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REDDING PLANNING COMMISSION
Regular Meeting, 4 p.m.
Tuesday, June 13, 2006
City Council Chambers
777 Cypress Avenue
Redding, California 96001

MINUTES

Chairman Bert Meyer called the meeting to order at 4 p.m., with Commissioners Gary Brickwood, Jim Chapin, Michele Goedert, Randy Memeo, Randall Smith, and Chris Young present. Also present were Planning Manager Douglas DeMallie, City Attorney Rick Duvenay, City Engineer Barry Tippin, Senior Planners Kent Manuel and Jim Wildauer, and Executive Assistant II Anita Felion.

PUBLIC HEARING - TENTATIVE SUBDIVISION MAP APPLICATIONS-13-05, WYNDHAM POINTE SUBDIVISION - Consideration of continuation of the public hearing and proposed rules of conduct for public hearings.

Planning Manager Douglas DeMallie summarized the staff report. He noted that the Wyndham Pointe Subdivision proposal was a textbook infill project, which had generated a tremendous amount of neighborhood concern. He stated that most comments from the existing neighborhood were related to the effect of increased traffic on Wyndham Lane—which, in places, was narrow and currently the only access to the area—and the need for a second street access to the neighborhood to meet City General Plan Safety Policy. Mr. DeMallie observed that the potential effects the project and provision of the second access might have on traffic volumes within the Parkview neighborhood to the north had led to significant opposition. He mentioned that there had been two very well-attended neighborhood meetings in the Council Chambers and many individual meetings and discussions between staff, residents, and the applicant. He indicated that at this point, a resolution which reasonably and equitably addressed these competing interests had not been achieved; therefore, staff was requesting that the Planning Commission continue the Wyndham Pointe Subdivision public hearing.

Mr. DeMallie continued that in view of the divergence in neighborhood position on the various issues and alternative solutions, staff believed the best approach would be to establish a working group with representatives of all sides with the goal of coming to a consensus approach to address the issues. He pointed out that this approach had worked well in developing the revisions to the RV and Tree Preservation Ordinances. He remarked that the working group (which would be appointed by Chairman Bert Meyer) would consist of staff, up to six citizens representing the neighborhoods, the applicant and his representative, and one Planning Commissioner. Mr. DeMallie suggested allotting four weeks for the working group to meet, which could include Saturdays.

Mr. DeMallie said it was anticipated that dozens of residents might wish to speak at the public hearing. He stated that while it was always the Commission and staff's desire that everybody who wished to speak be heard, oftentimes comments became repetitive, taking up time that the Commission could use for assimilation of the information and discussion to come to a final decision. Mr. DeMallie observed that in these instances, the Commission encouraged the use of spokespersons; however, without greater structure, time was not utilized as efficiently as it might be. He advised that Government Code Section 54954.3 allowed the Commission to adopt rules for conducting a public hearing, including placing limits on the total time allotted to a particular item and the time allotted to those who wished to speak in favor and in opposition to that item. He said staff believed such rules should be implemented for the Wyndham Pointe project when the public hearing was held and ultimately adopted as a component of the Commission's standard meeting procedures. He discussed the rules of conduct, which were included in the staff report.

Mr. DeMallie concluded by noting that staff believed continuation of the Wyndham Pointe Subdivision public hearing, along with formation of a working group which had the support of the applicant, was the best means of ensuring that every reasonable effort had been made to achieve a considered and fair decision on the traffic and second-access issues presented by the project. He

added that staff felt the public hearing rules of conduct would help toward a good decision by providing structure and an efficient use of time now and in the future.

Commissioner Gary Brickwood agreed that the item should be continued. He suggested that Development Services Director Jim Hamilton be the one to appoint the members of the working group, since the working group would be reporting to the Commissioners.

Commissioner Jim Chapin desired that a definite date be set for the continuance.

Commissioner Randall Smith agreed with Mr. Chapin. He requested a four-week continuance. Mr. DeMallie suggested that the Wyndham Pointe Subdivision be continued to the Planning Commission meeting of July 11.

Mr. Meyer requested that Mr. Hamilton choose residents who were flexible and open-minded to be on the committee. Mr. Brickwood concurred.

Commissioner Michele Goedert requested that another public notice be sent to surrounding property owners, notifying them of the July 11 date. The Chairman opened public comment at 4:10 p.m.

Elin Klaseen mentioned that she had participated in a meeting with staff, residents, and the developer on the Friday before the Commission meeting. She said the developer had stated that he would not consider a proposal for a bridge across the Anderson Cottonwood Irrigation District canal as a means of providing access to the subdivision. She requested that the Commissioners direct staff to look at the bridge as a viable option. Regarding proposed rules for speakers at public hearings, she claimed that the rules allowed a developer a total of 63 minutes, much more time than allotted to those in opposition. Mr. DeMallie corrected her, noting that the developer would be allowed a total of 20 minutes, including his or her time for rebuttal to those opposed to the proposed project.

