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REDDING PLANNING COMMISSION
 Regular Meeting, 4 p.m.
 Tuesday, June 23, 2009
 City Council Chambers
 777 Cypress Avenue
 Redding, California 96001

MINUTES

Chairman Chris Young called the meeting to order at 4 p.m., with Commissioners Emmett Burroughs, Cameron Middleton, and Randall Smith present. Absent were Commissioners Michele Goedert, Bert Meyer, and Lynne Wonacott. Also present were Development Services Director Jim Hamilton, Planning Manager Douglas DeMallie, City Attorney Rick Duvernay, Land Development Manager Marty Wayne, Associate Planner Linda Burke, and Administrative Assistant II Emily Lopez.

PUBLIC HEARING - USE PERMIT APPLICATION UP-2-07 AND PARCEL MAP APPLICATION PM-4-07, by *Lewis-Pipgras Real Estate Partners*, requesting approval to construct a 92,200-square-foot retail shopping center on ten acres located at the northwest corner of Shasta View Drive and Rancho Road in an "SC" Shopping Center District. The shopping center consists of a 60,000-square-foot grocery store and six retail-pad buildings, two with drive-through service, consisting of an additional 32,200 square feet. The proposal includes division of the property into seven commercial parcels, with each building on a separate lot. Environmental Determination: Mitigated Negative Declaration. Staff Recommendation: Adoption of the Mitigated Negative Declaration and approval. L-010-390 and L-010-150

Associate Planner Linda Burke summarized the staff report. She noted that the proposed 92,200-square-foot retail shopping-center project was consistent with the types of uses anticipated with the "Shopping Center" General Plan and zoning designations for the subject property. She stated that prior to the 2000–2020 General Plan Update process, the General Plan had established a designation of "Retail Commercial" on the property since as far back as 1982, which would have allowed a retail shopping center, such as the proposed project.

Ms. Burke stated that a number of environmental studies had been conducted for the project in order to complete the environmental document for the California Environmental Quality Act (CEQA). These included a Traffic Impact Analysis prepared by Kimley-Horn and Associates, Inc., an Environmental Noise Assessment prepared by j.c. brennan and associates, and a Botanical Assessment and Biological Assessment, including a wetland delineation, were prepared by Northstate Resources, from here in Redding. Mitigation measures were included with the project to mitigate impacts to traffic and circulation, noise, and biological resources. Mitigation measures were further refined into the conditions of approval for the project.

Ms. Burke continued that unlike many other shopping-center sites, this was an isolated commercial site virtually surrounded by single-family land use. She advised that numerous comments had been received both in letter form and by telephone contact from surrounding neighbors expressing various concerns. Ms. Burke said views of the truck dock and noise were the main concerns of property owners to the west of the project, while the main issue for property owners to the east was the driveway aligning with Copper Creek Drive and the increase in traffic at that intersection. Ms. Burke stated that one single-family home was located adjacent to the west property boundary of the shopping center. She noted that the home was located ten feet from the common property line at the north end of the project, while a large vernal pool and nondisturbance area was located south of the home and adjacent to Rancho Road. Ms. Burke advised that single-family homes across Shasta View Drive were developed at 3 units per acre, while those to the west in the La Rinconada Subdivision were larger lots developed at 2 units per acre. Ms. Burke indicated that the properties to the north of the shopping-center site were currently undeveloped, and the General Plan classification reflected uses as a future school and park site. She informed the Commissioners that it appeared that Pacheco School District now preferred to locate a school south of Rancho Road rather than the site adjacent to the subject property; given this, the potential existed for a request to amend the General Plan to allow residential uses on properties to the north.

Regarding project compatibility with the adjacent residential district, Ms. Burke indicated that a major point of discussion had been regarding an adequate buffer-yard design along the west property line, given the location of the anchor pad in relation to the existing single-family home. She said the Redding Municipal Code (RMC) required a minimum 20-foot-wide buffer yard, consisting of a landscape planter and a 6-foot-high wall; the noise analysis required an 8-foot-high sound wall in order to meet existing noise standards, and that was proposed to be located in the center of the buffer yard (10-foot-wide planters on each side of the wall). Ms. Burke explained that staff had recommended increasing the buffer to 28 feet, with the wall located a distance of 20 feet from the west property line. She advised that the area also was encumbered by a 48-inch storm-drain pipe and easement, but would be landscaped with screening shrubs, and that the adjoining homeowner had planted a row of maturing redwood trees just off the property line. She continued that Condition 28 required that the 8-foot-high wall be located on a 2-foot-high berm and that the 8-foot-wide planter on the east side of the wall would be planted with large trees.

Ms. Burke advised that certain mitigation measures and above-minimum development standards had been incorporated into the conditions of approval. She said they addressed time limits on several of the shopping-center activities, including restricting truck deliveries, forklift operations, and parking lot cleaning to daytime hours (7 a.m. to 10 p.m.). She noted that the drive-through lanes on Buildings D and G were required to include above-minimum-height standard block walls and landscape for screening and to minimize noise impacts. Ms. Burke mentioned that these performance requirements were the same or similar to those recently applied to the WalMart, Kohl's, and Vitalis Partner shopping-center use permits, which also had adjacent residential properties, and that the conditions of approval met all standards of the Redding Municipal Code and the "SC" Shopping Center District.

