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REDDING PLANNING COMMISSION
 Regular Meeting, 4 p.m.
 Tuesday, September 9, 2008
 City Council Chambers
 777 Cypress Avenue
 Redding, California 96001

MINUTES

Chairman Randall Smith called the meeting to order at 4 p.m., with Commissioners Emmett Burroughs, Jim Chapin, Michele Goedert, Bert Meyer, Lynne Wonacott, and Chris Young present. Also present were Development Services Director Jim Hamilton, Planning Manager Douglas DeMallie, City Attorney Rick Duvernay, Land Development Manager Marty Wayne, and Executive Assistant II Anita Felion.

APPROVAL OF MINUTES

Commissioner Emmett Burroughs moved approval of the minutes of the meeting of July 8, 2008. Commissioner Michele Goedert seconded the motion, which carried by a unanimous vote.

Commissioner Michele Goedert moved approval of the minutes of the meeting of August 12, 2008. Commissioner Lynne Wonacott seconded the motion, which carried by a unanimous vote.

PUBLIC HEARING - USE PERMIT UP-40-01, amendment request, by Shasta Baptist Church, to construct an 1,800-square-foot, 20-foot-tall accessory structure for storage, repair, and maintenance of vehicles placed within a fenced and gated vehicle-storage yard and for the placement of fill material in the 100-year floodplain of Olney Creek to elevate the finished floor elevation of the proposed building on property located at 6600 Westside Road in an "RM-6-FP" Residential Multiple Family District with Floodplain Overlay District. Environmental Determination: Negative Declaration. Staff Recommendation: Adoption of the Negative Declaration and approval. L-010-390

Planning Manager Douglas DeMallie summarized the staff report. He noted that the project site was located within the 100-year floodplain of Olney Creek, identified by both the Federal Emergency Management Agency (FEMA) and the City's Storm Drain Master Plan, Montgomery-Watson Study. He said the floodplain was caused by a flow restriction to Olney Creek due to an undersized culvert that passed underneath State Route (SR) 273, creating a shallow, low-velocity backwater. Mr. DeMallie advised that the original use permit approval included approval for encroachment into the 100-year floodplain for the existing buildings. He indicated that these existing buildings were elevated one foot above the floodplain elevation as required by the "FP" Floodplain Overlay District. He stated that a Letter of Map Revision (LOMR-2-02) was approved by FEMA on February 15, 2002, which effectively removed the buildings from the 100-year floodplain based upon the elevated building pads.

Neighborhood compatibility and the effect of the requested floodplain encroachment were discussed by Mr. DeMallie. He said to ensure compatibility with the residential neighborhood, the conditions of approval addressed requirements for screen fencing and landscape, shielded lighting, limiting vehicle repair to inside the building only, and restricting parking and repair to church-owned vehicles only. He mentioned that buffer-yard landscape, consisting of a mix of trees and large shrubbery, would be installed along the existing residential fence, separating the site from the adjacent subdivision. Mr. DeMallie pointed out that this screening landscape treatment would also be installed around the perimeter of the bus-storage yard, with an emphasis on large trees to compensate for the lack of trees within the interior of the yard. He noted that the applicant had requested that trees not be required within the interior of the yard due to the expansive maneuvering area necessary for the buses.

Regarding the floodplain-encroachment issue, Mr. DeMallie stated that the entirety of the church property was located within the floodplain of Olney Creek, but as noted previously, was in a backwater condition due to insufficient capacity at the SR 273 crossing. He continued that the

hydrologic analysis concluded that the development would have a negligible effect on the flood elevation at the project site, less than a tenth of a foot increase at the building. He added that the study also demonstrated that due to the small size of the project site in relation to the flood basin in which it lies, the development would not negatively affect flood elevations on surrounding properties. Mr. DeMallie said staff recommended that the Planning Commission adopt the Negative Declaration and approve Use Permit UP-40-01 Amendment subject to the conditions of approval, which he reviewed.

Condition 23 requiring the applicant to repair the fence along the entire western boundary was discussed. Mr. DeMallie believed the applicant proposed to repair the entire fence, but he said he would support a lesser requirement stipulating repair along the length of the bus-storage area only.