Robert Polkop, Valentine Lane resident, believed a working group would limit neighborhood participation and silence the residents who desired a bridge over the canal and opposed removal of the barricade on Valentine Lane. Mr. Chapin assured Mr. Polkop that no one would be silenced. Mr. Brickwood advised that all the residents from both neighborhoods would have the opportunity to meet with the representatives from their neighborhood and state their feelings. He noted that working groups had been formed for other projects and had been quite successful.

Dugan Barr did not like the wording in the proposed rules of conduct, since it appeared that the recommendation in staff reports would favor the developer. He did not like the assumption that the staff report favored the developer. Mr. Barr said the assumption should be that the staff report was neutral. He also stated that a large area of the Parkview neighborhood had not received the initial notice for the project. He added that a four-week continuance was not long enough for those who had not received the first notice.

Bill Ulch disputed Mr. DeMallie's statement in the staff report about the divergence of opinions of the neighbors. He claimed that the neighbors agreed with each other and knew what needed to be done. Regarding representation, Mr. Ulch said the Parkview neighborhood would send four representatives. He mentioned that should a facilitator be appointed, the Parkview Neighborhood Association would like to nominate former City Manager Mike Warren. Mr. Ulch continued that the proposed rules of conduct were unfair and unworkable. Determining that no one else wished to speak, the Chairman closed public comment at 4:30 p.m.

City Attorney Rick Duvernay agreed that the wording in Items 4 and 6 in the proposed rules of conduct should be changed from "opposed to staff recommendation" to "opposed to developer's application." He remarked that the reason for the proposed rules of conduct was to ensure due process and that all sides would be heard. He explained that it was quite common when legislative bodies were acting in a quasi judicial capacity that a higher level of structure and process was required when a permit was being considered. Mr. Duvernay believed a misconception had been made about the working group being formed for Wyndham Pointe. He advised staff that it was *they* who would make the decisions regarding a recommendation on the project. He said the primary purpose of the working group would be to provide information to allow Mr. Hamilton to assist in his formation of the best recommendation to the Commissioners. He continued that even though the neighborhood was most acutely impacted, the Commissioners also had to consider what was in the

best interests of the City as a whole. Mr. Duvernay also noted that the meetings for the working group were not subject to the Brown Act or open-meeting laws. The Chairman reopened public comment at 4:33 p.m.

Darryl Wagner, applicant's attorney, clarified that the developer would have a representative on the working group so that there would be a balanced approach to the alternatives being discussed. He stated that if there was going to be a facilitator, someone from outside the City should be appointed, not a former City Manager.

Mr. DeMallie advised the Commissioners that they were not being asked to appoint a facilitator. He indicated that the Development Services Director was leaving the option for a facilitator open, if he felt it necessary. The Chairman closed public comment at 4:36 p.m.

Mr. Memeo asked how flexible the rules were. Mr. Duvernay stated that the Brown Act allowed the Commissioners to set reasonable guidelines for the conduct of public hearings. He advised that the Chairman could always modify the guidelines.

Motion: Commissioner Randall Smith moved that the Planning Commission continue Tentative Subdivision Map Application S-13-05, Wyndham Pointe Subdivision, to the Planning Commission meeting of July 11, 2006.

Second: Commissioner Jim Chapin.

Ayes: Commissioners Brickwood, Chapin, Goedert, Memeo, Meyer, Smith, and Young.

Noes: None.

Abstain: None.

Absent: None.

Regarding the working group, Mr. Meyer wanted to ensure that everyone from the different neighborhoods felt represented.

Mr. Brickwood believed it was very important for members of the working group to be appointed by Development Services Director Jim Hamilton and that the written request to be a representative be addressed to Mr. Hamilton.

Motion: Commissioner Michele Goedert moved that the Planning Commission direct staff to form a working group for the Wyndham Pointe Subdivision to study traffic and access issues.

Second: Commissioner Chris Young.

Ayes: Commissioners Brickwood, Chapin, Goedert, Memeo, Meyer, Smith, and Young.

Noes: None.

Abstain: None.

Absent: None.

Regarding the proposed rules of conduct, Commissioner Jim Chapin voiced concern, feeling they were too structured. He noted that he had been a Commissioner for 13 years and that the contentious issues had always been worked through in a reasonable manner. He wondered who would be the timekeeper during the hearings. Mr. Chapin felt it was the Chairman's job to determine the rules of conduct and time allowed for speakers.