Ms. Burke also noted that prior to today's meeting, the applicant indicated a willingness to reverse the orientation of the truck dock and move it as far south as possible.

Ms. Burke discussed the traffic-impact analysis prepared by Kimley-Horn and Associates, Inc., for the project, which found that signalization of the intersection of Rancho Road and Shasta View Drive would be required to mitigate the impacts from the increase in traffic. Ms. Burke noted that the study also identified a significant impact to the Rancho Road/Churn Creek Road and Churn Creek Road/Victor Avenue intersections. She explained that as mitigation for that impact, prior to moving forward with the shopping-center project, an assessment district or similar funding mechanism would be required to be put in place for reconstruction of the two intersections; due to their close proximity, reconstruction of the two intersections to a single roundabout intersection had been previously identified as the best solution for the deficiencies at this location.

Ms. Burke noted that with construction of the signalization of the intersection, a median would be placed in Shasta View Drive. This would prohibit left-turn-in and -out movements from the central driveway along Shasta View Drive and only allow right-turns in and out at that driveway. She continued that a number of neighbors had expressed concern with the northerly project driveway proposed to align with Copper Creek Drive across Shasta View Drive and the increase in traffic at that intersection. Ms. Burke stated that the main purpose for the proposed driveway was to allow the northbound left turns into the shopping center. She said the City's traffic engineer had performed an intersection analysis, and it had indicated that the driveway operated satisfactorily and that the traffic volumes were not a safety issue. She indicated that the developer had requested the driveway in this location and that staff felt there was not an operational or safety reason to prohibit it.

Regarding biological resources, Ms. Burke noted that a total of 0.47 acre of waters of the U.S. was delineated in the study area, consisting of intermittent pool (0.15 acre) and vernal pool (0.32 acre) in the southwest corner of the property that the applicant proposed filling to accommodate development of the shopping center. She explained that filling of the wetlands was previously authorized by the U.S. Army Corps of Engineers (Corps); however, the applicant was currently preparing a submittal to the Corps, requesting reissuance of authorization to fill.

Storm drainage was also discussed by Ms. Burke, who noted that runoff ultimately drained to the Anderson-Cottonwood Irrigation District (ACID) canal further to the southwest. She said the City and the ACID had developed a Memorandum of Understanding (MOU) outlining a course of action and cooperation between the two entities for improvements to the ACID facilities downstream. Ms. Burke remarked that the project was required to provide on-site detention of increases to peak

flow and to participate in the preparation of an areawide storm-drain management plan to develop and fund improvements to the drainage system.

Ms. Burke discussed the design of the project, noting that the elevation drawings found in the staff report gave the Commission an indication of the flavor of what was proposed. She said staff had been working with the applicant toward modifications to the design in order to meet the objectives of the design criteria and to be more in character with the residential nature of the area. She indicated that the applicant had responded with some revisions; however, staff felt further revisions were necessary. Ms. Burke stated that overall, staff believed the applicant had expressed a desire and effort to meet the intent of the design criteria. She said staff proposed a condition deferring a final architectural review by the Commission prior to issuance of a building permit to allow the applicant more time to refine the design and/or respond to tenant requirements and Commission comments or direction. Ms. Burke mentioned that Condition 5a, which stated that "Final architectural elevations are subject to subsequent approval of the Planning Commission" was proposed to add ". . .where determined necessary by the Development Services Director."

Ms. Burke said staff recommended that the Planning Commission adopt the Mitigated Negative Declaration and approve Use Permit Application UP-2-07 and Parcel Map Application PM-4-07 subject to the conditions of approval, with the change to Condition 5a which had the support of staff.

Planning Manager Douglas DeMallie reiterated that the applicant had offered to reverse orientation of the loading dock, so staff proposed a revision of Condition 22 to document that change, which would add 22f. He said staff felt the change would help to attenuate noise levels for the home to the west. He added that the Redding Municipal Utilities Director had requested that Condition 23, which required the block sound wall, be designed to allow a gate so that staff would be able to access the storm-drain pipe within the easement. Mr. DeMallie noted, however, that Condition 24 already addressed access to the storm-drain pipe.

Mr. DeMallie responded to questions from the Commissioners. He reiterated that the intersection at Shasta View Drive and Rancho Road would be signalized and that left-turn movements at the central driveway on Shasta View Drive would be prohibited by construction of a median as part of the signalization project. Mr. DeMallie again noted that the property had been designated "Retail Commercial" since as far back as 1982 and that in 2000, the property was designated "Shopping Center."

Land Development Manager Marty Wayne explained the storm-drain-detention requirements. He noted that the underground detention would be in the main field of the parking lot, essentially left and right of the main drive aisle for Rancho Road. He confirmed that the project would address peak flows to maintain predevelopment levels at all locations downstream of the project.