Mr. DeMallie also responded to questions from the Commissioners regarding noise impacts and handicap parking.

Commissioner Lynne Wonacott questioned why there was no condition addressing the impacts from 10-, 25-, and 100-year-storm events. Mr. DeMallie agreed that Condition 5 should be amended to apply the City's standard stormwater-detention requirement. The Chairman opened the public hearing at 4:17 p.m.

Deacon Randy Smith, applicant's representative, explained that the buses ran on Sunday mornings for church service and sometimes on Wednesday evenings. He stated that repairs would be done on an "as-needed" basis. He added that the building would also protect the buses from vandalism and that there would be surveillance equipment on the building.

Regarding the fence, Deacon Smith noted that most of the fences from the individual homes were in very good condition. He said it was in the church's best interest to make the facility look good, and the church was not opposed to whatever it took to achieve that end.

Flory Desire worried that the applicant would be allowed to do repairs from 7 a.m. to 10 p.m. She asked how many buses would be stored in the building.

Mr. DeMallie advised that the Noise Ordinance established allowable noise levels in residential areas. He noted that Condition 6 specified that activities within the maintenance building and vehicle yard were not allowed to cause those noise levels to be exceeded. He added that there was no restriction on the number of buses allowed on-site. The Chairman closed the public hearing at 4:24 p.m.

Discussion ensued between the Commissioners and staff regarding the issue of noise. Mr. DeMallie reiterated that conditions of approval addressed noise levels. He explained that repairs would be done within the building and noted that mechanical work was limited to routine, small-scale repairs and maintenance.

Chairman Randall Smith mentioned that Condition 24c referred to the planting of deciduous and evergreen trees but did not require that they be canopy trees. He hoped that the landscape plan would include large trees in the parking lot. He also mentioned that there was no effective mechanism in place for maintenance of the City's urban open-space corridors. Mr. Smith observed that the City Council had apparently avoided the matter and that streams continued to grow abundant natural vegetation, which made flooding almost inevitable. He believed there must be a mechanism for getting the revenue to address this problem on a regular basis. He wondered if those seeking encroachment permits might be required to contribute to the maintenance.

Mr. DeMallie responded to Mr. Smith's concerns regarding canopy trees. He noted that Condition 24c called for broadleaf shade trees with the intent of meeting the Planning Commission's previous requests. He said the large broadleaf shade trees were not required in the landscape planter adjacent to the residential area because there were a number of various underground and overhead utilities in the area. Mr. DeMallie believed staff was definitely responding to the Commissioners' concerns.

Commissioner Chris Young inquired about the problems encountered by Olney Creek crossing under SR 273 and asked if there was a timeline for maintenance. Mr. DeMallie said there were two

acknowledged obstructions to Olney Creek—the highway and the railroad tracks—but he was not aware of any corrective project by Caltrans or other agency in the immediate future.

Regarding revisions to the conditions of approval, Mr. DeMallie confirmed that a detention requirement would be added to Condition 5.

Motion: Commissioner Chris Young moved that the Planning Commission adopt the Negative Declaration and that, based upon the testimony presented by staff, the Planning Commission determine that the necessary findings for approval as identified in Section 18.14.070 of the Redding Municipal Code are in evidence. He further moved that the permit be granted subject to the conditions of approval as recommended by staff, including the revision of Condition 5.

Second: Commissioner Jim Chapin.

Ayes: Commissioners Burroughs, Chapin, Goedert, Meyer, Smith, Wonacott, and Young.

Noes: None.

Abstain: None.

Absent: None.

***PUBLIC HEARING - USE PERMIT APPLICATION UP-6-08**, by the Community Revitalization and Development Corporation, requesting approval of a mixed-use plan to support development of a 1,042-square-foot office and a two-story duplex with 4-bedroom residential units on property located at 657 Parkview Avenue in an "LO-MU-DR" Limited Office District with Mixed Use and Design Review Overlay Districts. The proposal includes a request for reduced side-yard setbacks and credit for on-street parking. Environmental Determination: Categorically Exempt. Staff Recommendation: Approval. L-010-390*

Because he was a member of the Community Revitalization & Development Corporation (CRDC), Commissioner Bert Meyer recused himself and left the dais.