Mr. Brickwood felt written rules were a good idea, as long as it was clear that the Chairman retained the right to adjust them as the need arose, but he believed it was not a good idea to present them in conjunction with a particular hearing. Mr. Brickwood assured the public that this issue had been under consideration for a long time and was not in anticipation of the Wyndham Pointe Subdivision public hearing.

Mr. Chapin agreed with Mr. Brickwood. He preferred that staff prepare guidelines and give them to the Commissioners but not have them attached to any particular item.

Ms. Goedert concurred. She asked that the term "developer" be changed to "applicant" in the proposed rules of conduct. She also requested that they be referred to as guidelines instead of rules.

Mr. Memeo observed that sometimes it was the applicant whose presentation was repetitive. He felt the guidelines were good for anyone who wanted to participate in a meeting, as long as they were not considered absolute.

Motion: Commissioner Randall Smith moved that the proposed rules (guidelines) of conduct be adopted for a period of six months. He also moved that the term "developer" be changed to "applicant" and that "speakers opposed to staff recommendation" be changed to "speakers opposed to applicant's request."

Second: Commissioner Randy Memeo.

Ayes: Commissioners Brickwood, Goedert, Memeo, Smith, and Young.

Noes: Commissioners Chapin and Meyer.

Abstain: None.

Absent: None.

PUBLIC HEARING - TENTATIVE SUBDIVISION MAP APPLICATIONS S-13-05, WYNDHAM POINTE SUBDIVISION, by Frank Coughlin and Tim Greenhood, requesting approval to subdivide 33.93 acres into 77 single-family residential lots and a potential park site on property located at 2705 Wyndham Lane, which is immediately east of the Anderson Cottonwood Irrigation District canal and north of Canyon Hollow Creek, in an "RS-3.5" Residential Single Family District. Environmental Determination: Mitigated Negative Declaration. Staff Recommendation: Continue. S-101-097

The item was continued to the meeting of July 11, 2006, as noted above.

PUBLIC HEARING - RECOMMENDATION TO THE CITY COUNCIL - TENTATIVE SUBDIVISION MAP APPLICATION S-17-04, THE RESERVE AT GOLD HILLS, by Brian Burk, requesting approval to divide 59.3 acres into 219 single-family residential lots on property generally located south of Oasis Road and east of Gold Hills Drive. Environmental Determination: Mitigated Negative Declaration. Staff Recommendation: Refer to the City Council. The Reserve at Gold Hills Subdivision project consists of the following applications:

TENTATIVE SUBDIVISION MAP APPLICATION S-17-04, THE RESERVE AT GOLD HILLS, to divide 59.3 acres into 219 single-family residential lots. S-101-083

PLANNED DEVELOPMENT APPLICATION PD-2-05, requesting approval of a planned development associated with 187 of the lots within The Reserve at Gold Hills Subdivision. L-010-210

REZONING APPLICATION RZ-2-05, to rezone land from "RM-6" Residential Multiple Family District to "RM-6-PD" Residential Multiple Family District with Planned Development Overlay District. L-010-230

Senior Planner Jim Wildauer summarized the staff report and responded to questions. He noted that on April 26, 2006, a neighborhood meeting was held by the developer, with City staff in attendance, so the neighboring and downstream property owners could hear details of the project, plans for detaining storm-water runoff, and the developer's announcement of his intent to oversize the detention facility and provide some relief from existing downstream flooding.

Issues discussed by Mr. Wildauer included grading, biological (including the buckwheat scrub plant community), storm-water detention, and traffic. Mr. Wildauer mentioned that there had been a significant degree of flooding downstream within the Gold Hills Subdivision and downstream of the subdivision in the Dry Gulch Creek watershed. He commented on the revised set of conditions, which included minor modifications and nothing substantive. Mr. Wildauer said staff recommended that the Planning Commission recommend to the City Council adoption of the Negative Declaration and approval of Tentative Subdivision Map Application S-17-04, The Reserve at Gold Hills, Planned Development Plan PD-2-05, and Rezoning Application RZ-2-05, subject to the conditions of approval. The Chairman opened the public hearing at 5:02 p.m.

Tim MacLean, applicant's representative, Sharrah Dunlap Sawyer Inc., corrected Condition 14 to read Lot 25 instead of Lot 53 and asked that Condition 82 be revised to state "high-speed" Internet, instead of DSL. He discussed the amenities of the project, including enhanced entries and landscaped, detached sidewalks. He noted that approximately 200 trees would be retained.

Brian Burk, applicant, described the detention facility, noting that it was designed to hold about 25 acre-feet of water, with an ultimate capacity of 32 acre-feet. He stated that the detention facility was actually for regional detention and that he was going to extra lengths to help the residents downstream.

