to order at 2 p.m., with Senior Planner Lily Toy, Land Development Manager Marty Wayne, Associate Planner Zach Bonnin, Assistant Planner Brandon Rogers, and Executive Assistant II Anita Felion present.

***PUBLIC HEARING - SITE DEVELOPMENT PERMIT SDP-13-07***, which granted Tower Energy Group approval to replace an existing 3,000-square-foot market with an 8,000-square-foot market located at 1495 Lake Boulevard at the southeast corner of Lake Boulevard and Oasis Road in a "GC" General Commercial District. ***Amendment request to add a 1,000-square-foot car wash.*** *Environmental Determination: Categorically Exempt. Staff Recommendation: Approval.*  
 L-010-390-700

Associate Planner Zach Bonnin summarized the staff report. He noted that the original site plan had been designed to accommodate the car wash in the future but that it was decided to include it with the first phase of construction. He stated that the car-wash building would incorporate the same design features as the market, including the metal roof material, stucco, color, and stone work on the facade.

Mr. Bonnin continued that due to the location of the car wash adjacent to a residentially zoned parcel east of the site, the applicant was required to provide a noise study to address the potential impacts to the residential uses. He said the results of the study showed that without mitigation, there was the potential for noise impacts to the neighboring residences. He advised that the applicant was required to construct an eight-foot-high masonry sound wall at the property line and a secondary masonry wall adjacent to the car-wash lane to help deflect the noise. Mr. Bonnin commented that the car wash would have its mechanical equipment in an enclosed room designed to reduce noise, and the entrance and exit would face north and south, away from the residential uses to the east. He confirmed that the mitigations would reduce the noise impacts to levels allowed by the City of Redding General Plan. Mr. Bonnin noted that the Solid Waste Division had requested that a condition be added, requiring that the trash enclosure be angled to allow for access by Solid Waste Division trucks from the parking lot. He said staff recommended that the Board of Administrative Review approve Site Development Permit Application SDP-13-07 subject to the conditions of approval, which he reviewed. The Chairman opened the public hearing at 2:08 p.m.

Senior Planner Lily Toy questioned the reduction of buffer yards. Mr. Bonnin explained that in the original project, a buffer yard was approved with a 20 percent reduction, resulting in an 18-foot buffer yard. He said overall, the average width of the buffer yard on the site would be greater than 20 feet. Regarding landscape, Mr. Bonnin indicated that the initial project exceeded the landscape requirements.

Chris Cunan, applicant's architect, ARC Inc., advised that the applicant would soon be submitting a building permit application. The Chairman closed the public hearing at 2:11 p.m.

**Motion:** Senior Planner Lily Toy 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 condition regarding the trash enclosure.

**Second:** Land Development Manager Marty Wayne.

**Ayes:** Senior Planner Toy, Land Development Manager Wayne, Chairman Burroughs.

**Noes:** None.

***PUBLIC HEARING - SITE DEVELOPMENT PERMIT APPLICATION SDP-5-08, by Craig Brandol, requesting approval to establish a commercial recreational radio-controlled-car racetrack on property located at 3737 Meadow View Drive in a "GI" General Industry District. Environmental Determination: Categorically Exempt. Staff Recommendation: Approval. L-010-390-700***

Assistant Planner Brandon Rogers summarized the staff report. He noted that the 15-acre project site was currently developed with six industrial buildings, ranging in size from 17,000 square feet to 46,000 square feet, totaling 146,000 square feet in size. He said the buildings were constructed prior to annexation to the City, which occurred in January 1986. Mr. Rogers observed that the area was currently used as the sewage-disposal system for the industrial complex, containing the holding tanks, distribution lines, and leach field. He stated that additional leach-field lines were constructed in 1984 and located near Airport Road. He stated that the Shasta County Division of Environmental Health had determined that the proposed use would not damage the sewage-disposal system subject to specific conditions.

Mr. Rogers continued that staff spoke with the Redding Municipal Airport Manager, who concurred that the radio frequencies used by the vehicles' radio equipment would most likely not interfere with Redding Municipal Airport communications. He advised that the Federal Communications Commission (FCC) regulated the wavelengths of the radio spectrum and allocated the different wavelengths to certain types of uses. He said there was a small section of bandwidth that was used for aeronautics, but it was excluded from being used for the radio-controlled vehicles.

The issues of dust and noise were also discussed by Mr. Rogers, who noted that the use was located within an industrial district where noise was not regulated by the Zoning Ordinance. He said dust would be controlled by the application of water to the track.

Mr. Rogers mentioned that the Code Enforcement Division had identified several existing code violations at the project site and had notified the property owner. He indicated that the violations included the operation of businesses without a required use permit and several Building Code violations, including construction of structures without building permits. He explained that the site development permit application was part of the compliance process. Mr. Rogers said staff recommended that the Board of Administrative Review approve Site Development Permit Application SDP-5-08 subject to the conditions of approval, which he reviewed. The Chairman opened the public hearing at 2:18 p.m.

Craig Brandol, applicant, was pleased with Mr. Rogers' presentation and offered to answer any questions the Board might have.

Land Development Manager Marty Wayne suggested that Condition 9 (concerning tree planting) include similar language as in Condition 4, regarding the 10-foot setback from any portion of the septic system, including the tank and leach lines. Discussion ensued regarding the condition, and it was determined to require a 15-foot setback for the trees. The Chairman closed the public hearing at 2:21 p.m.