Commissioner Randall Smith observed that canopy trees were not listed on the plans for the parking area. He felt the site plan illustrated a standard asphalt parking lot. Mr. DeMallie pointed out that Condition 27a required broadleaf shade trees in and around the parking areas. He referred to the landscape plan in the staff report, which illustrated a very extensive tree-planting plan for the site.

Mr. DeMallie responded to questions about the vernal pool, explaining in further detail that it was the applicant's responsibility to acquire the permit from the Corps to fill the vernal pool and to mitigate the loss of the vernal pool as determined by the Corps. He confirmed that if the permit was denied, the project would not be allowed to proceed without an amendment to the use permit. Mr. DeMallie reiterated that the applicant at one time had a permit to fill the vernal pool but that the type of permit had expired, so another permit application was required. The Chairman opened the public hearing at 4:35 p.m.

Tom Lewis, applicant, Lewis-Pipgras Real Estate Partners, indicated that both the Corps and Fish and Wildlife Service had visited the site and a 404 Permit had been issued through the Nationwide Permit. He repeated that the Corps had verbally indicated that it would reissue the permit.

Regarding the concerns of cut-through traffic through the Copper Creek Subdivision, Mr. Lewis said the traffic consultant indicated that the amount of vehicles would be minimal. Concerning the noise issue, Mr. Pipgras said it was not possible to orient the store to front on Rancho Road because there

would not be enough parking. He explained that the western end was the only workable location and pointed out that modifications had been made to try to alleviate the noise concerns.

Commissioner Chris Young remarked that the neighbors were surprised by the size of the center. Mr. Lewis replied that larger stores were being built in order to stay competitive and that 60,000 square feet was standard for a grocery store.

Commissioner Cameron Middleton asked why there were two lanes for exiting the center but only one lane for entering the south entrance from Rancho Road. Mr. Lewis advised that the traffic consultant did not want traffic vehicles backing up into the center when one car was waiting to turn left and another wanted to turn right when exiting.

Robert Gill read his letter of June 12 that he had submitted to staff regarding his concerns and the reasons why he was making his requests, which included that: the 8-foot-high solid masonry wall be increased to 15 feet and run the full length of the west property line; a 15-foot-high sound wall along the south side of the Bond property that bordered Rancho Road be constructed; the active vernal pool on the east side of Mr. Gill's property and within the south side of the Bond property be protected; restricted hours for parking lot cleaning be from 9 p.m. to 7 a.m., instead of from 10 p.m. to 7 a.m.; animal control be addressed due to outside food disposal; the lighting plans be reviewed; and that the requested 15-foot sound walls facing the west and south sides of the Bond property be the first elements constructed.

Mr. Gill submitted photos that showed the height difference between his property and the subject property, which was about five feet. He said he had invited staff earlier to visit his property and take a picture from his backyard. Mr. Gill also pointed out that the Planning Commission had at one time recommended that part of the property be zoned "Limited Office" but that the City Council did not concur. Mr. Gill disagreed with the noise analysis and worried about the increase in traffic, excess noise and diesel exhaust fumes from the tractor trailers, and loss of his views. He contended that the loading docks would be 20 to 25 feet from the west property line, not 55 feet, as stated in the environmental study.

Mr. DeMallie responded to Mr. Gill's concerns. He informed Mr. Gill that the 8-foot-high wall was proven to be adequate. Regarding the vernal pool, he stated that the Corps and Fish and Wildlife Service had jurisdiction over vernal pools but that the Department of Fish and Game was often consulted. He advised that the Planning Commission would consider the project and determine if the findings for approval could be made. Mr. DeMallie explained that the distance from the loading dock to Mr. Bond's property line was 54 feet—28 feet of landscape and 26 feet of driveway. Mr. DeMallie commented that the existing sound level on Rancho Road was at 58 decibels and was expected to rise to 63 decibels by the year 2030 as a result of additional traffic on Rancho Road, which was a designated four-lane arterial that was expected to carry some amount of commercial, heavy-truck traffic as a direct link to Interstate 5 and Airport Road.

Luke Saxelby, representative, j. c. brennan and associates, discussed the noise study. He advised that the company had recommended an 8-foot-high wall to comply with the City's noise standards. He said there would be no significant noise impact farther out to Mr. Gill's property. Mr. Saxelby described the analysis that was done for the loading docks and noted that the study did not identify the need for any mitigation beyond the first lots. He indicated that there was no significant difference in sound levels between a dry, empty lot and a vernal pool.

Commissioner Randall Smith mentioned the pictures submitted by Mr. Gill and asked Mr. Gill if he was aware that he would eventually not see the wildlife, such as wild turkeys, once the willow and redwood trees on the Bond property grew to sufficient size. Mr. Gill said he was aware of that fact.