Commissioner Randall Smith appreciated the amount of work being done for the project's detention basin. He inquired about maintenance and safety features for the detention facility. Mr. Burk responded that the homeowners' association and the landscape maintenance district would maintain the facility, which was designed based on standards accepted by the Federal Emergency Management Agency and the City of Redding. He said the worst-case scenario would take 12 hours to evacuate the water and that he had an agreement with the property owner to store the water.

Linda Mahaffey said she and her neighbors were concerned about flooding. She indicated that her home and three others flooded eight years ago due to failure of detention ponds. She said she and her neighbors had attempted to resolve the flooding problems and had participated in the cost of a study to determine what storm-water facilities were needed. Ms. Mahaffey pointed out that after four years, the issue had still not been resolved. She said the residents needed a plan for ongoing maintenance of the creek. She indicated that they had been reassured that the new facility would take some of their properties out of the floodplain. Ms. Mahaffey asked if the detention facility would affect the value of their homes.

Thomas Andrews stated that the detention facility proposed by Mr. Burk was what he and Ms. Mahaffey and the other residents had desired. He said they needed to be reassured that the detention ponds were going to be maintained properly. He mentioned that the CC&Rs for the homeowners for the new project were going to require that the facility be maintained and operated, with the cost being borne by the homeowners' association. Mr. Andrews asked that the same type of commitment be made for the homeowners downstream, who could not afford the fees for maintenance of the detention facility. Determining that no one else wished to comment, the Chairman closed the public hearing at 5:22 p.m.

City Engineer Barry Tippin confirmed that the detention proposed by the applicant would contain sufficient amounts of water not only for The Reserve at Gold Hills and Tuscan Villas Subdivisions, but also had additional capacity, based on the mapping verified by the City. He said all the mapping downstream had not been verified, but would be confirmed through two different processes that were currently under way. Mr. Tippin said he was satisfied with the maintenance plan for the detention facility.

There was discussion of the following: Roads accessing onto Oasis Road, open space and trails, overall circulation in the Oasis Road area, CC&Rs, air quality, and sewer capacity.

Motion: Commissioner Chris Young moved that the Planning Commission recommend to the City Council adoption of the Negative Declaration and approval of Tentative Subdivision Map Application S-17-04, The Reserve at Gold Hills, Planned Development Plan PD-2-05, and Rezoning Application RZ-2-05, subject to the conditions of approval, including the revision of Conditions 14 and 82.

Second: Commissioner Randy Memeo.

Ayes: Commissioners Brickwood, Chapin, Goedert, Memeo, Meyer, Smith, and Young.

Noes: None.

Abstain: None.

Absent: None.

PUBLIC HEARING - TENTATIVE SUBDIVISION MAP APPLICATION S-10-05, TUSCANY VILLAS SUBDIVISION, AND PLANNED DEVELOPMENT PD-5-05, by Jordan Taylor, requesting approval to divide 19.1 acres into 79 single-family residential lots on property generally located south of Oasis Road and east of Gold Hills Drive in an "RM-6" Residential Multiple Family District and "RM-6-PD" Residential Multiple Family District with Planned Development Overlay District. The applicant is also requesting approval of a planned development for a gated senior-living community associated with the 79 single-family residential lots proposed with the tentative subdivision map application. Environmental Determination: Mitigated Negative Declaration. Staff Recommendation: Approval. S-101-094

Senior Planner Jim Wildauer summarized the staff report and responded to questions. He noted that the property already included the "PD" Planned Development Overlay District, since it was a portion of the previously approved Country Homes planned development that did not proceed to buildout. He described the project and discussed biological, grading, storm-water detention, and traffic issues. Mr. Wildauer said staff recommended that the Planning Commission approve Tentative Subdivision Map Application S-10-05, Tuscan Villas Subdivision, and Planned Development PD-6-05, subject to the conditions of approval, which he reviewed. The Chairman opened the public hearing at 5:56 p.m.

Tim MacLean, applicant's representative, Sharrah Dunlap Sawyer Inc., requested that Condition 26 be changed to read Street "D," not "E." He mentioned the lot diagram and noted that the project utilized zero lot lines. Determining that no one else wished to comment, the Chairman closed the public hearing at 5:59 p.m.

Commissioner Randall Smith warned that the public would be voicing concern over the extensive loss of tree habitat, even though the open space was calculated at 26 percent. He believed it was important for staff and the Commissioners to educate the public about the current revisions to the Tree Ordinance.

Motion: Commissioner Jim Chapin moved that the Planning Commission adopt the 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-10-05, Tuscan Villas Subdivision, and Planned Development PD-6-05, subject to the conditions of approval as recommended by staff, including the revision of Condition 26.

Second: Commissioner Randy Memeo.