Planning Manager Douglas DeMallie stated that documents submitted to the Commissioners just prior to today's meeting included the minutes from the Parkview Design Review Committee meeting; an additional architectural elevation that had been omitted from the Planning Commission packet; and a letter from a neighbor (Mrs. Player) who voiced concern over the density of the project, lack of parking, and the closeness of the structure to her property.

Mr. DeMallie advised that the Redding Redevelopment Agency (RRA) had entered into a Disposition and Development Agreement (DDA), allowing CRDC to purchase and develop the property subject to the terms and conditions of the DDA. He said the mixed-use plan proposed by CRDC was in conjunction with an agreement with the RRA, which was fostering revitalization efforts in the Parkview Neighborhood. Mr. DeMallie stated that the Redding Housing Division was financing one of the residential units, while RRA was financing the other residential unit. He indicated that CRDC was a nonprofit corporation that worked to provide affordable housing and would own and manage the residential units. He noted that when the property was acquired by RRA in 2001 as a potential redevelopment opportunity, it had a vacant single-story fourplex and duplex that were in poor shape and were subsequently demolished.

Mr. DeMallie recalled that in 2001, the Parkview Neighborhood Strategic Revitalization Plan and the Parkview Neighborhood Action Plan were adopted by the City Council and RRA. He said the plans were designed to provide a policy framework and implementation strategies for the Parkview Neighborhood revitalization efforts. Mr. DeMallie observed that one of the priorities of the plans included facilitation of a corridor of mixed-use development along the south side of Parkview Avenue. He stated that the mixed-use development concept was consistent with the residential uses in the neighborhood and provided for a well-designed transition between the commercial and residential areas of the Parkview Neighborhood.

The main issues addressed by Mr. DeMallie were the project's consistency with the objective of furthering mixed-use development along Parkview Avenue and conformance to development standards. He explained that the "MU" Mixed Use Overlay District designation was a zoning tool designed to facilitate mixed-use developments. Mr. DeMallie noted that the district allowed

deviations from the development standards of the Zoning Ordinance or underlying zoning district where necessary to facility the mixed-use objective. He mentioned that the project exceeded the maximum floor-area ratio of 35 percent allowed in the "LO" District, which was due to the combination of office and residential uses at the site. He said this was reasonable, considering the goal of mixing multiple-family and low-intensity office uses. Mr. DeMallie noted that the duplex units were large, two-story, and 1,780 square feet to accommodate four bedrooms to meet the applicant's objective of providing affordable units for large families. He stated that there was a current need for those types of units.

Regarding setbacks, Mr. DeMallie noted that the "LO" Limited Office District required a minimum 10-foot side-yard setback and a 15-foot front-yard setback. He said the applicant had requested 5.5-foot side-yard setbacks for both the office and residential buildings and an average front-yard setback of 15 feet from Parkview Avenue to the office building. He explained that the request for the 5.5-foot side-yard setbacks was driven by the relatively narrow 50-foot width of the lot and the objective of providing large-family residential units. He added that 5-foot setbacks were not uncommon in the Parkview area, and staff was not concerned with the single-story office building. He stated that staff did question the applicant's architect about single-story designs or stepping back of the second story for the duplex. He indicated that they responded that many different configurations for the duplex building had been explored, finally settling on the townhouse-type design in order to meet the requirements of the Building Code.

Mr. DeMallie indicated that the main concern raised by the 5-foot setback was the effect upon the adjoining properties. He advised that to address this concern, the Parkview Design Review Committee recommended that: (1) the lower half of the second-story bedroom windows be treated with a sight-obscuring glazing, and (2) existing trees that appeared to be almost directly on the common-side property line be preserved. Mr. DeMallie continued that the requested glazing was incorporated into the plans. He noted that since the Committee's review, a survey had determined that the side property-line fence was not on the property line, but actually encroached two to three feet into the CRDC site. Mr. DeMallie observed that this placed the two trees that might have served to buffer the building within two to three feet of the building, making preservation extremely difficult and success doubtful. He advised that while the trees were green and leafy, they exhibited signs of decay in cracking trunk bark and some die-back of limbs. Mr. DeMallie pointed out that the adjoining property owner to the west was very concerned about his loss of privacy and did not agree with the property-line survey. He said the property owner was not convinced that the survey was correct.