Leon Alger, whose property abutted up to Rancho Road, addressed the 6-foot-high wall along Rancho Road. He complained that trucks would pull over and idle in the turnout behind his property. Mr. Alger lamented that additional trucks and cars on the road would increase the noise level. He also noted that his property was higher than the sound wall on Rancho Road, making it ineffective.

Development Services Director Jim Hamilton stated that the City had standards for maintaining property and that shopping-center tenants and owners recognized the benefit of keeping their

property clean and well-maintained. He said enforcement of those who littered from their cars was difficult to monitor. Mr. DeMallie referred to Condition 19 that required the applicant to keep the site clean and free of debris and litter.

Mr. DeMallie observed that the environmental analysis for the WalMart project addressed health issues related to emissions, since there was a large apartment complex behind the store. He stated that the levels at WalMart, which was a much larger project, fell far below the state standards.

Mr. Hamilton provided a brief overview of future developments in the area. He said the area would support about 2,000 homes, with plans for park and school sites. He said Rancho Road would be widened to five lanes all the way to Interstate 5, and Shasta View Drive would be a four-lane road at its full buildout to Rancho Road.

Larry Moss voiced concern about the noise issue. He remarked that deliveries were restricted to certain hours but that there were no restrictions for companies that would be open late at night. Mr. Moss said he had never expected to see a full-sized shopping center placed in the middle of a residential neighborhood. He stated that there was commercial property along Airport Road that would be suitable for this type of development. Mr. Moss discussed the traffic circulation proposed for the center, claiming that most of the traffic would come from the north until development occurred in the southern area. He stated that all the traffic would be funneled to the northeast corner, which was directly across from the Copper Creek Subdivision. Mr. Moss also mentioned that the City should have some protection for the park that eventually would be constructed. He suggested that the sound-wall height be increased and landscape screening be installed. He noted that Rancho Road would have traffic amounts doubled. Mr. Moss claimed that the 28.5-foot height of the supermarket was the same height as a three-story building, which did not belong in a residential neighborhood. Mr. Moss felt the project approval was premature, since no decision had been made on drainage with the ACID, details were still being worked out on the Rancho Road intersection with possibly a new bridge over Churn Creek, Shasta View Drive had sight-safety issues, and the applicant had yet to receive permission to fill the vernal pool. He asked that these issues be addressed before the Commission approved the project.

Mr. DeMallie advised that staff had looked very carefully at the traffic situation on Shasta View Drive and that sight distance was adequate when exiting the driveway and traveling northbound.

Leonard D'Andrea voiced opposition to the project. He stated that the building, because of its height, would be visible from his backyard. He inquired about the lighting and worried that there would be a glow all night long from the parking lot. Mr. D'Andrea was concerned about the noise and contended that his property value would decrease. He said his quality of life would be impacted. He also worried that the high sound walls would invite graffiti.

Michelle Bond read a letter from her attorney, John Kenny, which was submitted earlier to the Planning Commission and staff. She voiced concern over the location of the truck lane and loading dock, noting that the site plan placed these immediately adjacent to residentially zoned property. She was not convinced that the mitigation measures would reduce sound levels below that required by the General Plan. Ms. Bond stated that the truck lanes were 28 feet from her property and worried about the exhaust fumes that would be generated. She worried about the health and welfare of her family. She asked for a greater buffer between the center and the residential property. Ms. Bond submitted photos as well, illustrating the truck-loading area at Kohl's Department Store which utilized a higher sound wall that was architecturally pleasing. Ms. Bond requested that the air-quality and noise issues be fully addressed before project approval and urged staff to move the truck lanes and loading area.

Commissioner Chris Young asked Ms. Bond when she built her home and why the home was built as close to the property line as possible. Ms. Bond noted that it was built in 2005.

Scott Bond said the house was moved back in order to get the hammerhead turnaround for fire-safety issues and a large turnout so that they would not have to back out of the driveway. He pointed out that this design was approved by the City.

Mr. Lewis reiterated that the Corps had verbally indicated that it would reissue the permit for filling of the vernal pool. He noted that the property had been designated for a neighborhood retail center

for this area since 1982. He understood there were issues and was open to discussion but noted that the suggestions also had to be feasible.

Mr. Young asked if it would be feasible to move the building and put the docks on the north or south side of the building. Mr. Lewis explained that it would be difficult for trucks to maneuver around vehicles in the parking lot. He observed that the Bonds already had trees planted and that he would be planting two different layers of trees; in time, visibility of the center would be minimal. Regarding the suggestion of an off-site sound wall on Rancho Road, Mr. Lewis indicated that the cost of the center's off-site improvements was already between \$700,000 and \$800,000. He did not think a wall was necessary nor appropriate.

Mark Posnick, architect, commented that a portion of the building that housed the loading dock could be moved south, which would be farther away from the Bond property. He stated that by doing so, the drive aisle could be narrowed, providing an even greater distance from the truck lane to the Bond residence. He confirmed that the loading ramp was a depressed type. Mr. Posnick also refuted Mr. Moss's statement regarding the height of the building at 28.5 feet, by noting that the building was not even close to the height of a *two*-story building. He pointed out that the typical height of a three-story building was 45 feet.

