

BOARD OF ADMINISTRATIVE REVIEW  
 Regular Meeting, 2 p.m.  
 Wednesday, November 8, 2006  
 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 Gary Otremba, Associate Planners Linda Burke and Ron Adams, Assistant Planner Brandon Rogers, Municipal Utilities Manager Ray Duryee, and Executive Assistant II Anita Felion present.

***PUBLIC HEARING - SITE DEVELOPMENT PERMIT SDP-D-23-06, granting Dean Kassebaum approval for commercial development of a vacant parcel, including one 6,775-square-foot retail building with a drive-through coffee restaurant and one 7,400-square-foot retail building, on property located at 1230 Churn Creek Road in an "RC" Regional Commercial District. Appeal of Condition 8, which requires construction of a bus turnout and passenger-waiting area. Environmental Determination: Categorically Exempt. Staff Recommendation: Denial of appeal. Continued from the meeting of October 25, 2006. L-010-390-100***

Assistant Planner Brandon Rogers summarized the staff report and responded to questions. He noted that the item had been continued from the meeting of October 25 so that a representative from the Redding Area Bus Authority (RABA) could be present. He discussed the applicant's appeal to remove the condition requiring a bus turnout and passenger-waiting area. Mr. Rogers said staff recommended that the Board of Administrative Review deny the appeal of Condition 8 of Site Development Permit SDP-D-23-06. The Chairman opened the public hearing at 2:10 p.m.

Municipal Utilities Manager Ray Duryee discussed how RABA schedules its bus routes and noted that RABA generally did not like to have its bus stops more than one-quarter of a mile apart, or 1,200 feet, which would mean a person was no more than 500 to 600 feet away from a bus stop. He said in this particular case, there was a bus stop about 900 to 1,000 feet north of the site. Mr. Duryee continued that the opportunity for someone to access the retail development would be somewhat diminished.

Chairman Chris Young asked if RABA would try to incorporate a bus stop at Old Alturas Road someday. Mr. Duryee responded affirmatively. Mr. Young asked if ridership in the area of Churn Creek Road was more or less than 100 per day. Mr. Duryee responded "less than 25." He also supplied approximate ridership figures for the area, noting that the totals varied, depending on the time of day and month.

Shelly Kibler, applicant's representative, asked if a shelter was also required to be built by the applicant for the bus stop. Mr. Duryee replied that RABA would construct the shelter. Ms. Kibler mentioned the applicant's concern about visual access to the property. Mr. Duryee explained that it would be a see-through shelter, similar to the one across from City Hall, only smaller. He also noted that installation of the shelter would be done at a later date, depending on the amount of use. Mr. Duryee advised that staff would work with the applicant to place the shelter so that it would not interfere with the visual aspect of the project. He continued that the turnout itself could be shifted, since it did not have to be centered on the site.

Mr. Young asked Ms. Kibler if she wanted to withdraw the appeal. Ms. Kibler stated that the applicant would prefer not to install the bus turnout at all, but if placement could be moved to the south, it would be an improvement.

Mr. Young understood the requirement for the turnout, but pointed out that if there was a turnout farther south, he would probably support the applicant's appeal.

**Motion:** Senior Planner Lily Toy moved that the Board of Administrative Review deny the appeal of Condition 8 of Site Development Permit SDP-D-23-06.

**Second:** Land Development Manager Gary Otremba.

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

**Noes:** None.

*PARCEL MAP APPLICATION PM-12-06, by Ruhama Dechner, requesting approval to divide 2.27 acres into three lots on property located at 11640 Wilvern Lane in an "RS-2" Residential Single Family District. Environmental Determination: Categorically Exempt. Staff Recommendation: Approval. L-010-150*

Associate Planner Ron Adams summarized the staff report. He noted that the subject property was created in 1994 as part of a four-lot parcel map approved under Lot Split LS-16-93. He said a single-family residence subsequently was developed in the area of proposed Parcel "B," but the rest of the site remained in a natural condition. Mr. Adams continued that a flag-lot configuration was proposed for developed Parcel "B," which held the existing driveway and other residential improvements. He explained that the utility lateral lines serving the existing house on Parcel "B" crossed the other proposed lots, potentially creating a haphazard and constraining utility arrangement. He stated that the conditions of approval required relocation of sewer and electric lateral lines prior to recordation of the map, although an exception was allowed for the existing waterline crossing Lot "C," which required a private-utility easement. Mr. Adams said staff recommended that the Planning Commission approve Parcel Map Application PM-12-06 subject to the conditions of approval, which he reviewed.

In response to Chairman Chris Young's questions, Mr. Adams explained that the cost and amount of dirt to be moved would hamper efforts for Lot "C" to access directly off Wilvern Lane.

Land Development Manager Gary Otremba added that any permit request required would have to be reviewed by the Planning and Building Divisions. The Chairman opened the public hearing at 2:31 p.m.

