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REDDING PLANNING COMMISSION
 Regular Meeting, 4 p.m.
 Tuesday, September 26, 2006
 City Council Chambers
 777 Cypress Avenue
 Redding, California 96001

MINUTES

Chairman Bert Meyer called the meeting to order at 4 p.m., with Commissioners Jim Chapin, Randy Memeo, Randall Smith, and Chris Young present. Absent were Commissioners Gary Brickwood and Michele Goedert. Also present were Development Services Director Jim Hamilton, Land Development Manager Gary Otremba, Planning Manager Douglas DeMallie, City Attorney Rick Duvernay, Senior Planner Kent Manuel, Associate Planner Ron Adams, Assistant Planner Brandon Rogers, and Executive Assistant II Anita Felion.

APPROVAL OF MINUTES

Commissioner Jim Chapin moved approval of the minutes of the meeting of September 12, 2006. Commissioner Randy Memeo seconded the motion, which carried by a unanimous vote.

PUBLIC HEARING - USE PERMIT APPLICATION UP-2-06 AND GRADING PERMIT APPLICATION GP-39-06, by the Sacramento Watershed Action Group, involving creek restoration and fishery-enhancement activities along the Middle Fork Sulphur Creek from the west side of Market Street/State Route 273, upstream to the Union Pacific Railroad tracks, and the East Fork Sulphur Creek from its confluence with the Middle Fork Sulphur Creek, upstream to the Union Pacific Railroad tracks. The project area is zoned "RS-2-FP" Residential Single Family District with Floodplain Overlay District and "OS" Open Space District. Environmental Determination: Mitigated Negative Declaration. Staff Recommendation: Approval. L-010-390 and A-070-055

Associate Planner Ron Adams summarized the staff report. He noted that the creek had been significantly altered by historic placer and dredge mining; surrounding urbanization; and various utility, roadway, and railroad crossings. He remarked that from this disturbance, the stream channel had become degraded, producing large volumes of sediment and inhibiting fish passage and spawning. Mr. Adams pointed out that with restoration, Sulphur Creek had great potential for improved spawning and nonnatal rearing of juvenile salmonids, including steelhead trout and Chinook salmon. He stated that the Sacramento Watershed Action Group (SWAG) had taken the lead in recent years in restoring lower reaches of the creek and had secured grant funding from various sources to undertake the current project. Mr. Adams mentioned that funding included a grant from the State Department of Water Resources and Federal Environmental Protection Agency (EPA) fine money, stemming from water quality violations associated with development of the Vistas Subdivision, which caused significant sedimentation in Sulphur Creek in December 2002.

Mr. Adams described some of the methods that would be employed for restoration and the different permits required. He said staff recommended that the Planning Commission approve Use Permit Application UP-2-06 and recommend to the City Engineer approval of Grading Permit Application GP-39-06 subject to the conditions of approval, which he reviewed.

Commissioner Jim Chapin asked if the reach between North Market Street and the Sacramento River had also been rehabilitated. Mr. Adams was not sure about the final status for that area but noted that the subject project was independent of the earlier work.

Commissioner Randall Smith believed the Department of Water Resources had set an improbable completion date for this project. He hoped the applicant was applying for a waiver or extension of this date. He questioned the loss of the cottonwood trees, noting that the area had high visibility from North Market Street. Mr. Smith felt the project would provide a significant enhancement to the City.

Commissioner Chris Young complimented the work of Schlumpberger Consulting Engineers, Inc. The Chairman opened the public hearing at 4:26 p.m. Determining that no one wished to comment, the Chairman closed the public hearing at 4:27 p.m.

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 the permit be granted subject to the conditions of approval as recommended by staff. He also moved that the Planning Commission recommend approval to the City Engineer of Grading Permit GP-39-06.

Second: Commissioner Chris Young.

Ayes: Commissioners Chapin, Memeo, Meyer, Smith, and Young.

Noes: None.

Abstain: None.

Absent: Commissioners Brickwood and Goedert.