Mr. Bond contended that the whole back of the building was an area for trucks to be staged for unloading. He said the only time they would be in the truck lane would be when they were unloading. He stated that tractor trailers were approximately 14 feet high but that the sound wall was only 10 feet. Mr. Bond said all the neighbors would hear the noise from the trucks' back-up alarms.

Mabel Wall felt the project would ruin her lifestyle and make the situation unbearable for her and her neighbors. She maintained that people were already driving down Goodwater Avenue through Copper Creek Drive to get to Shasta View Drive. She strongly opposed the entrance driveway across from Copper Creek Drive because it would encourage even more traffic to use the street. Ms. Wall stated that when the Copper Creek Subdivision was built, a cul-de-sac was planned at Copper Creek Drive but that the City made the developer eliminate it. Ms. Wall noted that the children's bus stop was at the corner of Copper Creek Drive and Shasta View Drive, which already attracted traffic due to parents picking up their children. She claimed that if the driveway entrance to the shopping center was installed across from Copper Creek Drive, the residents would need a traffic cop to help them get out of their driveways. She requested that Copper Creek Drive be closed off.

Ms. Wall said it was unfair to not require a wall on the east side of the project to protect the residents from the noise. She declared that she would have to move but that no one would want to buy her house. She contended that the City of Redding did not listen to the people who paid taxes. Ms. Wall said she knew the property would be developed eventually but was told that a school would be built there. She said only eight homes in the subdivision had received notices of the public hearing.

Mr. DeMallie explained that the requirement for the 8-foot-high wall along the west property boundary was because of the activities associated with the loading dock. He said the noise study looked at the impacts of the parking lot, which was associated with the closest subdivision, the Copper Creek Subdivision. He stated that the noise levels from the parking lot generated by the project were not high enough to necessitate any sound barriers along the project side of Rancho Road. Mr. DeMallie added that it did not take into consideration that there was a sound wall constructed with the Copper Creek Subdivision along Shasta View Drive.

Mr. DeMallie referred to Ms. Wall's comment about the cul-de-sac and noted that the City had approved the subdivision as illustrated on the location map in the staff report. He said the builder began constructing the subdivision with a cul-de-sac design, and the City had to put a "stop order" on the construction of the cul-de-sac because it was not part of the approved plan. Mr. DeMallie indicated that the builder had wanted a cul-de-sac, so the City held a hearing before the Board of Administrative Review (BAR) to consider the redesign of the street. He recalled that several comments were received from folks in the area that said they would be forced out to Rancho Road without that connection, so the BAR approved the redesign with a pedestrian connection from Goodwater Avenue to the cul-de-sac. Mr. DeMallie stated that the builder did not want to build a pedestrian connection and chose to go back to what was originally approved.

Regarding notification, Mr. DeMallie acknowledged that the area for the mailing list was not expanded beyond what the state required; in addition to the surrounding property owners, 13 notices were mailed to owners within the Copper Creek Subdivision. He said in retrospect, he would have expanded the mailing-list area.

Mr. Young asked if it would be feasible to close off the Copper Creek Subdivision now.

Development Services Director Jim Hamilton replied that it could be closed off but that pedestrian access would still be required. He added that even though it would be possible, the question of necessity and who would fund it remained.

John McFall stated that the residents were already experiencing a problem with drivers racing down Shasta View Drive and cutting through Copper Creek Drive to get to Goodwater Avenue. He asserted that people would also cut through the subdivision in order to avoid the signalized intersection at Rancho Road. Mr. McFall mentioned that delivery trucks started as early as 4 a.m. and would contribute to the noise issue.

Vivian Alger claimed that if the dock was moved further south, it would be even closer to Mr. Gill's bedroom. She stated that she would not be able to work in her yard because of the fumes from the trucks. She contended that she, Mr. Gill, and Mr. Bond were all going to suffer. Ms. Alger had thought a school was going to be constructed on the subject property. She said the City had not yet addressed speeding on Rancho Road. She observed that the building across from City Hall was vacant and wondered how long it would take to fill the shopping center with tenants.

Larry Severinsen asked that the mailing list for public hearings be expanded because he, too, had not received a notice for this hearing. He asked that the noise impacts be mitigated as much as possible. Mr. Severinsen noted that he had worked in the grocery business as a receiving clerk and that most stores had the receiving hours from 7 a.m. to 4 p.m. He requested the same delivery hours for this project. He said roll-up metal doors could be very loud, and trucks were usually lined up by 7 a.m. to deliver their goods. Mr. Severinsen repeated his request for satisfactory mitigation of noise.

Douglas Wall stated that runoff was a problem on Copper Creek Drive. He said rain would run off Shasta View Drive and cover the sidewalks. He claimed that if Rancho Road was going to be a five-lane road, people would still cut through Copper Creek Drive because it would be easier. Mr. Wall mentioned the road work that needed to be redone on Rancho Road in which the City hired the lowest bidder. He asked if the City was again going to hire the lowest bidder to widen Rancho Road. Mr. Wall also suggested installation of a stoplight at Goodwater Avenue and Rancho Road.

