

PLANNING COMMISSION MINUTES

Date of Meeting: Tuesday, August 8, 2006

Time of Meeting: 5:15 p.m.

Place of Meeting: City Council Chambers
555 Washington Street
Red Bluff, CA

Commissioners Present: Doug Dale
Greg Latourell
Andrew Christ
Jack Winter

Commissioners Absent: James Brink (absent-excused)

Staff Present: Charlie Mullen, Planning Director
Scot Timboe, Planner
JD Ellison, Building Director/Official
Gerry Gray, Fire Chief
Mike Bachmeyer, Fire Marshal
Cheryl Smith, Deputy City Clerk

The Pledge of Allegiance was led by Vice-Chairperson Dale and the assemblage joined in.

A. CITIZEN'S COMMENT:

There were no comments.

B. CONSENT CALENDAR:

1. APPROVAL OF MINUTES

June 27, 2006

M/S/C Christ, Winter to approve the minutes of June 27, 2006 as written.

AYES: Commissioners: Christ, Dale, Latourell and Winter

NOES: None

ABSENT OR NOT VOTING: Commissioner: Brink (absent-excused)

C. CURRENT BUSINESS:

- 1. PLANNING COMMISSION ACTION 06-001; RESOLUTION NO. 06-010; REQUEST TO REDUCE THE PARKING STANDARDS FROM 366 REQUIRED SPACES TO THE 340 PARKING SPACES UNDER RBCC SECTION 25.224 AT THE RIVERSIDE PLAZA SHOPPING CENTER IN ASSOCIATION WITH A NEW 360+ S.F. RETAIL COMMERCIAL BUILDING TO INCLUDE DUTCH BRO'S COFFEE DRIVE-THRU; 320-430 SO. MAIN ST.; APN'S 33-140-13, 20, 21, 22 & 23; DUTCH BRO'S COFFEE/DOUG FAIREY (APPLICANT), SOUTHSTAR (OWNERS)**

Scot Timboe, Planner, reviewed the staff report, and gave staff's recommendation that the Planning Commission:

1. Consider all public testimony and all other information relating to this project.
2. If determined to be appropriate, adopt Resolution No. 06-010, approving PCA 06-001 the Dutch Bro's and Riverside Shopping Center Parking Reduction from 366 spaces/stalls to 340 a reduction of 26 spaces/stalls with the findings and conditions of approval shown in Resolution No. 06-010.

J. D. Ellison, Building Director/Official, reported that he had just spoken with the property owner and the Auto Zone project is no longer viable, but another project might be brought forward at a later date.

Vice Chairperson Dale requested clarification on whether this was a separate parcel and Mr. Timboe stated that it was.

Charlie Mullen, Planning Director, stated that all the lots are separate and have been in existence for several years, just not developed. As a whole the shopping center was not developed at the level the City's zoning code requires for parking now. With the information that Mr. Ellison has raised, he would offer up a recommendation that an expiration date be put on these approvals, with an opportunity for renewal based on re-application. If the Planning Commission felt this was appropriate he would recommend that an expiration of one year from the date of approval with an additional one year renewal upon application to staff for an extension.

Vice Chairperson Dale questioned if this would be added as condition #16.

Mr. Mullen stated yes that it could be condition #16.

Vice Chairperson Dale questioned if the parking reduction that was previously approved for Auto Zone stays in effect even though the project has fallen through.

Mr. Mullen stated that was correct, the past decision of the Planning Commission had not been recorded in these type of past actions with a resolution, which is one of the things that he has been trying to solidify these in the form of a resolution with findings

and conditions making it easier to track as well as make the actions more legitimate. It is very common to put an expiration date on such actions.

Vice Chairperson Dale opened the public hearing at 5:26 p.m.

Robert Minch stated that the Riverside Plaza originally had Raleys and when they moved to their location it fell on hard times. The property management company has requested employees of the center to park on the south side along Diamond which is not utilized.

Vice Chairperson Dale closed the public hearing at 5:28 p.m.

Commissioner Winter stated that he did not believe the reduction of 26 spaces will make any difference.

Commissioner Latourell requested clarification on the flow through of traffic in front of the new Social Services building and if the access in front of Hospice and True Value will still be there.