Mr. DeMallie discussed parking, noting that a combination of on-site and on-street parking was proposed, which was allowed by the Zoning Ordinance for projects located along Parkview Avenue. He indicated that four spaces for residential use were accessible from the alleyway in a tandem configuration, and two on-street parking spaces would be available on Parkview Avenue at the project frontage, with additional on-street parking along Parkview Avenue as available. Mr. DeMallie mentioned the letter that discussed parking problems along Parkview Avenue. He said during his visits to the site, including both before and after lunchtime, he did not detect any parking problems in the area.

Mr. DeMallie stated that the Parkview Design Review Committee agreed that the proposed plans were in substantial conformance with the design criteria adopted for the Parkview Avenue mixed-use corridor, with incorporation of certain items into plan revisions. He said staff recommended that the Planning Commission approve Use Permit Application UP-6-08 subject to the conditions of approval, which he reviewed.

Chairman Randall Smith mentioned the letter from Mrs. Player and asked how large the footprint was from the other buildings that were previously on the property. Mr. DeMallie explained that a fourplex and duplex had been on the property but that the square footage on the new project was greater than before.

Mr. DeMallie responded to questions from the Commissioners. He noted that the 5.5-foot side-yard areas would be encompassed by a concrete sidewalk, which was necessary for fire access down the property lines, and be landscaped. Regarding the omission of the proposed water feature,

Mr. DeMallie explained that the Committee considered the fact that there was a statewide direction for lower water use in landscaped areas and felt this might not be the best use of water. He mentioned the proposal to use one of the Parkview Neighborhood-tiled spheres as an alternative. Concerning the on-street parking, Mr. DeMallie referred to concepts for future modification of Parkview Avenue to accommodate the additional demand for parking as additional mixed-use development occurred. In response to questioning about fire sprinklers, Mr. DeMallie advised that Condition 20 required sprinklers if a fire hydrant was not located within 250 feet. He said fire sprinklers could be required by the Commissioners if the Fire Marshal was in agreement with the language in the revised condition. The Chairman opened the public hearing at 4:55 p.m.

Richard Denson, adjacent property owner, stated that the children would have no place to play in the narrow yard and that the Parkview Neighborhood could not support the monthly rental charges. He also disagreed with the surveyor's determination and contended that the trees were in his yard and not on the applicant's property. He stated that the surveyor only had three points of contact when he surveyed the property. Mr. Denson asked for a continuation of the item in order to seek legal advice regarding the trees that he believed were his.

Mr. DeMallie responded that neither the City nor the applicant had any intent of cutting down any trees on Mr. Denson's property. He said he had talked to the surveyor before the meeting and that he was confident of the survey. Mr. DeMallie felt staff's recommendation was appropriate and offered to supply Mr. Denton with a copy of the survey. He also noted that the site plan provided private backyards for outdoor recreation for the tenants.

Mr. Denson countered that he was not questioning the qualifications of the surveyor but reiterated that only three points of contact were utilized.

Dave Rutledge, CRDC CEO, advised that if the trees were found to be on Mr. Denton's property, the issue would be dealt with and the trees would not be cut down. He pointed out that CRDC built affordable units for large families and that Shadowbrook Apartments had a waiting list with 96 families waiting for vacancies. Mr. Rutledge explained that CRDC agreed to replace the number of bedrooms that were lost when the building was removed from the subject parcel. He acknowledged that the narrow lot width was a challenge but believed CRDC had done a great job of designing the units. He added that CRDC was in agreement with the conditions of approval. Determining that no one else wished to comment, the Chairman closed the public hearing at 5:13 p.m.

Commissioner Lynne Wonacott felt the project was well-designed.

City Attorney Rick Duvernay advised that staff needed to rely upon licensed and certified professionals. He did not believe the City Surveyor should be called upon to verify the findings of the surveyor.

Commissioner Michele Goedert agreed with Ms. Wonacott. Regarding Condition 20, Ms. Goedert requested that residential fire sprinklers be required instead of being an option. Mr. DeMallie responded that the Commissioners could require sprinklers if they felt there was a nexus to project impacts.

Mr. Smith concurred with Ms. Goedert regarding the sprinklers.