Debbie Van Eperen wondered if the public realized there was a proposed school and park site south of the project. She believed the City of Redding and the Pacheco School District would not be keeping that property and would probably sell it for residential development. She felt the mitigations for noise and diesel fumes required more than a 6-foot wall. Ms. Van Eperen thought the wall on the north side should be the same height as the wall to the west. She mentioned the previous speaker's reference to "daylight glow" and asked about the lighting for the center, since it would affect a significant number of homes. Ms. Van Eperen asked how changing the location of the docks behind the grocery store would be of benefit if the trucks were going to enter the project from Shasta View Drive, which would put the trucks in a residential area. She also asked if anyone had addressed the noise from the air-conditioning units.

Mr. Young noted that the lighting was addressed in the conditions of approval. He said all lighting would be pointed down and away from the residences but that there would be a glow from lighting where none existed today. He wondered about the flipping of the loading docks and asked if the trucks were still going to go around the north end of the building. He asked if the trucks could be encouraged to enter from Rancho Road.

Joe Machado suggested that the City plant redwood trees along the west boundary. He asked if the lights in the parking lot could be reduced to minimal use during the night or while the stores were closed. Mr. Machado noted that when several subdivisions were constructed around Shasta View Drive, the money allocated from the developers was intended to complete Shasta View Drive. He said he was told that under the previous City administration, money was diverted to another fund and the completion of Shasta View Drive never occurred. Mr. Machado remarked that there were

beautiful homes on both sides of the road, and yet Shasta View Drive was never corrected to a proper four-lane road. He believed a majority of the visitors to the new shopping center would probably be coming from the north, which would increase the traffic flow. He asked if the City was going to "piecemeal" Rancho Road as had happened with Shasta View Drive. Mr. Machado contended that the residents would end up with a "bottleneck" and streets half-done. He asked when the City proposed to complete Shasta View Drive, which should have been done much earlier. Mr. Machado inquired if the easements from the older subdivisions allowed for the widening.

Commissioner Cameron Middleton noted that one of the conditions of approval required the applicant to contribute to the funding mechanism for the roundabout at the Churn Creek Road/Victor Avenue/Rancho Road intersection. He asked about the timeline for the roundabout and the Rancho Road improvements.

Mr. Hamilton indicated that when the subject property was designated for commercial purposes, those types of questions had been asked. He stated that one of the ways to address congestion on a citywide basis was not to put all the commercial development on Dana Drive (which would have everyone driving to get their groceries and other needed items), but rather to spread the commercial development around where the homes were located so that trips were shorter and air quality benefits were realized. He said this would allow the City to deal with the congestion issues reasonably. Mr. Hamilton explained that funding these improvements came from new development, traffic impact fees and, in this case, fees from a benefit district. Mr. Hamilton explained that the only way to do these types of things ahead of development was to have all taxpayers put the money up front, but that, of course, was not an option. He continued that there were very specific restrictions on developers and improvements that developers had to provide as they built their projects. He said this project would put in signals to deal with traffic and would be part of a benefit district to fund the roundabout. Mr. Hamilton pointed out that these types of requirements were not in place 15 years ago when Shasta View Drive was built, but they were in place now, and that was why the applicants would build out more than just what they needed. He explained that the traffic signal at Rancho Road and Shasta View Drive and other significant improvements would benefit not only this project, but future projects. He said the applicants would be reimbursed by other development for the cost that they will bear beyond their proportionate share. Mr. Hamilton stated that the benefit district would fund the Churn Creek Road/Victor Avenue/Rancho Road roundabout. He pointed out that this project was required to help fund improvements and that some improvements had to be in place before the project could go forward.

Mr. Hamilton also discussed traffic circulation that was in the traffic analysis.

In reference to the statement that the City took the lowest bidder which resulted in problems on Rancho Road, Mr. Hamilton advised that the City was required by law to accept the lowest bidder.

Mr. Hamilton also showed an overhead of the drawing that illustrated the flipping of the loading dock.

Mr. Posnick discussed and explained the reorienting of the loading dock.

Scott Bond stated that when the St. Charles Drive/La Rinconada Place areas were developed, the sound wall went all the way across the four lots on St. Charles Drive. He stated that he was not allowed by the City or the Corps to cross the wetlands at the bottom of his parcel. He continued that Rancho Road was also widened to accommodate future traffic, which was where people were parking. Mr. Bond noted that the sound wall was not extended across his lot at that time because the wetlands were being protected. He understood that the wetlands were now going to be filled in. Mr. Bond said he had asked Planner Linda Burke when the sound wall was going to go in and when was Rancho Road going to be widened where his lot was. He said she replied that the sound wall would not necessarily be going in for this subdivision or the road widening, which he found disturbing, since a lot of the sound that the neighbors were talking about from St. Charles Drive emanated from the gap in the sound wall along his property. Mr. Bond observed that he was the closest property owner to this center. He felt the City was more concerned with the architecture of the center than how it was going to function. He asserted that if he was going to sell his property, he would have to disclose that there will be a truck lane 25 feet from his property line. Mr. Bond referred to the sketch his wife submitted regarding orientation of the dock, acknowledging that the applicant would not want to take the time or money to reconfigure the design. He was aware that

the truck traffic would have to be rerouted, but he vowed to fight this matter. He added that the refrigerated trucks never turned off; they had to run until they were unloaded.