Ayes: Commissioners Brickwood, Chapin, Goedert, Memeo, Meyer, Smith, and Young.

Noes: None.

Abstain: None.

Absent: None.

PUBLIC HEARING - TENTATIVE SUBDIVISION MAP APPLICATION S-7-05, CURRIER CORNER SUBDIVISION, by Dustan and Chessie Currier, requesting approval to divide 2.14 acres to create six lots for development of single-family homes on property located at the northeast intersection of Hollow Lane and Wilvern Lane in an "RS-2" Residential Single Family District. Environmental Determination: Categorically Exempt. Staff Recommendation: Approval. S-101-091

Planning Manager Douglas DeMallie summarized the staff report and responded to questions. He discussed the density-increase provision and the incorporation of site- and building-design components, including detached sidewalks/parkways, street-tree planting, and different garage-entry orientations. He mentioned that staff was recommending the addition of Condition 32, which would prohibit the storage of recreational vehicles within front- and side-yard setbacks through application of a deed restriction. Mr. DeMallie noted that this condition implemented direction given by the Commission upon adoption of the new rules for storage of recreational vehicles on residential lots. He said essentially, the condition preempts a request for a zoning exception to allow such storage, and staff expected that this would become a standard condition on all future tentative map approvals. He said staff recommended that the Planning Commission approve Tentative Subdivision Map

Application S-7-07, Currier Corner Subdivision, subject to the conditions of approval, which he reviewed, including the addition of Condition 32. The Chairman opened the public hearing at 6:08 p.m. Determining that no one wished to comment, the Chairman closed the public hearing at 6:09 p.m.

In response to Chairman Bert Meyer's question, Mr. DeMallie advised that pipes would be placed underground for drainage and detention.

Motion: Commissioner Michele Goedert moved that the Planning Commission 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-7-07, Currier Corner Subdivision, subject to the conditions of approval as recommended by staff, including the addition of Condition 32.

Second: Commissioner Chris Young.

Ayes: Commissioners Brickwood, Chapin, Goedert, Memeo, Meyer, Smith, and Young.

Noes: None.

Abstain: None.

Absent: None.

***PUBLIC HEARING - USE PERMIT APPLICATION UP-9-05**, by Robert Fox, requesting approval to construct two medical office buildings with a combined area of 10,636 square feet on property located at 2216 Buenaventura Boulevard in a "GC" General Commercial District. Development of the site will include grading in the 100-year floodplain of Canyon Hollow Creek to accommodate the required parking for the project. Environmental Determination: Negative Declaration. Staff Recommendation: Approval. L-010-390*

Planning Manager Douglas DeMallie summarized the staff report and responded to questions. He explained that typically, staff did not endorse parking-lot encroachments into a floodplain; in this case, staff supported the request based upon the need for encroachment to realize a viable use of the property and the lack of open-space value associated with the floodplain. Mr. DeMallie discussed the creek-corridor setbacks required in the Zoning Ordinance, noting that this property had been previously filled to support prior industrial uses and street construction prior to adoption of the Zoning Ordinance in 2002, qualifying the property for an exemption from the creek setback established in the Ordinance. Mr. DeMallie indicated that the Department of Fish and Game (DFG) had reviewed the project and agreed to the creek setback shown on the site plan. He mentioned that Condition 26d required landscaping of the setback area with native plants intended to reestablish the riparian habitat. He said staff recommended that the Planning Commission adopt the Negative Declaration and approve Use Permit Application UP-9-05 subject to the conditions of approval, which he reviewed. The Chairman opened the public hearing at 6:15 p.m.

Shelly Kibler, applicant's representative, asked for clarification of Conditions 10 and 19. Mr. DeMallie explained that the intent of Condition 10 was to hold the City harmless regarding judgments or claims against approval of this project, specifically related to the parking-lot area located in the floodplain.

City Attorney Rick Duvermay advised that staff had chosen to include a condition in the use permit that would hold the City harmless from any damage in the 100-year floodplain. He said Condition 10 did not effectuate this specific intent, so he requested that the applicant and staff work together to craft an acknowledgment that would run with the project.

Ms. Kibler requested that Condition 19 state that any necessary letters of approval be acquired prior to any work in the creek, instead of prior to issuance of a grading permit.

City Engineer Barry Tippin replied that the intent of the condition was to be prior to improvement plans. He said staff wanted to ensure that the applicant had all necessary clearances to do the work. He was certain that they could work together in terms of identifying appropriate times to proceed.

Susan Weale, representative of Friends of Canyon Creek, noted that the condition of the creek in that area was the result of past decisions to waive setbacks on Canyon Creek. She encouraged restoration of what was left of the riparian habitat. She mentioned the spawning habitat upstream and said the City needed to take this opportunity to enhance the creek. Mr. DeMallie advised the Commissioners that they were not being asked to waive any standards; there was a specific exemption in the Zoning Ordinance that allowed the establishment of setbacks by this permit. Determining that no one else wished to comment, the Chairman closed the public hearing at 6:25 p.m.

