

BOARD OF ADMINISTRATIVE REVIEW
 Regular Meeting, 2 p.m.
 Wednesday, August 12, 2009
 Caldwell Park Conference Room, City Hall
 777 Cypress Avenue
 Redding, California 96001

M I N U T E S

Chairman Chris Young called the meeting to order at 2 p.m., with Senior Planner Jim Wildauer, Associate Civil Engineer Rich Cutforth, Associate Planners Linda Burke and Zach Bonnin, and Executive Assistant II Anita Felion present.

PUBLIC HEARING - SITE DEVELOPMENT PERMIT APPLICATION SDP-5-09, by Tucson Imperial LLC, requesting approval to construct a 20,832-square-foot single-story office building on property located at 2640, 2650, 2660, and 2670 Park Marina Drive in a "GC-VR" General Commercial-Visitor/Retail District. Environmental Determination: Categorically Exempt. Staff Recommendation: Approval. L-010-390-700

Associate Planner Linda Burke summarized the staff report. She noted that the proposed site consisted of four out of six pad sites created in 1999 by Parcel Map PM-7-99 on a larger 7.7-acre parcel. She stated that the existing building on the larger site once housed the Montgomery Ward department store. Ms. Burke advised that in 1999, the parcel map was approved, creating the pad sites in anticipation of further development of retail and office uses. She indicated that after the department store vacated the building, a minor interior and exterior remodel was completed for the current tenant, Shasta County Child Support Services.

Ms. Burke continued that along with the remodel, the parking lot was completely redeveloped to meet Redding Municipal Code requirements for off-street parking, including the number of spaces, dimensions, aisle width, and landscape. She noted that frontage improvements along Park Marina Drive and Locust Street were also completed, including installation of separated sidewalk and landscape, with street trees planted between the curb and sidewalk. She said a realignment of the Park Marina Drive frontage and its intersection with Locust Street was also completed as a condition of further development of the property. Ms. Burke explained that the improvements necessitated an abandonment and dedication of right-of-way to accommodate the new alignment. She stated that this helped to facilitate the three-way stop at the intersection, which included dedicated southbound right-of-way and left-turn lanes from Park Marina Drive to Locust Street and into the office complex to the east. She pointed out that these improvements were made anticipating further signalization of the intersection. Ms. Burke added that landscape would be required to be installed within the front-yard building setback along Park Marina Drive and around the foundation of the building. She mentioned that Condition 6 had been revised to require that the property lines be merged and/or adjusted (instead of a parcel map being required) as necessary for construction of the proposed building.

Ms. Burke remarked that a Notice of Exemption had been prepared for the project. She said the project was categorically exempt under the California Environmental Quality Act, Section 15332, Infill Development Projects. She also noted that the applicant was required to pay Citywide Traffic Impact Fees at the time of issuance of a building permit for new construction, building enlargement, or other improvement which would generate additional traffic. She said staff recommended that the Board of Administrative Review approve Site Development Permit Application SDP-5-09 subject to the conditions of approval, which she reviewed. The Chairman opened the public hearing at 2:06 p.m. Determining that no one wished to speak, the Chairman closed the public hearing at 2:07 p.m.

Motion: Senior Planner Jim Wildauer moved that the project be found categorically exempt under the provisions of the California Environmental Quality Act and that, based upon the testimony presented by staff, the Board of Administrative Review determine that the necessary findings for approval as identified in Section 18.13.090 of the Redding Municipal Code are in evidence and that the permit be granted subject to the conditions of approval as recommended by staff.

Second: Associate Civil Engineer Rich Cutforth.

Ayes: Senior Planner Wildauer, Associate Civil Engineer Cutforth, Chairman Young.

Noes: None.

PUBLIC HEARING - PARCEL MAP APPLICATION PM-2-08, by Azi Barzin, requesting approval to divide 6.92 acres into 4 lots on property located at 3100 and 3200 Goodwater Avenue in an "RM-15" Residential Multiple Family District. Environmental Determination: Categorically Exempt. Staff Recommendation: Approval. L-010-150

Associate Planner Zach Bonnin summarized the staff report. He noted that the subject parcel was Lot 2 of Parcel Map PM-67-87. He said the parcel map had anticipated a future road connection to run adjacent to the eastern edge of the property line, which would be the logical extension of Goodwater Avenue from the north; however, Redding Electric Utility later placed an electric line down the center of this right-of-way. Mr. Bonnin pointed out that the map also created Road "A," running east/west for a potential future connection to Heritagetown Drive. He advised that due to a subsequent property-line adjustment, the subject parcel's northern property line was adjusted to the south to its current location. Mr. Bonnin stated that the property to the west along Heritagetown Drive was recently developed with a multiple-family development called Sunset Oaks Townhomes, which extended Sierra Madre Drive to the eastern property line.