Barbara Piccinnino, one of the owners of the flag lot on the northwest corner, voiced concern because she had purchased her lot with the understanding that the property was being divided into only four lots. She was disappointed that the owner was dividing his property. Ms. Piccinnino also worried about erosion, stating that a lot of water came through the little valley next to her driveway.

Mr. Otremba stated that he would check out the existing subdivisions to determine why her property was experiencing erosion. He mentioned the condition requiring a drainage report and observed that development was not allowed to impact anyone's property.

Michael Piccinnino mentioned the driveway that could possibly come off Wilvern Lane. He asserted that if the driveway for Lot "C" was closer to Lot "A," it would be easier to turn onto his driveway. He also worried about the creek that drained from the Gold Hills Golf Course. Mr. Otremba reassured Mr. Piccinnino that this project would not impact the creek.

Leonard Duz had wondered about placement of the homes. He was told that the developer had not yet determined where the homes would be placed. Mr. Duz also mentioned the water that ran down the hill and caused erosion of the road. Mr. Otremba advised that Mr. Duz's comments would be referred to the proper department. Determining that no one else wished to speak, the Chairman closed the public hearing at 2:44 p.m.

**Motion:** Land Development Manager Gary Otremba 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:** Senior Planner Lily Toy.

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

**Noes:** None.

***PARCEL MAP APPLICATION PM-15-06**, by Al Jensen, requesting approval to divide four acres to create a 1.28- and 2.72-acre parcel on property located on the east side of Rancho Vista Way, approximately three-tenths of a mile south of its intersection with Rancho Road, in an "RS-2" Residential Single Family District. Environmental Determination: Categorically Exempt. Staff Recommendation: Approval. L-010-150*

Assistant Planner Brandon Rogers summarized the staff report. He noted that the project site was located on a private road maintained by the abutting property owners. He mentioned a memo from City Engineer Barry Tippin, which supported the land division, noting that there would be no new home construction but that the parcel map would allow the two homes that currently existed to be located on individual properties. Mr. Rogers said staff recommended that the Board of Administrative Review approve Parcel Map Application PM-15-06 subject to the conditions of approval, including the revision of Condition 9 to clarify that the offer of dedication of right-of-way would be along the project frontage of Rancho Vista Way. The Chairman opened the public hearing at 2:53 p.m.

Senior Planner Lily Toy mentioned the leach fields shown on the map. She stated that typically, a smaller sized parcel might not be able to sustain a second leach field.

Al Jensen stated that Ms. Toy addressed his concern.

Land Development Manager Gary Otremba added that leach fields could not be placed too close to the wells. Determining that no one else wished to comment, the Chairman closed the public hearing at 2:55 p.m.

**Motion:** Senior Planner Lily Toy 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. She 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, including the revision of Condition 9.

**Second:** Land Development Manager Gary Otremba.

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

**Noes:** None.

***PARCEL MAP APPLICATION PM-16-06**, by Thomas and Janette Storer, requesting approval to divide 1.19 acres into three single-family residential lots. The property is developed with three single-family homes addressed as 2410, 2414, and 2420 Marlene Avenue and is zoned "RS-2" Residential Single Family District. Environmental Determination: Categorically Exempt. Staff Recommendation: Approval. L-010-150*

Associate Planner Linda Burke summarized the staff report. She noted that the street was experiencing some infill development. She advised that all three existing homes would be required to hook up to City sewer and water. Ms. Burke continued that there was an existing seasonal drainage swale that crossed the property, draining onto the lot to the east. She said the flag portion

of Lot "A" was encumbered by the natural drainage, which could be considered jurisdictional waters of the United States. She stated that access was therefore proposed to remain in its current location, between the two existing homes along the street, in order to avoid disturbance of the drainage. She said staff recommended that the Board of Administrative Review approve Parcel Map Application PM-16-06 subject to the conditions of approval, which she reviewed. The Chairman opened the public hearing at 3:03 p.m.

Ben Gooch, applicant's representative, had no objections to the conditions of approval.

Jean Sorenson, who owned property adjacent to the subject property, asked if she might be able to also subdivide her lot to include a flag lot.

Chairman Chris Young advised Ms. Sorenson that she would have to submit an application to be reviewed by staff. He explained that because the subject parcel had three homes on it, the situation might be different.

Ms. Burke pointed out that the driveway was being kept in the same location, so there would be no additional impact to anyone that didn't already exist. She explained that the City did not support flag lots that might cause an impact other adjacent property owners.

Archie Sorenson inquired about conditions for parking. Ms. Burke noted that the Redding Municipal Code now required two covered parking spaces but that because the home was older, only a carport was required. Determining that no one else wished to comment, the Chairman closed the public hearing at 3:09 p.m.

**Motion:** Senior Planner Lily Toy 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. She 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:** Land Development Manager Gary Otremba.

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

**Noes:** None.

### ***ADJOURNMENT***

There being no further business to come before the Board, Chairman Chris Young adjourned the meeting at 3:11 p.m.

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Anita M. Felion, Executive Assistant II

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Chris Young, Chairman