Commissioner Randall Smith noted that although the area was degraded, it did need consideration. He said Paul Edgren was told by DFG what to plant in the bottom of the streambed. He commented that unfortunately, the material used was not quite satisfactory. Mr. Smith encouraged staff and the developer to consider this an opportunity to help with the return of fish to that area.

Commissioner Michele Goedert mentioned the native plants considered for landscape in Condition 26d. She pointed out that Ms. Weale had raised the possibility of restoring the bank to a more natural configuration. Mr. DeMallie remarked that there was a nexus issue with requiring the applicant to modify the creek channel. He agreed that this would be an opportunity for improvement to the area, but not one that could be required of the applicant. He added that the condition required involvement of DFG.

Motion: Commissioner Randy Memeo moved that the Planning Commission adopt the Negative Declaration and that, based upon the testimony presented by staff, the Planning Commission determine that the necessary findings for approval as identified in Section 18.14.070 of the Redding Municipal Code are in evidence. He further moved that the permit be granted subject to the conditions of approval as recommended by staff, including the modification of Condition 10 to reflect indemnity from floodplain damage and Condition 19 to reflect after earth-disturbing activities take place in the areas covered by any approval and permit requirements from any government agencies.

Second: Commissioner Jim Chapin.

Ayes: Commissioners Brickwood, Chapin, Goedert, Memeo, Meyer, Smith, and Young.

Noes: None.

Abstain: None.

Absent: None.

The Chairman called a five-minute recess at 6:39 p.m. The Planning Commission reconvened at 6:44 p.m.

PUBLIC HEARING - TENTATIVE SUBDIVISION MAP APPLICATIONS-21-05, MONACO CONDOMINIUMS, by *Affordable Housing Investments, LLC*, requesting approval to convert an existing 24-unit apartment complex into 24 airspace condominium units on property located at 3220 C Street in an "RM-12" Residential Multiple Family District. *Environmental Determination: Categorically Exempt. Staff Recommendation: Approval. S-101-105*

Senior Planner Kent Manuel pointed out the video cameras in the Council Chambers and noted that the applicant was filming a documentary on the condominium-conversion application process.

Mr. Manuel summarized the staff report and responded to questions. He described the project, noting that the existing apartment units were constructed in 1974, two years before the property was annexed into the City as part of the Enterprise annexation. Mr. Manuel said the application was the first condominium-conversion request the City had received since the 1980s. He utilized a PowerPoint presentation to discuss the requirements for conversion to condominiums. He noted that some of the proposed improvements included: replacing an internal driveway connection to Saginaw Street with a plaza/gathering area; repainting buildings and adding architectural embellishments; replacing/refurbishing landscape; constructing covered parking; replacing existing asphalt; replacing fencing; and providing interior improvements, such as new flooring, cabinets, countertops, appliances, and fixtures. Mr. Manuel discussed the pros and cons of condominium conversions, including the issue of tenant displacement. He mentioned that the applicant had offered to assist up to four existing tenants in the purchase of their units. The Chairman opened the public hearing at 6:57 p.m.

Monica Villasenor, applicant, thanked Mr. Manuel for his efforts and offered to answer questions the Commissioners might have.

Randy Byrd, real estate agent, was on the Affordable Housing Commission through the Shasta County Board of Realtors and noted that this would provide affordable housing in the \$175,000 to \$180,000 range. Mr. Byrd mentioned that the Redding area was losing affordable-housing sites, citing the higher-priced housing currently available.

Joe Hanson, architect, responding to a question, pointed out the four flats and the second-floor balconies for each of the two flats upstairs. He noted that each two-story townhome had its own outside space on the ground floor.

Commissioner Michele Goedert asked about the articulation and horizontal elements. Mr. Hanson acknowledged that the existing windows were small and that the front was not appealing. He said he had tried to address the large mass by using a strong vertical element to break the building into individual units. He explained that he also used paint around the windows to scale the building down into smaller pieces.

Commissioner Chris Young asked how much time was needed to finish the project. Ms. Villasenor responded that she had to begin with State-level approval, which took approximately 6 to 12 months. She believed improvements would be done prior to the approval. She said she would try to keep tenants in place as long as possible and did not know how many tenants were going to actually buy the units. Determining that no one else wished to comment, the Chairman closed the public hearing at 7:12 p.m.

Ms. Goedert questioned why stronger architectural design features were not being required. Mr. Manuel stated that the City already had a large list of requirements to be met and that the applicant was refurbishing the interiors. He said the units would no longer be affordable if extraordinary design elements were required by the City.