Motion: Commissioner Jim Chapin 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 Planning Commission determine that the necessary findings for approval as identified in Section 18.14.070 of the Redding Municipal Code are in evidence. He further moved that the permit be granted subject to the conditions of approval as recommended by staff, including the requirement for fire sprinklers in the buildings and the decorative tiled sphere recommended by the Parkview Neighborhood Association.

Second: Commissioner Emmett Burroughs.

Ayes: Commissioners Burroughs, Chapin, Goedert, Smith, Wonacott, and Young.

Noes: None.

Abstain: Commissioner Meyer.

Absent: None.

Commissioner Bert Meyer returned to the dais.

PUBLIC HEARING - USE PERMIT APPLICATION UP-7-08, by Jon Cadorin, requesting approval to allow encroachment into the 100-year floodplain of Oregon Gulch for the construction of a proposed 1,600-square-foot commercial office building with an attached 750-square-foot garage on property located at 4861 Cedars Road in a "GC-FP" General Commercial District with Floodplain Overlay District. *Environmental Determination: Categorically Exempt. Staff Recommendation: Approval. L-010-390*

Planning Manager Douglas DeMallie summarized the staff report. He noted that the entirety of the project site was within the backwater/overflow area of Oregon Gulch, which was located approximately 200 feet to the north of the project. He said the backwater was caused by an undersized bridge at State Route 273. Mr. DeMallie advised that the floodplain was not identified as a Federal Emergency Management Agency (FEMA) floodplain, but was identified as a 100-year floodplain by the more restrictive Citywide Master Storm Drain Study prepared by Montgomery-Watson in 1993.

Mr. DeMallie continued that the hydrologic analysis concluded that with either fill or raised foundation to elevate the footprint of the building above the flood elevation, the development would have a negligible effect on the flood elevation at the project site, somewhere in the range of one-hundredth of a foot increase at the building. He said the study also demonstrated that due to the small size of the project site in relation to the flood basin in which it lies, the development would not negatively affect flood elevations on surrounding properties. He said staff recommended that the Planning Commission approve Use Permit Application UP-7-08 subject to the conditions of approval, which he reviewed.

Commissioner Bert Meyer questioned why the applicant was required to make such a large number of street improvements and asked about the conditions regarding the Anderson Cottonwood Irrigation District (ACID) canal.

Mr. DeMallie acknowledged that the street improvements were extensive but that they were tied to the prior parcel map approval creating the subject parcel. He advised that in conformance with the State Subdivision Map Act Law, improvements associated with the parcel maps were deferred until development of the property. He continued that the only way to capture those improvements was to require the full improvements at the time the property developed. Mr. DeMallie stated that the improvements were identified on the parcel map and were a matter of public record.

Land Development Manager Marty Wayne explained that Conditions 21 through 24 addressed the issues with ACID. The Chairman opened the public hearing at 5:26 p.m.

Jon Cadorin, applicant, responded to questions about the ACID box. He explained that the ACID box was in use and that his intention was to move it to the northwest corner. He agreed that the curb, gutter, and sidewalk improvements were extensive. He added that he would also be extending the sewer line to his property. Determining that no one else wished to comment, the Chairman closed the public hearing at 5:29 p.m.

Chairman Randall Smith observed that this was a difficult area for the City of Redding. He was impressed by the project.

Motion: Commissioner Chris Young 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 Planning Commission determine that the necessary findings for approval as identified in Section 18.14.070 of the Redding Municipal Code are in evidence. He further moved that the permit be granted subject to the conditions of approval as recommended by staff.

Second: Commissioner Michele Goedert.

Ayes: Commissioners Burroughs, Chapin, Goedert, Meyer, Smith, Wonacott, and Young.
Noes: None.
Abstain: None.
Absent: None.

