

BOARD OF ADMINISTRATIVE REVIEW
 Regular Meeting, 2 p.m.
 Wednesday, August 27, 2008
 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 Lily Toy, Land Development Manager Marty Wayne, Associate Planners Ron Adams and Zach Bonnin, and Executive Assistant II Anita Felion present.

PUBLIC HEARING - SITE DEVELOPMENT PERMIT APPLICATION SDP-9-08, by Tomra Pacific Inc., requesting approval to convert an existing structure into a drive-through recycling facility on property located at 2824 South Market Street in an "HC" Heavy Commercial District. Environmental Determination: Categorically Exempt. Staff Recommendation: Approval. L-010-390-700

Associate Planner Zach Bonnin summarized the staff report. He noted that the existing structures were originally constructed to serve as an automotive service station, with fuel pumps and a small service bay. He stated that the site had also been used as a smog shop and other automobile-related uses. He said in recent years, the fuel tanks were removed as part of stricter environmental requirements.

Mr. Bonnin advised that the applicant proposed to retrofit the structures to serve as a drop-off recycling facility. He indicated that the canopy would be used as an unloading area for recyclable material and that the service-bay area would be used for sorting and weighing. Mr. Bonnin noted that the applicant would install new screened fencing to accommodate three large storage containers to contain the sorted recyclables.

Mr. Bonnin continued that in order to accommodate the new use, the applicant was required to remove the asphalt and concrete paving and the northern driveway encroachment along the South Market Street frontage and install landscape. He mentioned that evergreen shrubs would screen the loading and unloading area and enhance the views from the street. He observed that the applicant was also required to improve the Elmwood Street frontage with curb, gutter, and tie-in paving and relocate the driveway encroachment.

Condition 5, which stated that recyclable material would occur within the building only, was discussed by Mr. Bonnin. He said the applicant requested that wording be added to state, ". . . with the exception of movement of materials from vehicles to the building." Mr. Bonnin also noted that Condition 16 was revised to reflect a 5-foot distance (instead of a 10-foot distance) from the adjacent building.

In response to questioning from Chairman Chris Young, Mr. Bonnin explained the requirements for the 15-foot-wide landscape planter. The Chairman opened the public hearing at 2:09 p.m.

Ginne Mistal, applicant's representative, advised that Tomra Pacific Inc., had over 450 recycling sites throughout California. She noted that the company paid above minimum wage and provided benefits to its employees.

Jon Addis, Tomra Pacific Inc., explained the procedure for dropping off recyclables. He stated that the customer would drive up to one of the one-way drive-through lanes, have the recyclables sorted and weighed, get reimbursed, and drive out.

Ms. Mistal requested revision of two conditions. She discussed Condition 12's requirements for the trash enclosure. She presented a sample of the chain-link fence with privacy slats that would be used to enclose the storage-container yard and asked if the product could also be used for the trash

enclosure. Ms. Mistal felt using the same type of fence on both sides of the building would be aesthetically pleasing and provide continuity.

Ms. Mistal also requested a deferral for the frontage improvements on Elmwood Street. She noted that the property to the west of the building and other nearby properties were not developed. She observed that two trees on Elmwood Street would have to be removed to install curb and gutter. Ms. Mistal felt waiting until the landscape matured on South Market Street before the trees were removed was preferable.

Elin Klaseen, Parkview Neighborhood Association (PNA) Chairman, stated that the PNA fundamentally approved of the concept of reduce, reuse, and recycle. She recalled that the now-defunct Clayton-Ward recycling site on Ellis Street generated trash and the illegal collection of recyclable materials from the neighborhood's curbside bins. Ms. Klaseen requested that the allowed hours of operation be listed in the conditions of approval and asked that 24-hour monitoring be required as well. She also asked for placement of trash bins on the site and that the landscape's irrigation system be required to be automatic.

Ms. Klaseen referred to the illegal collection of recyclable materials from the Parkview Neighborhood's recycling bins and acknowledged that it was a Code Enforcement violation. She mentioned the funding received by the City for litter abatement and education in the past fiscal year and asked that it be used for this purpose.

Mr. Klaseen also requested that the applicant consider hiring employees from the Parkview Neighborhood.

Mr. Addis indicated that all the applicant's sites had security cameras and proper lighting. He noted that trash cans were also provided and that the company had dealt with the problems mentioned by Ms. Klaseen.

Regarding hours of operation, Mr. Addis advised that the current operating hours of the company were from 9 a.m. to 4:30 p.m., seven days per week. Mr. Bonnin suggested adding a condition to state that hours of operation allowed would be from 7 a.m. to 7 p.m.

Land Development Manager Marty Wayne pointed out that there was a residential neighborhood close by, and he did not want the neighbors to be disturbed on the weekends.

Chairman Chris Young explained that adding the condition now for allowed hours of operation would avoid the requirement of having to amend the permit if the applicant chose to expand the hours of operation at a later date. The Chairman closed the public hearing at 2:27 p.m.

Regarding the request by Ms. Mistal for allowing use of the chain-link fence with privacy slats for the trash enclosure, Mr. Bonnin advised that the Zoning Code was very clear in what was allowed when the trash-enclosure area was visible from a public street.

Senior Planner Lily Toy agreed and read from the Zoning Code. She noted that chain link was not considered to be a solid material. Discussion ensued concerning the regulations and if the chain-link fence with privacy slats would suffice for the trash enclosure. Ms. Toy felt it was very clear that the Zoning Code did not allow the chain-link fence in the trash-enclosure area.