Motion: Commissioner Randy Memeo moved that the Planning Commission find the project to be categorically exempt under the provisions of the California Environmental Quality Act and find and declare that, as set forth in the Government Code of the State of California, Section 66474 and the City Subdivision Ordinance Section 17.50.210, 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-21-05, Monaco Condominiums, and the Preliminary Condominium Plan subject to the conditions of approval as recommended by staff.

Second: Commissioner Randall Smith.

Ayes: Commissioners Brickwood, Chapin, Goedert, Memeo, Meyer, Smith, and Young.

Noes: None.

Abstain: None.

Absent: None.

PUBLIC HEARING - RECOMMENDATION TO THE CITY COUNCIL - AMENDMENT TO THE TREE PRESERVATION ORDINANCE. *Proposed amendments to Chapter 18.45 (Tree Preservation) of the Redding Zoning Ordinance, concerning the preservation of existing, and planting of new, trees associated with development in the City. If ultimately adopted by the City Council, the Ordinance would be modified to redefine a "protected tree"; narrow the circumstances under which a parcel is exempt from the Ordinance; and add measures requiring that trees be assessed, and a preservation plan prepared, by a qualified professional. Environmental Determination: Not applicable. Staff Recommendation: Recommend approval to the City Council. Continued from the meeting of May 23, 2006. L-010-500/O-100*

Senior Planner Kent Manuel summarized the staff report and responded to questions. He advised that since the meeting was continued from the May 23 meeting, two members of the Committee had met with staff and the City Attorney to clean up certain wording matters identified by the Commission and to give the City Attorney an opportunity to review language from a legal

perspective. Mr. Manuel mentioned the minor changes involved, including changing the term "protected trees" to "candidate tree" to avoid confusion with the term "preserved tree"; adding a sentence to show that tree preservation was not an "at any and all costs" mandate; and the addition of No. 7 to the list of *Purpose and Objectives*, regarding protecting trees on undeveloped parcels. Mr. Manuel provided further clarification, based upon the Commission's discussion at the May 23 meeting, regarding Exceptions and the Landmark and Heritage Tree Plan. He advised that the Committee had also considered renaming the Tree Preservation Ordinance. He said several options were identified, but the Commission decided on the name "Trees."

Chairman Bert Meyer thanked all those who served on the Tree Preservation Ordinance Committee (Committee).

In response to Commissioner Michele Goedert's question, Mr. Manuel noted that during the approval process for a subdivision, many of the candidate species would become preserved trees. He advised that when the trees were in the front yards or backyards, there could be deed restrictions that would prevent removal without a tree-removal permit.

Commissioner Chris Young was happy with the changes made since the first draft, believing a lot of issues had been clarified.

Commissioner Randall Smith discussed the 15-gallon replacement-tree requirements and his desire for creation of a species list. He wanted the City Council to understand that it was not just the preservation of the oak tree that the City should be concerned with, but also the creation of an urban tree canopy.

Planning Manager Douglas DeMallie responded that the Committee was not given the directive to establish an approved tree list for private development by the Commission; however, the Commission could add that to the list of suggestions to forward to the City Council.

Commissioner Randy Memeo asked for clarification concerning the grouping of healthy trees. Mr. DeMallie explained that preservation of a group of trees that would not be considered significant individual trees, could add character to an area as a group. Mr. Memeo felt in some instances it would be more appropriate to provide good landscape instead of saving some groups of trees. Mr. DeMallie said the Commission would have discretion at the time of approval.

Mr. Young voiced concern that ten years after preservation, the tree issue could be used to stop further development of a property.

Mr. Smith lamented that a grove of black oaks in the Mary Lake Subdivision had been removed, and the existing Tree Ordinance did not save them. He said the language in the revision was deliberately inserted so that there would be some leverage for saving groves such as the one that was removed. He added that the revision was not for the preservation of routine, nondescript trees, but for those of a higher order. Mr. Manuel noted that if there was a vacant lot, any tree over six inches would require a permit from the City to remove it.

Patrick Sullivan, licensed landscape architect, thanked the Committee members for their work. He hoped the revisions would also result in better design and preservation. He hoped the City would use more native landscape. He recommended utilizing oak trees wherever possible. Mr. Sullivan contended that blue, valley, and interior live oaks thrived in lawn settings.

Jerry Wagar, Committee member, did not think the term "Trees" was adequate. He recommended that the document be named "Tree Management."