Mr. Gill contended that a lot of his questions were not answered and his concerns not addressed. He asked if he could submit them in written form to staff. Mr. Young replied affirmatively. Mr. Gill asked for clarification regarding the number of additional trips generated by this project. Mr. Hamilton explained that the 4,000 figure referred to the additional trips generated by this project; the 10,000 trips shown in the analysis were related to the regular traffic on the street.

Brian Elgis asked that the potential anchor not be allowed to be a 24-hour store with lighting. He felt the five lanes narrowing down to a one-lane roundabout would create problems. He also inquired if the heating and air-conditioning units on the roof of the grocery facility would have sound barriers. Mr. Young advised that the units had been considered in the noise analysis and that they would be screened.

Jeannie Jones requested the elimination of the entrance across from Copper Creek Drive for the safety of the children.

Mr. Alger requested an increase in the height of the sound wall. He said he had traveled all over the United States and had the chance to be in every city in the country, and this was the first time he had ever seen a shopping center in the middle of a residential area. He continued that if there were homes near a shopping center in other cities, there was always at least a 15-foot sound wall separating the center from homes. He repeated his request to raise the height of the sound wall to protect the residents.

Mr. Young confirmed with staff that there were no conditions restricting the store from being open 24 hours and that delivery hours were mandated by City regulations.

Suzanne Risinger stated that she had written a letter to Mr. Hamilton and that he had responded, explaining the need for services being provided to different areas of town, which would help reduce pollution. She asked which entrance the large trucks would be using to enter the shopping center. Mr. Hamilton used an overhead to explain the entrance and exit paths for the trucks. He explained that the City could not legally restrict truck traffic on arterial streets, so the route into the shopping center would be chosen by the truck driver. Ms. Risinger felt the safety of the children in the area warranted restricting the truck traffic. Mr. Hamilton noted that there were arterials that trucks used throughout the City every day, such as Cypress School across from City Hall, in which children were present without incident.

Ms. Alger asked staff and the Commissioners if they would even be considering this project if it was in their neighborhood and was going to devalue their property. She warned that she would sue the City if this project was approved and her property was devalued.

Leonard D'Andrea worried that property values would decrease even more than they had due to the economy. He said the homes in the La Rinconada Subdivision were valued at \$600,000 in today's market. He felt Rancho Road and Shasta View Drive improvements should be addressed prior to approval of this project. Mr. D'Andrea favored moving the loading dock further south but wondered how it could be done if Rancho Road was going to be widened. He asked if there was going to be more commercial development to the north if a school was not built where originally planned.

Mr. Lewis advised that his company was very sensitive to the noise issue and noted that he had met with Mr. Bond earlier in the day. Mr. Lewis had been told by his architect that the solution of reorienting the loading dock on the south side would create serious and difficult challenges. He was open to increasing the height of the sound wall. He wanted to address the issues mentioned but noted that there were constraints to deal with. The Chairman determined that no one else wished to comment and closed the public hearing at 7:45 p.m.

Mr. Burroughs asked staff if there were time constraints that would preclude the Commissioners from asking the developer to redesign the project. Mr. DeMallie responded that the item could be continued to consider other options if the Commission so desired.

Mr. Middleton said he would like to continue the item in order to study the issues further. He acknowledged that there was a need for services in residential areas, but the nearby residents had to be considered as well. He commended the applicant for proposing a project such as this, especially in these tough economic times.

Mr. Smith disagreed with Mr. Burroughs and Mr. Middleton. He observed that this property had been designated for this type of use for many years and that development such as this should be of no surprise to anyone. He referred to the question asked by Ms. Alger if the Commissioners would ever allow this to happen in their neighborhoods. He stated that it did happen in his neighborhood—the Sunset Market on Eureka Way was constructed near his home. Mr. Smith said he had also seen people derail the General Plan and obstruct other projects because they did not want development in their backyards (NIMBYism). He opposed the request for continuance. He felt this project was smart growth, providing services close by so that people would not have to drive. Mr. Smith pointed out that some people would consider it to be bad planning if residential growth was allowed when no services were being provided. He felt it was a good proposal, and a continuance would not bring forth any more information. Mr. Smith stated that zoning gave cities the right to designate properties. He reminded the Commissioners and others present that this subject property was designated for commercial purposes decades earlier before the residents built their homes in the area. Mr. Smith said the Commission was required to look at the project and determine on its merits whether or not to approve it.