Concerning the request for deferral, Mr. Bonnin stated that deferrals were not considered, nor approved, during the project-approval process. Mr. Wayne advised that the City Engineer would be the one to approve a deferral for street improvements and that the request would need to be made *after* project approval.

Mr. Young felt it was a shame to lose the two trees in order to construct the sidewalk and believed the deferral was appropriate until the other landscape matured. He suggested setting a two- or three-year timeline for the improvements. Mr. Wayne reiterated that the deferral was still at the discretion of the City Engineer once the permit was approved.

Condition 14c regarding the driveway on Elmwood Street was discussed, with Mr. Wayne noting that the intent was to align the new driveway with the existing driveway at J T's Smog Shop across the street.

Mr. Wayne also requested that Condition 3 under New Construction of the Use Permit/Site Development Permit Standard Conditions of Approval be marked to require that the exterior freestanding or building-mounted lighting be shielded to prevent light from being cast onto adjacent residences.

Motion: Senior Planner Lily Toy moved that the project be found categorically exempt under the provisions of the California Environmental Quality Act and that, based upon the testimony presented by staff, the Board of Administrative Review determine that the necessary findings for approval as identified in Section 18.13.090 of the Redding Municipal Code are in evidence and that the permit be granted subject to the conditions of approval as recommended by staff, including the revision of Conditions 5 and 16 and the addition of a condition stating operating hours and Condition 3 under New Construction of the Use Permit/Site Development Permit Standard Conditions of Approval.

Second: Land Development Manager Marty Wayne.

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

Noes: None.

SUBDIVISION REVIEW

TENTATIVE SUBDIVISION MAP APPLICATION S-12-05, AUSONIO SUBDIVISION, by Andrew Ausonio, requesting approval to subdivide 24.3 acres to create 48 lots for single-family residential development on property located in southwest Redding, on the ridge between the end of Auburn Avenue and West Street, in an "RS-4" Residential Single Family District. Environmental Determination: Mitigated Negative Declaration. Staff Recommendation: Refer to the Planning Commission. S-101-096

Associate Planner Ron Adams summarized the staff report. He noted that the project site occupied a large area of the undeveloped ridge top located between the end of Auburn Drive and West Street in southwest Redding. He stated that the general area contained dozens of undeveloped lots that were first created in 1901 as part of the historic Boardman Addition Subdivision. Mr. Adams observed that most of these lots were still undeveloped, since they were plated over steep terrain and/or had no developed public access or utilities.

Mr. Adams continued that the tentative map application was first submitted in July 2005. He indicated that the developer, along with City and Redding Redevelopment Agency staff, had since considered various development alternatives in an effort to arrive at an orderly subdivision design that addressed numerous planning and environmental concerns in this complicated setting. He stated that one major consideration involved the need for a second public-street connection. Mr. Adams advised that the public-street system to be constructed with the first phase included a new road extending downhill to West Street. He pointed out that this would benefit the proposed subdivision and existing homes in the adjacent Indian Hills Subdivision, which were currently limited to a single route of access out to Starlight Boulevard. He explained that without the second street extension, nearly 150 homes (including the proposed 48 lots), all located in an area designated with a very high fire-hazard severity zone, would be limited to a single route of access with a street length of approximately 2,800 feet—in conflict with General Plan Health and Safety Policies HS4J and HS4I. Mr. Adams noted that grading was an issue on this site (earlier plans had upward of 90,000 cubic yards of dirt possibly needing removal); the current plan had been refined to minimize grading.

Mr. Adams advised that today's meeting was to receive public input prior to formal review by the Planning Commission. He said staff recommended that the Board of Administrative Review refer Tentative Subdivision Map Application S-12-05, Ausonio Subdivision, to the Planning Commission. The Chairman opened public comment at 3:08 p.m.

Senior Planner Lily Toy observed that, in anticipation of a future extension, a barricade— instead of a cul-de-sac—was placed at the end of Auburn Drive.

R. T. DeGenaro voiced concern about the extension of Auburn Drive to downtown Redding. He worried about the safety of the children. He also felt the homes would be more marketable if the street was not extended.

Theresa DeGenaro noted that the Website for Megan's Law showed quite a few registered sex offenders living in the West Street area.

Phoebe Frediani also opposed the extension of Auburn Drive. She said she had purchased her home because of the quiet area. She, too, worried about the safety of her children.

Deputy Fire Chief Phillip Paige acknowledged the residents' concerns about safety on the street. He reminded the residents of the fire danger in the area and mentioned the homeless encampments in the undeveloped portions. Mr. Paige advised that a newly built subdivision would provide a buffer with homes built to high ignition-resistant standards. Regarding the sex offenders listed on the Megan's Law Website, Mr. Paige pointed out that these were the offenders who were registered; there was still a danger from those who were not. He said the Fire Department was not in favor of gated communities because it lets the Fire Department get in but does not necessarily help those trying to get out.

Mr. Young believed the subdivision would add to the value of the existing homes. The Chairman closed public comment at 3:22 p.m.

Motion: Senior Planner Lily Toy moved that the Board of Administrative Review refer Tentative Subdivision Map Application S-12-05, Ausonio Subdivision, to the Planning Commission.

Second: Land Development Manager Marty Wayne.

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

Noes: None.

ADJOURNMENT

There being no further business to come before the Board, Chairman Chris Young adjourned the meeting at 3:25 p.m.

Anita M. Felion, Executive Assistant II

Chris Young, Chairman