Susan Weale, Committee member, was in favor of the Commission recommending development of a more-inclusive tree-management plan for urban forests, including identification and inventory of landmark trees. She would like the community to participate in submitting lists of trees for candidate or landmark status. Ms. Weale commented that a grove of trees might be a candidate if it had the potential to achieve maturity and possibly become a landmark tree. She advocated keeping the

six-inch standard the City currently had. Determining that no one else wished to comment, the Chairman closed the public hearing at 7:43 p.m.

Commissioner Jim Chapin agreed with the term "Tree Management." He noted that the Builders' Exchange was also comfortable with the document. He hoped the City Council would see it as a working document. Mr. Chapin preferred keeping the threshold for requiring a permit to remove an individual tree on a vacant lot at six inches. He also felt it was important to include the seven additional items identified in the staff report in the recommendation to the City Council. Mr. DeMallie explained that the Committee debated on the threshold for a tree-removal permit, considering a range from 6 inches to 24 inches. He said staff decided on 18 inches but had no objection to 6 inches.

Mr. Young felt the six-inch requirement was an imposition to a property owner. He believed 12 or 18 inches would be more appropriate.

Ms. Goedert supported the six-inch requirement.

Commissioner Gary Brickwood supported the revisions and agreed with the six-inch requirement. He asked Mr. Chapin how the Committee had felt about the additional potential seven recommendations in the staff report. Mr. Chapin said many members felt the penalty section was inadequate, that \$1,000 was not enough to be a deterrent. Mr. Chapin stated that some members also believed the moratorium penalty on building should be increased.

Mr. Meyer added that he believed the two-year moratorium was okay, but that the fines did not create enough of an incentive to not cut down the trees. Mr. Chapin interjected that the Committee did not have enough information on Items 1 through 7 to make recommendations. He believed the City Council would have to set priorities on working on those items. Mr. Brickwood believed the City Council would just send the item back to the Commissioners, directing them to evaluate the items. He suggested evaluating the recommendations and then recommending to the City Council in conjunction with the recommended order. The discussion continued on whether to make certain recommendations on the items to the City Council.

Mr. Smith said the Commissioners could make recommendations to the City Council on the additional items and let the Council members decide if they should be adopted.

Mr. Memeo felt the items should be left the way they were. He believed Item 3 was burdensome, Item 4 seemed clear that it was a County-level subject, Item 5 was redundant, Item 6 did not provide enough information, and Item 7 he was not sure of. Mr. Chapin countered that Item 5 should be included, because it was needed to make the Tree Ordinance effective.

Mr. Brickwood agreed with Items 2, 5, 6, and 7 and believed that Item 3 was not manageable and that Item 4 was a County-level subject.

Motion: Commissioner Jim Chapin moved that the Planning Commission recommend that the City Council adopt the amendment of Chapter 18.45, Tree Management Plan (instead of Tree Preservation or Trees), of the City Zoning Ordinance, as recommended by the Tree Preservation Ordinance Review Committee.

Second: Commissioner Gary Brickwood.

Ayes: Commissioners Brickwood, Chapin, Goedert, Memeo, Meyer, and Smith.

Noes: Commissioner Young.

Abstain: None.

Absent: None.

Motion: Commissioner Gary Brickwood moved that the Planning Commission recommend that the City Council consider and adopt Recommendations 1 (to Tree Management), 2 (to a maximum penalty of \$2,000 per tree), 5, and 6.

Second: Commissioner Jim Chapin.

Ayes: Commissioners Brickwood, Chapin, Goedert, Meyer, and Smith.

Noes: Commissioners Memeo and Young.

Abstain: None.

Absent: None.

PUBLIC PARTICIPATION

Patrick Sullivan, who owned a lawn-and-garden service in Redding, discussed the landscape guidelines for the Redding area. He did not like what was being done for landscape design in Redding. He felt there was an overuse of lawns and several species of trees that required a lot of water. Mr. Sullivan requested that staff and the Commissioners reconsider the recommended trees used for landscape in Redding.

COMMISSIONERS' COMMENTS

Chairman Bert Meyer mentioned that he had visited the subdivision at Hope and Hollow Lanes and noted that heavy-construction trucks were ruining the roads. He believed the developer should be responsible for repairing them.

City Engineer Barry Tippin stated that the section of roadway being referred to was experiencing far more deterioration than normally seen during construction. He explained that the conditions of approval required only necessary widening. Mr. Tippin indicated that excavators had caused the road to deteriorate much more than anticipated, and staff requested from the developer a plan to bring the road back into as good a condition, if not better, than it was before starting construction.

Planning Manager Douglas DeMallie complimented the Commissioners on the effort put into their work and thanked them for their time spent on the issues.

ADJOURNMENT

There being no further business to come before the Planning Commission, Chairman Bert Meyer adjourned the meeting at 8:12 p.m.

Jim Hamilton, AICP
Acting Secretary

Bert Meyer
Chairman