PUBLIC HEARING - RECOMMENDATION TO THE CITY COUNCIL - AMENDMENTS TO THE REDDING MUNICIPAL CODE, by the City of Redding, to amend Chapters 17.12.090 and 17.24.020, pertaining to the extension of approved tentative parcel maps and tentative subdivision maps. The amendments provide for discretionary extension of a tentative parcel map or tentative subdivision map approval for up to six years as allowed by Government Code Sections 66452.6(e) and 66463.5(c). Environmental Determination: Not applicable. Staff Recommendation: Recommend approval to the City Council. L-010-500-050

Planning Manager Douglas DeMallie summarized the staff report. He noted that State Senate Bill SB 1185, amending Sections 66452.6 and 66463.5 of the State Subdivision Map Act, was recently enacted and required that local agencies provide a subdivider an opportunity to seek extensions of an approved tentative parcel or subdivision map for up to six years beyond its original approval period. He noted that the City of Redding granted an initial three-year approval period. Mr. DeMallie continued that due to the current state of the economy and declining housing market, the state's intent was to give relief to the development and housing industries. He pointed out that SB 1185 also granted automatic one-year extensions to tentative parcel and subdivision maps valid as of July 15, 2008, and which would expire before January 1, 2011.

Mr. DeMallie continued that the proposed code amendments were necessary to bring the City's Subdivision Ordinance into consistency with the change to state law, allowing extensions up to six years. He said the City's current Subdivision Ordinance allowed for tentative map extensions of up to five years. He noted that while the state statute required that the City ordinance provide the ability for extension of a tentative map for up to six years, approval was a discretionary action by the City. Mr. DeMallie explained that staff evaluated an extension request on the basis of the findings necessary to grant the initial map approval and that an extension afforded the City an opportunity to reevaluate the project in light of possible changes to General Plan policy or Zoning Ordinance standards, environmental considerations, or utility/service capacities. He said staff recommended that the Planning Commission forward to the City Council a recommendation to approve amendments to Sections 17.12.090 and 17.24.020 of the City's Subdivision Ordinance to allow extensions of the approval of tentative parcel maps and tentative subdivision maps for a cumulative period of up to six years.

The Chairman opened the public hearing at 5:32 p.m. Determining that no one wished to comment, the Chairman closed the public hearing at 5:33 p.m.

Motion: Commissioner Emmett Burroughs moved that the Planning Commission forward to the City Council a recommendation to approve amendments to Sections 17.12.090 and 17.24.020 of the City's Subdivision Ordinance to allow extensions of the approval of tentative parcel maps and tentative subdivision maps for a cumulative period of up to six years.

Second: Commissioner Chris Young.

Ayes: Commissioners Burroughs, Chapin, Goedert, Meyer, Smith, Wonacott, and Young.

Noes: None.

Abstain: None.

Absent: None.

PUBLIC PARTICIPATION

None.

COMMISSIONERS' COMMENTS

Commissioner Emmett Burroughs discussed current building costs in the construction industry. He noted that the cost of conditioning projects and of materials and goods had finally reached beyond

the appraisal value. Mr. Burroughs mentioned that two other municipalities were working with their applicants to reduce fees to help them build their projects.

Commissioner Lynne Wonacott commented that the new Taco Bell and car wash on Market Street were very attractive projects.

Commissioner Bert Meyer applauded Commissioner Randall Smith for his efforts with the creek cleanup. He enjoyed watching community members work together to clean up the area and felt Mr. Smith deserved credit for his hard work.

Mr. Smith also thanked Mr. Meyer and Development Services Director Jim Hamilton for their efforts, along with over 500 other volunteers. He appreciated that Redding Electric Utility and the Solid Waste Division made it possible for the tons of material to be properly disposed of. He noted that a large number of Simpson University students also helped.

DIRECTOR'S REPORT

Development Services Director Jim Hamilton announced that the annual field trip to look at various City infrastructure projects would be held on Tuesday, October 14, 2008, from 2 to 5 p.m.

Mr. Hamilton advised that he would be making a presentation to the City Council on Assembly Bill AB 32, the global climate action act of 2006. He said AB 32 was the state's greenhouse gas emissions reduction effort. He also mentioned Senate Bill SB 97, which addressed the California Environmental Quality Act's requirements for greenhouse gas analysis. Mr. Hamilton noted that Michael McCormick from Pacific Municipal Consultants would be making a presentation to the City Council on September 16, 2008.

ADJOURNMENT

There being no further business to come before the Planning Commission, Chairman Randall Smith adjourned the meeting at 5:47 p.m.

Jim Hamilton, AICP
Acting Secretary

Randall Smith
Chairman