PUBLIC HEARING - VARIANCE APPLICATION V-1-06, by Panda Restaurant Group, Inc., and Superior Electrical Advertising, Inc., requesting approval of a variance to exceed the maximum 20-square-foot sign-area limitation for two proposed drive-through menu board signs for the Panda Express fast-food restaurant, for a total of two 23.63-square-foot menu board signs, on property located at 966 Dana Drive in an "RC" Regional Commercial District. Environmental Determination: Categorically Exempt. Staff Recommendation: Denial. L-010-410

Assistant Planner Brandon Rogers summarized the staff report, noting that staff was unable to make findings to grant the variance. He displayed an example of a portion of the proposed sign and showed the same with a 15 percent reduction in size. Mr. Rogers advised that the restaurant was already operating and using menu boards that were within the City's approved sizes. He explained that staff had measured the proposed sign from the perimeter of the inside lip of the cabinet, which was the most generous measurement that staff could give. Mr. Rogers added that if the total menu-board perimeter was reduced by two inches, the sign would meet the City's requirements. He said staff recommended that the Planning Commission deny Variance Application V-1-06.

Planning Manager Douglas DeMallie reminded the Commissioners that these menu boards would be seen by those in the drive-through lane from only four feet away. The Chairman opened the public hearing at 4:34 p.m.

George Adams, applicant's representative, Superior Electrical Advertising, Inc., mentioned that he had driven by other drive-through restaurants in Redding that had much larger menu boards, but acknowledged that they had probably been installed under the previous Zoning Ordinance. Mr. Adams continued that the applicant had over 600 restaurants and that all its menu boards were at least 23.63 square feet in size. He claimed that it was a hardship to have to make special menu boards for this one restaurant, including special-sized updates as new items were added or prices were changed. Mr. Adams pointed out that the menu boards did not face the street. He offered to have them painted off-white or terra cotta to match the building. He mentioned an article in the Record Searchlight that quoted two customers who preferred more pictures of the items listed on the menu. Determining that no one else wished to comment, the Chairman closed the public hearing at 4:38 p.m.

Chairman Bert Meyer questioned how the 20-square-foot-area maximum was determined for drive-through menu boards. Mr. DeMallie explained that during the Zoning Ordinance update in 2002, it was determined that signs 4 by 5 feet or 3 by 6.5 feet in size were adequate and appropriate.

Development Services Director Jim Hamilton observed that the City's size requirements were not unusual. He said it was not uncommon for corporations to have multiple sizes to accommodate usage based on local jurisdictions' standards. He continued that regardless of the merits of the corporate needs, the standards being applied had been adopted by the Zoning Ordinance and did not give staff room to deviate.

Mr. Smith suggested just cutting the margins of the signs to meet the standards.

Mr. Adams explained the process for manufacturing the menu boards, indicating that each time prices were changed or items were added, the equipment would have to be changed just for Redding's smaller signs. He disagreed with Mr. Hamilton, maintaining that the smallest signs he had seen in other areas were 32 square feet. He pointed out that the menu boards were changed an average of two times per year. Mr. Adams reiterated that the menu boards did not face a public right-of-way and were not a hazard.

In answer to Mr. Meyer's question, Mr. DeMallie advised that, to his knowledge, this was the first time a business had requested a variance for the sign standards since implementation in 2002 of the new Zoning Ordinance. Determining that no one else wished to comment, the Chairman closed the public hearing at 4:49 p.m.

Commissioner Jim Chapin agreed that the applicant's request did not meet the findings for a variance.

Commissioner Randy Memeo questioned the size limitations on a sign that the public could not see from the street. He felt the limitation was absurd but admitted that the findings could not be met for granting a variance. Mr. DeMallie said the Zoning Ordinance did not include specific provisions for signs that the public could not see from the road, but it did have provisions regulating menu boards.

Commissioner Chris Young asked if the same requirements would have to be met if the sign was inside a building with a 15-by-20-foot window that one could look through. Mr. Hamilton stated that if the applicant wanted to put a sign in a building, the sign would not be subject to the same regulations as a sign on the exterior of a building. He continued that the menu boards were regulated because they advised the traveling public and that often a drive-through was at intersections, with signs that were usually at street level.

Motion: Commissioner Randall Smith moved that the Planning Commission deny Variance Application V-1-06.

Second: Commissioner Jim Chapin.

Ayes: Commissioners Chapin, Memeo, Meyer, and Smith.

Noes: Commissioner Young.

Abstain: None.

Absent: Commissioners Brickwood and Goedert.