Mr. Young indicated that he lived close to the proposed development. He said he had seen a lot of growth in the surrounding area and had lived in his home before the homes were built in the LaRinconada Subdivision or Copper Creek Subdivision. He understood the residents' concerns but felt the project was legally sound and did not see a reason to be against this project.

Mr. Young observed that traffic would be reduced in the Dana Drive area by having a shopping center at Rancho Road and Shasta View Drive. He understood that people would not want a shopping center over their back fence, but pointed out that he would not have bought next door to the property that was designated "Shopping Center." He intended to vote in favor of the project with some modifications. He felt the applicant was being fair and was willing to work with the neighbors as much as possible.

Motion: Commissioner Randall Smith moved that the Planning Commission adopt the Mitigated 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 Use Permit UP-2-07 and Parcel Map PM-4-07 be granted subject to the conditions of approval as recommended by staff, including the revision of conditions previously discussed.

Motion failed for lack of a second.

Commissioner Emmett Burroughs suggested that Mr. Smith consider modification of Conditions 5a concerning design review, 22f to address the noise issue by reorienting the truck loading dock, and 23 regarding the height of the wall. He asked if Mr. Smith also wanted to change the receiving hours from 7 a.m. to 4 p.m. Mr. Smith replied no.

Motion: Commissioner Randall Smith moved that the Planning Commission adopt the Mitigated 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 Use Permit UP-2-07 and Parcel Map PM-4-07 be granted subject to the conditions of approval as recommended by staff, including the revision of conditions previously discussed.

Mr. Burroughs asked for an accurate reading of the motion with the revisions clearly stated.

Mr. Hamilton noted that Condition 5a was revised to note that final architectural elevations are subject to subsequent approval of the Planning Commission, where determined necessary by the Development Services Director; Condition 22f was added for orientation of the loading dock—The loading dock at the rear of the major building shall be reoriented to face to the south and be located as far from the residential properties to the north as is practical and safe, given the location of the driveways; and Condition 23 was revised regarding the height of the block wall.

Mr. DeMallie said Condition 23 had specified the recommended 8-foot-high sound wall—8 feet high for the sound wall on the west property line on top of the 2-foot berm.

Mr. Burroughs inquired about the condition that would allow access to the storm-drain easement. Mr. DeMallie noted that he had brought the issue up early on but indicated that Condition 24 was already modified to cover access with installation of a temporary gate.

Mr. Hamilton advised that Condition 25 was modified regarding the height of the wall adjacent to the loading dock. He said it was revised to raise that wall to match, in essence, to come above the height of the stacks—resulting in the height of the wall of about 10 to 12 feet from the adjacent driveway.

Mr. Smith inquired if the height was approximately the same that was requested of WalMart.

Mr. Hamilton could not recall the exact height of the WalMart wall but stated that there was a tall wall on the truck dock. Mr. Smith asked if the height was different from the rest of the wall. Mr. DeMallie added that it was different from the property-line wall. Mr. Smith said that would be fine and that it should relieve the earlier concerns about the diesel fumes.

Mr. Young recalled that there was also some discussion about a wall on the south end of the Bond property. He asked if it was legal to require that. Mr. Smith did not think the question could be answered without comment from the U.S. Army Corps of Engineers.

Mr. Duvernay said the applicant could not be required to construct the off-site improvement on someone else's property.

Mr. DeMallie understood that the motion was to add 2 feet to the wall height on the west property line and to match that height with the wall on the west side of the delivery bay and dock. Mr. Smith confirmed that it would be a 10-foot wall and a 2-foot berm.

Mr. Hamilton said the wall would be 12 feet high along the west property line and 10 feet high at the loading dock. He explained that the 12 feet consisted of a 10-foot wall with a 2-foot berm.

Mr. Young concluded that everyone was in agreement.

Second: Commissioner Emmett Burroughs.

Ayes: Commissioners Burroughs, Middleton, Smith, and Young.

Noes: None.

Abstain: None.

Absent: Commissioners Goedert, Meyer, and Wonacott.

PUBLIC PARTICIPATION

None.

COMMISSIONERS' COMMENTS

Commissioner Randall Smith thanked the City for Redding's first roundabout.

Chairman Chris Young stated that he would like the City to do a better job of notifying people for public hearings.

Development Services Director Jim Hamilton said he would craft a policy to address this issue. He acknowledged that the mailing list for the Rancho Road Shopping Center should have been expanded.

Mr. Young noted that several people had trouble hearing the speakers at tonight's meeting and asked if there was a problem with the microphones.

Mr. Hamilton informed the Commissioners that the first meeting in July was canceled to coincide with the City Council's annual summer recess. He stated that the Housing Element would return to the Planning Commission at the meeting of July 28.

ADJOURNMENT

There being no further business to come before the Planning Commission, Chairman Randall Smith adjourned the meeting at 8:38 p.m.

Jim Hamilton, AICP
Acting Secretary

Randall Smith
Chairman