

BOARD OF ADMINISTRATIVE REVIEW
Regular Meeting, 2 p.m.
Wednesday, August 25, 2010
Caldwell Park Conference Room, City Hall
777 Cypress Avenue
Redding, California 96001

MINUTES

Chairman Chris Young called the meeting to order at 2 p.m., with Planning Manager Douglas DeMallie, Associate Civil Engineer Rich Cutforth, Associate Planner Ron Adams, and Executive Assistant II Anita Felion present.

PUBLIC HEARING - USE PERMIT APPLICATION UP-5-10, by Metro PCS, requesting approval to extend the height of an existing wireless communication tower approximately 14 feet, from 101 feet to 115 feet above ground level, on property located at 1222 Hartnell Avenue in an "HC" Heavy Commercial District. Environmental Determination: Categorically Exempt. Staff Recommendation: Approval. L-010-390

Associate Planner Ron Adams summarized the staff report. He noted that the tower was constructed in year 2000 under authority of Use Permit UP-39-99 and currently held three antenna arrays providing wireless services for Sprint, T-Mobile, and MetroPCS (Metro). He stated that Metro's antennas were currently located below the other two carriers at an elevation of approximately 75 feet above ground level, which was causing coverage deficiencies in the tower's service area that could be remedied by increasing the height of the antennas. He stated that by modifying the antennas, Metro believed it could greatly improve coverage needs without pursuing the permitting and installation of a new tower in the south Redding area.

Mr. Adams continued that the existing Metro tower was surrounded by retail and service commercial uses. He advised that the tower was visible from Hartnell Avenue but that another wireless tower nearby was located closer to the street, was taller (120 feet), and was more visually prominent. He noted that there were also Western Area Power Authority (WAPA) lines that passed nearby. Mr. Adams said staff recommended that the Board of Administrative Review approve Use Permit Application UP-5-10 subject to the draft conditions of approval. The Chairman opened the public hearing at 2:05 p.m.

Planning Manager Douglas DeMallie referred to the coverage maps submitted by the applicant. He questioned how much more coverage would be acquired by extending the tower another 14 feet.

Ken Crouse, applicant's representative, MetroPCS, explained that the extension would help to fill in the gaps of coverage within the subject area. He noted that the array would actually be raised from 75 feet on the tower to 113 feet, which was an increase of 38 feet. He referred to the coverage sheet which illustrated the improvement to be realized by extending the tower. Mr. Crouse advised that the process included submitting the surveyed level information to the Federal Aviation Administration.

Judy Garrett, Manager, Starlight Mobile Home Estates, inquired if the WAPA lines would be affected by the tower's increase. She noted that fiber-optic lines were going to be installed by WAPA in October. Mr. Adams explained that there was a substantial easement that ran through the storage units and across to Hartnell Avenue. He said when the tower was originally built, it was relocated based on comments from WAPA to make sure that it did not infringe on WAPA's easement space and that the height of either tower was not an issue. Mr. Crouse added that the radio-frequency engineers at Metro had considered interference from the power lines when designing the tower. Determining that no one else wished to comment, the Chairman closed the public hearing at 2:10 p.m.

Motion: Planning Manager Douglas DeMallie 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 18.14.070 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.

Second: Associate Civil Engineer Rich Cutforth.

Ayes: Planning Manager DeMallie, Associate Civil Engineer Cutforth, Chairman Young.

Noes: None.

PUBLIC HEARING - USE PERMIT APPLICATION UP-6-10, by Anchor's Well Youth Outreach, requesting approval to operate a youth and family community center within a 6,500-square-foot commercial lease space that was previously used as a night club (Club H2O) on property located at 2611 Bechelli Lane in a "GC" General Commercial District. The facility includes use of an adjacent 5,500-square-foot lease area as a sports-court accessory to the community center. Environmental Determination: Categorically Exempt. Staff Recommendation: Approval. L-010-390

Associate Planner Ron Adams summarized the staff report. He noted that Anchor's Well Youth Outreach (Anchor's Well) was a local not-for-profit organization that had been searching for a facility to establish a youth and family center to offer a variety of services focused on helping and supporting families and children, particularly teenagers. He stated that with the closure of Club H2O last year, the nightclub's lease space in the Cypress Plaza Shopping Center became available, and the organizers of Anchor's Well saw the potential of converting the nightclub to house the center.

According to Mr. Adams, the center would offer after-school youth programs for grades 6 through 12; youth and family counseling services; and evening and weekend assembly events, such as a family movie night, special speaker, and/or church service, although the center was not sponsored by, or proposed for use by, one specific local church. He noted that the interior of the building still contained most of the tenant improvements left over from the nightclub, including a large stage and dance floor and center bar. He stated that a second-floor mezzanine area offered additional floor space and office area. Mr. Adams indicated that the only major change proposed inside the building was removal of the bar located in the dance-floor area due to water damage that occurred to the floor around the bar after the nightclub was closed.

Parking issues were addressed by Mr. Adams. He advised that there were approximately 255 shared parking spaces available in the Cypress Plaza Shopping Center (Cypress Center), which included approximately 214 stalls in the parking area north of the building and 41 stalls in the south lot. He said based on standard zoning parking requirements established in Schedule 18.41.040-A of the Zoning Ordinance, the existing businesses in the Cypress Center were required to have 202 spaces available for use. He pointed out that this would allow a capacity of at least 53 stalls to be assignable to the proposed family center and should be sufficient to accommodate proposed activities, except a large assembly event.