**Motion:** Senior Planner Lily Toy 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 revision of Condition 9.

**Second:** Land Development Manager Marty Wayne.

**Ayes:** Senior Planner Toy, Land Development Manager Wayne, Chairman Burroughs.

**Noes:** None.

## ***SUBDIVISION REVIEW***

***TENTATIVE SUBDIVISION MAP APPLICATION S-15-06***, by Larry Goddard, requesting approval to divide 1.89 acres into six lots for development of single-family homes on property located at 6655 Mullen Parkway in an "RS-3" Residential Single Family District. *Environmental Determination: Mitigated Negative Declaration. Staff Recommendation: Refer to the Planning Commission. S-101-098*

Associate Planner Zach Bonnin summarized the staff report. He noted that the infill project was surrounded by single-family residential development. He stated that the main issue regarding the project was the relocation of the Bonnyview Drain. Mr. Bonnin explained that the drainage feature was the most prominent feature on the project site and was located in the center of the parcel, running from north to south. He advised that the drain was not concrete-lined and, as a result, was heavily vegetated with brush and undergrowth. He continued that the proposed realignment and construction of a concrete channel would be constructed for the length of the project and extend off-site to the Lakewood Drive undercrossing. Mr. Bonnin indicated that the applicant was required to construct this whole section in order to construct the subdivision but could enter into a reimbursement agreement with the City for costs associated with the southernmost off-site channel improvements. He remarked that the drainage feature, however, was lined to the north and south of this section, leaving this portion of the drain as an impediment to stormwater flow. He said the City of Redding Municipal Utilities Department had reviewed the plans to realign and construct a lining within the drain and determined that this would improve the overall drainage of the area. Mr. Bonnin added that the applicant had applied for all the state and federal permits needed to complete the realignment.

Mr. Bonnin continued that, since the drainage meandered through the property, the improvement would require a large amount of grading. He added that the property to the south (the Wilson property) had developed in the past and that there was a deferral agreement on that property to reconstruct the drain at such time that the rest of the drain was improved. He said a little farther south of the Wilson property, there was no deferral agreement on that portion, which was also due to be cleaned up in some fashion, but staff was not sure which option would be chosen.

Mr. Bonnin noted that two letters had been received regarding the project, one of which was received just prior to today's meeting. He stated that the most recent letter addressed concerns about the maintenance and location of the drainage ditch. He advised that the Shasta County Division of Environmental Health commented on the ditch and said it needed to be kept away from the septic systems of the homes, unless the ditch was paved with sealed edges. He explained that with those requirements, staff was able to move the ditch five feet from the property line, which would help keep it in a straight line. Mr. Bonnin said staff recommended that the Board of Administrative Review refer Tentative Subdivision Map Application S-15-06, Mullen Parkway Subdivision, to the Planning Commission. The Chairman opened the public hearing at 2:36 p.m.

Fred Lucero, applicant's representative, PACE Civil, observed that Mr. Bonnin had adequately covered the issues. He confirmed the five-foot setback for the drainage ditch from property lines.

Bill and Bonnie Newell jointly addressed the Board, noting that they had wanted to construct a new fence on their property but wanted more information on the project before they built the fence.

Karl Reynolds had thought the zoning was only for three homes and not six. Mr. Bonnin responded that the property was zoned to accommodate six units.

Sondra Krick had understood that the setback for the drainage ditch was to be 15 feet, which she believed allowed for maintenance by the City of Redding. She stated that she and the other residents on Reflection Street were concerned that the five-foot setback would affect the maintenance and their property values.

Ms. Toy explained to Ms. Krick that when reviewing a project, staff based the location of drainage on information submitted. She noted that when the 15-foot setback was discussed, the issue had been the septic system on the backside of the property. She continued that since circumstances had changed, staff had the opportunity to move the setback and make the property more developable. Ms. Krick countered that it was still an issue for the residents who wanted to enjoy their backyards. She worried about the West Nile virus, noting that the ditch was a breeding ground for mosquitoes. She cited only one incidence that she was aware of where the City conducted proper cleaning of the

ditch, which was only after the residents complained about it. Mr. Bonnin read Condition 7, which addressed realignment of the Bonnyview Drain.

Mr. Wayne advised that he would contact the Municipal Utilities Department regarding maintenance of the existing improved drain. He indicated that currently, there were no public-access easements for the City to access the ditch; upon development of the subdivision, dedication of a storm-drain easement would be required. He explained the method of grading and filling of the old ditch while constructing the new one.

Joanne Saito asked if the frogs would be impacted.

Chairman Emmett Burroughs said a study would be done, and permits would be issued, to address any environmental issues. He explained that the applicant was required to mitigate for any loss or impacts to the plants and vegetation. The public hearing was closed at 3:14 p.m.

**Motion:** Senior Planner Lily Toy moved that the Board of Administrative Review refer Tentative Subdivision Map Application S-15-06, Mullen Parkway Subdivision, to the Planning Commission and that staff follow up regarding maintenance to the ditch prior to the Planning Commission meeting.

**Second:** Land Development Manager Marty Wayne.

**Ayes:** Senior Planner Toy, Land Development Manager Wayne, Chairman Burroughs.

**Noes:** None.

#### ***ADJOURNMENT***

There being no further business to come before the Board, Chairman Emmett Burroughs adjourned the meeting at 3:17 p.m.

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Anita M. Felion, Executive Assistant II

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Emmett Burroughs, Chairman