Mr. Bonnin advised that the property had two zoning designations that were separated by Sierra Madre Drive; to the north of the extension was the "RM-15" District, which allowed multiple-family residential development; and to the south was the "RS-2" District, which allowed single-family residential development. Mr. Bonnin mentioned that Condition 9 required a second public-street access upon subdivision or development of more than 50 residential units on Parcels 2, 3, and 4 and that Parcels 3 and 4 were limited to 23 multiple-family units each, prior to development of a second access. He said staff recommended that the Board of Administrative Review approve Parcel Map Application PM-2-08 subject to the conditions of approval.

Upon questioning from Chairman Chris Young, Mr. Bonnin advised that the overhead utility lines and sight-distance issues that would be created with development and grading were some of the reasons why Goodwater Avenue was not being extended. He mentioned that trying to keep Hartnell Avenue as a larger arterial and keeping access to driveways on the side roads were also goals in the General Plan. The Chairman opened the public hearing at 2:14 p.m.

Robert Soucy asked for more clarification regarding the proposed land division. He wanted to know how many homes would be allowed on the parcels and if low-cost housing would be built.

Chairman Chris Young replied that whatever the market would bear would determine the type of homes to be built.

Senior Planner Jim Wildauer explained that today's action only addressed division of the parcels. He advised that another public hearing, with proper noticing, would be held upon further subdivision of Parcel 2.

Mr. Soucy stated that there had been drainage problems on his land caused by a previous development. Mr. Wildauer informed Mr. Soucy that he could contact the Engineering Division to see if the previous project caused the runoff issues or if the drainage problems were historical but then increased.

Mr. Young explained that any residential lots created would have to drain back to the street to the north and into the storm drains, which would reduce the runoff to Mr. Soucy's property.

Margaret Allen observed that her backyard backed up to the subject property. She asked if there would be a buffer zone between the two properties. Mr. Wildauer advised that the rear-yard setback

in residential areas was 15 feet. He indicated that buffer zones were not applicable in this case, since they were used when there were different land use types being created.

Ms. Allen did not want two-story homes being built on the property. Mr. Wildauer pointed out that the same rules applied to the subject lots as to hers; the CC&Rs might have requirements, but the City did not have a rule prohibiting two-story homes.

John Rose wondered if the foot traffic on the easement behind his home would increase. Mr. Wildauer clarified that the easement was used for access by Pacific Gas and Electric (PG&E). Mr. Young believed the easement was not a legal public access and that the access could be blocked as long as PG&E had access. Mr. Rose explained that there was a gate but that a pedestrian or bicyclist could access the easement. Mr. Wildauer advised that there was no restriction precluding a fence extension to prohibit access.

David Nicholas, Shasta Bible College, observed that PG&E had access also from Hartnell Avenue. He said the bible college had installed a gate because people were dumping debris on the property and confirmed that the utility company had a key to the gate.

Wanda Maranda, a resident of Woodbury Drive, voiced concern about the traffic and noted that Heritagetown Drive had parking on both sides of the street, which caused it to narrow down to almost a single lane. Mr. Wildauer explained that traffic would not be generated by this parcel map and that traffic impacts would be reviewed more closely once an application was submitted for development of the parcel.

Ms. Maranda also discussed the water-quality problem that her neighborhood was experiencing. She realized that this issue was not associated with today's item but wanted it noted for the record.

Mr. Wildauer addressed the seasonal drainage that ran through the remainder parcel. He explained that the drainage was running from the east side to the north, away from Mr. Soucy's property. He added that there might be a smaller ephemeral stream affecting Mr. Soucy's property.

John Dunlap, owner of the parcel to the north, voiced concern about his access and asked about the status of Street A. Mr. Bonnin advised that there was still the outstanding question of whether Street A had been properly offered for dedication and accepted by the City of Redding but that an easement existed across the subject property in the location of Street A. He noted that the easement did not extend west to Heritagetown Drive or east onto the Shasta Bible College property; however, future road alignments would be orientated to use the Street A alignment for secondary public access.

Justin Kerwick, resident of Sierra Madre Drive, was concerned about increasing the number of residents but having only one ingress and egress. He believed another access was needed. Mr. Wildauer mentioned that Condition 9 addressed the need for a second public-street access upon further subdivision or development of Parcels 2, 3, and 4 that would create more than 50 residential units. He referred to Condition 10 which required a City Fire Marshal-approved turnaround.

Gary Schweitzer, a resident of Sinaloa Trail, observed that Sinaloa Trail was comprised of townhomes and wondered about the impact of traffic from the apartments that might be built. Mr. Wildauer reiterated that no development was being proposed at this time. Mr. Schweitzer said he had heard a rumor that a strip mall was going to be constructed. Mr. Wildauer reassured Mr. Schweitzer that the property was zoned Residential Multiple Family and that a strip mall would not be allowed. Determining that no one else wished to comment, the Chairman closed the public hearing at 2:44 p.m.

Motion: Senior Planner Jim Wildauer moved that the parcel map be found categorically exempt under the provisions of the California Environmental Quality Act and that, in accordance with the Government Code of the State of California, the Board of Administrative Review find and declare that, as set forth in Government Code, Section 66474, none of the conditions as listed in (a) through (g) exists with regard to this proposed subdivision. He further moved that the Board find that the proposed subdivision is consistent with the Redding General Plan and applicable specific plans and that the parcel map be granted subject to the conditions of approval as recommended by staff.