Mr. Adams observed that on an average weekday and during midday Saturday, a majority of the front parking lot between Cypress Avenue, Office Depot, and Lumberjacks Restaurant was nearly full, with occupied stalls tapering off around the west side of the Office Depot building. He noted that parking in front of the back building was about 50 percent or less occupied, with most of the stalls between the back of the bowling alley and the check-cashing business empty (approximately 60+ stalls open). Mr. Adams stated that in the far rear parking lot, less than half of the stalls were in use; thus, on an average day, the heaviest parking demands would be at the front of the shopping center, with the most unused parking in the vicinity of the old nightclub. He observed that once the adjacent retail businesses were closed for the day, more parking was available (over 150 stalls) to accommodate the parking demands of an assembly event. He indicated that the total area for this assembly space was approximately 5,150 square feet; based on the standard zoning assembly-use parking ratio of 1 space per 40 square feet, required parking for an assembly event in the building would be 129 stalls.

Mr. Adams said he had received very little feedback from the general public, and he had provided copies of the staff report to the tenants in the shopping center. He believed the other tenants embraced this project, compared to the other uses in the past.

Associate Civil Engineer Rich Cutforth supported the use for the building and felt parking would not be an issue.

Planning Manager Douglas DeMallie agreed. He pointed out that the permit authorized church assembly but that the activity was limited to certain times.

Chairman Chris Young concurred and did not see any issues associated with the project. He opened the public hearing at 2:24 p.m.

Kimber Dunn, founder and CEO of Anchor's Well Youth Outreach, was satisfied with the staff report, but wondered why the Sunday morning activities were required to be completed by 1 p.m. Mr. Adams stated that the manager of the shopping center reported that most stores would be open by that time. He said staff was trying to maximize parking opportunities and minimize the potential for conflict. He mentioned that 1 p.m. was the cutoff time used for a much-smaller church in the Chuck E. Cheese's shopping center on Hilltop Drive.

Ms. Dunn pointed out that children were not in school on Sundays and asked if the same time restriction would apply if other events were planned for that day, such as a carnival, concert, or youth day. Mr. Adams responded that assembly was not limited to just a church activity; it would be considered peak use of that space.

Dave Rutledge, property-owner representative and shopping-center manager, did not think a 1 p.m. cutoff time was necessary, since traffic decreased at the shopping center after that time. Mr. DeMallie agreed, stating that Lumberjacks was busiest from about 8 a.m. to 1 p.m. Mr. Young pointed out that Lumberjacks might even receive more business due to Sunday-morning activities at Anchor's Well Youth Outreach.

Mr. DeMallie said the purpose of limiting the Sunday church activities to before 1 p.m. was to protect the other businesses, but he agreed that there was more activity in the center before 1 p.m. than after 1 p.m.

Ms. Dunn explained that she hoped to raise funds to help with rent by allowing a group to use the facility as a venue. Mr. DeMallie confirmed that Ms. Dunn's organization was not associated with any church. He noted that one option to address the issue of Sunday-morning church activities would be to limit occupancy, but that would require monitoring.

Mr. Adams observed that the occupancy count for the church assembly would be similar to what was approved for the nightclub.

Ed Jestes, Assistant Fire Marshal, believed the occupancy allowed for Club H20 was between 800 and 1,000. He noted that lack of sufficient parking had been an issue when the nightclub was operating, so people parked in other areas, including in front of the loading dock at Office Depot. Mr. DeMallie did not think there was enough parking for a church of that size and mentioned recent complaints that staff had received about another church. Mr. Young pointed out that the subject property also had the advantage of shared parking.

Kent Waddell, shopping-center co-owner, was supportive of the proposed use. He verified that the parking lot was usually vacant on Sunday mornings and after hours. He advised that there were provisions in his leases with the businesses that allowed a restriction on parking or designation of "no-parking" areas. Mr. Waddell said he could even require bussing to and from the property, if necessary, but he did not think parking would be an issue and did not want to put an hour restriction on Sunday. Mr. Waddell suggested eliminating the 1 p.m. restriction and adding a provision where hours of operation could be revised.

Mr. DeMallie acknowledged that the 1 p.m. cutoff time was probably not appropriate. He suggested revision of Condition 4 to state: *"Assembly activities (special events, church services, etc.) involving use of the large center room previously used as a nightclub stage, dance floor, and mezzanine area, shall be allowed to the extent that parking remains adequate. Should it be determined that parking is inadequate (e.g., based on tenant complaints, observed off-site parking), the permit is subject to amendment to address occupancy and time limitations."*

Determining that no one else wished to comment, the Chairman closed the public hearing at 2:42 p.m.

Motion: Planning Manager Douglas DeMallie 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 18.14.070 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 revision of Condition 4.

Second: Associate Civil Engineer Rich Cutforth.

Ayes: Planning Manager DeMallie, 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 2:44 p.m.

Anita M. Felion, Executive Assistant II

Chris Young, Chairman