COMMISSION CONSIDERATION - *Consideration of a Planning Commission resolution determining that a proposal by Shasta Enterprises for two 96-foot-high residential condominium towers containing 164 dwelling units at 2110, 2150, and 2188 Bechelli Lane and 462 and 476 Redcliff Drive is incompatible with the City's General Plan (Applications GPA-2-06, RZ-6-06, S-9-06, and PD-5-06). The resolution also recommends that the City Council initiate a review of General Plan policies related to building height, residential and commercial growth, transportation, and other City growth-related policies. Staff Recommendation: Adopt Resolution. **Continued from the meeting of September 12, 2006.** G-030-010, L-010-230, S-101-117, and L-010-210*

Commissioner Randy Memeo recused himself due to a conflict of interest and left the dais.

Planning Manager Douglas DeMallie recalled that at its meeting of September 12, 2006, the Planning Commission reviewed and considered for adoption a resolution determining that an application by Shasta Enterprises was inconsistent with various policies of the General Plan and recommended that the City Council form a citizen committee to undertake a review, and update, of several critical General Plan policies, including community building heights and other policies, and to provide recommendations to the Council on said policies as appropriate. Mr. DeMallie said staff recommended that the Planning Commission approve and forward the revised resolution to the City Council for its consideration. The Chairman opened the public hearing at 4:56 p.m. Determining that no one wished to comment, the Chairman closed the public hearing at 4:57 p.m.

Commissioner Jim Chapin believed the proposed resolution met the Planning Commission's request from the previous meeting and supported the recommendation to the City Council.

Commissioner Chris Young was still not satisfied with the revisions and felt uncomfortable with tying a specific project to the review. He stated that he did not know what the committee was going to review nor who would be on the committee. Mr. Young remarked that if the Planning Commission was going to recommend a five- or six-year review of the General Plan, that it be a standalone issue. He also believed a resolution was not needed for the recommendation and questioned the inclusion of the Shasta Enterprises project in the resolution.

Development Services Director Jim Hamilton advised that the committee would be selected by the City Council, and he recommended that a Planning Commissioner be on the committee. Mr. Hamilton understood that the task force would deal with the building height and location first so that the applicant could get an answer on the proposed project.

Chairman Bert Meyer preferred including the proposed project in the resolution because it specified what needed to be done.

Mr. Young contended that several items that were previously discussed were not included in the revised resolution.

Senior Planner Kent Manuel explained that the previous staff report went into significant detail on each policy item to be reviewed, but in the resolution, the items were listed as bullet points.

Motion: Commissioner Jim Chapin moved that the Planning Commission approve and forward the revised resolution to the City Council for its consideration.

Second: Commissioner Randall Smith.

Ayes: Commissioners Chapin, Meyer, Smith, and Young.

Noes: None.

Abstain: Commissioner Randy Memeo.

Absent: Commissioners Brickwood and Goedert.

PUBLIC PARTICIPATION

None.

COMMISSIONERS' COMMENTS

Commissioner Randall Smith commented on the removal of the barricade at Valentine Lane and Rivella Vista Drive. He said he had visited the site in the early morning hours and was unable to determine any difference in the amount of traffic on Valentine Lane.

On another matter, Mr. Smith complimented Community Services Director Kim Niemer for establishing, on behalf of the citizens of Sunset Terrace and Sunset Avenues neighborhoods, a pedestrian access that was accomplished through a lot of effort by, and expense to, the City.

Mr. Smith also thanked those who volunteered to help with the Churn Creek cleanup, noting that approximately 56 tons of debris had been removed from the creek.

Chairman Bert Meyer commented on the 3-2 City Council vote for the Oasis Road Specific Plan. He noted that the Commission had made its feelings known regarding the Churn Creek/Hawley Road extension but that the Council had decided otherwise.

Commissioner Chris Young stated that he had participated in the Ducky Derby race held at Caldwell Park. He observed that the visibility of the Sacramento River had dramatically improved. He also complimented City staff on the design of the boat dock.

DIRECTOR'S REPORT

Development Services Director Jim Hamilton commented on the annual field trip for the Commissioners to observe recently approved and/or developed projects. After discussion between staff and the Commissioners, it was decided to conduct the field trip during a special meeting on Tuesday, October 10, from 3 to 5 p.m.

ADJOURNMENT

There being no further business to come before the Planning Commission, Chairman Bert Meyer adjourned the meeting at 5:19 p.m.

Jim Hamilton, AICP
Acting Secretary

Bert Meyer
Chairman