Second: Associate Civil Engineer Rich Cutforth.
Ayes: Senior Planner Wildauer, Associate Civil Engineer Cutforth, Chairman Young.
Noes: None.

***PUBLIC HEARING - PARCEL MAP APPLICATION PM-3-09**, by Gary and Christine Bauer, requesting approval to divide 3.75 acres into 2 lots to support single-family residential development on property located at 12700 Akrich Road in an "RE-2" Residential Estate District. Environmental Determination: Categorically Exempt. Staff Recommendation: Approval. L-010-150*

Associate Planner Linda Burke summarized the staff report. She noted that the property was in a predominantly single-family residential area with a semi-rural character. She stated that City of Redding Electric Utility and Bella Vista Water District services were available to the area but that the City of Redding's sanitary sewer currently was not. Ms. Burke continued that standard street-frontage improvements (curbs, gutters, sidewalk, etc.) were currently missing along Akrich Road. She said these improvements were required at the time of development of each parcel, unless officially deferred by the City Engineer in accordance with Chapter 16.13.040 of the Redding Municipal Code. She advised that the applicant had secured a Streambed Alteration Agreement from the Department of Fish and Game supporting the stream crossing planned for the proposed driveway accessing the building pad on Parcel 1.

Ms. Burke indicated that the lack of sanitary sewer in the area required that future homes on the proposed lots must rely on individual septic systems permitted through the Shasta County Environmental Health Division (EHD). She said in this case, EHD had advised the City that while development of septic systems on each lot was possible, these systems would require a nonconventional design subject to special standards, along with a one-half-acre sewage-disposal area.

Ms. Burke discussed Condition 6, which involved a land-dedication requirement for future right-of-way that was necessary to support the anticipated future two-lane collector extension of Pine Grove Avenue south to intersect with Oasis Road, as was programmed in the General Plan. She indicated that the road-extension alignment was recently evaluated as part of the preliminary planning work for the Victoria Knolls Subdivision in Redding and the Brookridge Subdivision in Shasta Lake City. She advised that all circulation alternatives that were considered showed the road extension meeting Akrich Road along the far south "handle" section of Parcel 2. Ms. Burke pointed out that other alternatives were constrained by existing road conditions (turns and grades) along Akrich Road, developed properties, and topography. She added that the requested dedication would not impact the proposed building area on Parcel 2.

Chairman Chris Young asked if the applicant would be able to receive a deferral on the curb, gutter, and sidewalk improvements. Ms. Burke responded that a deferral would be up to the City Engineer but noted that he would not give a blanket approval for a deferral early in the process. She said a deferral could be requested at the time of building a home.

Associate Civil Engineer Rich Cutforth advised that a grading permit had been issued for Parcel 1.

Mr. Young questioned if a building permit would trigger curb, gutter, and sidewalk improvements on both parcels. Mr. Cutforth confirmed that the improvements would be per parcel.

Mr. Young mentioned that the Nelson property across the street had an existing house on one lot that was then split into two parcels. He noted that a deferral agreement was issued for that property. He continued that the Nelsons sold the existing house but retained the vacant lot; however, in order to now get a building permit on the vacant lot, curb, gutter, and sidewalk had to be constructed on both parcels. Mr. Young was hoping to avoid a similar situation in this case. Ms. Burke referred to Condition 10, which stated that improvements were required at the time of development of *each* parcel. The Chairman opened the public hearing at 2:58 p.m.

Gary Bauer addressed his dedication of the narrow strip of land for the easement. He pointed out that he would not know if he would be granted a deferral until he applied for the building permit. He stated that if the City was going to "take" his land, he would like the City to grant him a deferral without waiting for the building permit application. Mr. Cutforth repeated that only the City Engineer could grant a deferral.

Mr. Young felt there should have been some type of exchange or purchase from the City for the land. Determining that no one else wished to comment, the Chairman closed the public hearing at 3:05 p.m.

Motion: Senior Planner Jim Wildauer moved that the parcel map be found categorically exempt under the provisions of the California Environmental Quality Act and that, in accordance with the Government Code of the State of California, the Board of Administrative Review find and declare that, as set forth in Government Code, Section 66474, none of the conditions as listed in (a) through (g) exists with regard to this proposed subdivision. He further moved that the Board find that the proposed subdivision is consistent with the Redding General Plan and applicable specific plans and that the parcel map be granted subject to the conditions of approval as recommended by staff.

Second: Associate Civil Engineer Rich Cutforth.

Ayes: Senior Planner Wildauer, Associate Civil Engineer Cutforth, Chairman Young.

Noes: None.

ADJOURNMENT

There being no further business to come before the Board, Chairman Chris Young adjourned the meeting at 3:07 p.m.

Anita M. Felion, Executive Assistant II

Chris Young, Chairman