Mr. Mullen stated that the Auto Zone building and layout was previously reviewed and approved by the Planning Commission. Although it may no longer be a live project, it is not blocking off traffic and the primary driveways will be maintained.

Mr. Timboe stated that there was supposed to be a reciprocal agreement. The section in front of Hospice Second Hand Store was supposed to be pulled away because the turning radius was too narrow to make better access for the Fire Department. It is his understanding that the reciprocal agreement is already in place.

Commissioner Latourell questioned if the County owned the property that the building sat on.

Mr. Mullen stated that he did not know the answer to that question.

Mr. Minch stated that it was a long term ground lease.

Vice Chairperson Dale questioned if it was necessary for the County or any one in the shopping center to have a reciprocal parking agreement with the shopping center.

Mr. Mullen stated that the assumption was in place, but could ask that they provide proof or that they be created. Some sort of agreement can be crafted.

Vice Chairperson Dale stated that he had a concern about the site improvements, requirement A. His concern is that part of the parking lot may be beyond resealing and may need repair. Can wording be added such as "repair, reseal and re-stripping"?

Mr. Mullen stated that it could be.

Vice Chairperson Dale polled the other Commissioners on whether they should add a condition #16 that a one year approval with one year extension.

Commissioner Christ stated that he felt it would make a lot of sense and get the project moving.

Mr. Mullen stated that circumstances change over time and it seems reasonable to impose a one year permit expiration with a one year extension.

Commissioner Latourell stated that he felt a sunset date was great and questioned if there was a sunset date on the previous 04-003.

Mr. Mullen stated that this action is modifying the previous parking reduction for the shopping center so this will open the door for the sunset date to be imposed.

Vice Chairperson Dale stated that the Planning Director could craft the appropriate language. Concerning Condition #17 – reciprocal parking agreement he stated that staff could draft some sort of reciprocal parking agreement condition.

Commissioner Latourell stated that with past history of problems with parking spaces with the County and the County buildings he would like to see it cleaned up as soon as possible, because parking is an issue. He questioned how soon the language could be crafted.

Mr. Mullen stated that he was not comfortable pulling the County building into this action, because he did not believe that the City had the ability to do that.

Commissioner Latourell questioned who the two parties were that would be involved in the reciprocal parking agreement.

Mr. Mullen stated that it would be the parcels that are under control of the shopping center, which includes the primary shopping center buildings, already existing, what we will call Auto Zone property and Dutch Brothers project. It can include reference to the gasoline station site as well, and either ask for documentation showing that there are existing reciprocal agreements in place and if not require those to be put in place.

Vice Chairperson Dale stated that he felt that was a good idea, since all these places share the main parking area and he did not want any future change of ownership to get into a disagreement over the parking area.

Mr. Mullen stated that it was a very valid point and staff would require any type of new project to do that so that if its not in place its just a clean up of that situation.

Commissioner Latourell questioned the Christmas Tree lot that shows up every year in this parking lot and if there was some sort of agreement with the property owner.

Mr. Mullen stated that the Planning Department takes the applications for the tree lots and that if these two projects get built there could be a little bit of a challenge putting a Christmas tree lot in the area, so it would have to be evaluated.

Vice Chairperson Dale questioned what the other Planning Commissioners thought of adding the word "repair" to condition number 15, concerning the resealing re-stripping and/or repair of the parking lot.

Commissioner Latourell stated that the typical wording would be to remove and replace deficient sections, but he was in agreement with that.

M/S/C Winter, Christ to approve as amended adding appropriate repair language to the asphalt repair in Condition No. 15, adding Condition No. 16 which will add a sunset clause and Condition No. 17 to add reciprocal parking and/or access easement agreements.

AYES: Commissioners: Christ, Dale, Latourell and Winter

NOES: Commissioner: None

ABSENT OR NOT VOTING: Commissioner: Brink (absent-excused)

D. STAFF ITEMS/REPORTS:

Charlie Mullen, Planning Director, reported that at this time there was one item for the August 22nd meeting, which is a General Plan and Rezone request for property located at Bulkeley and Park, formally Salisbury High School. The current zoning was Residential/Commercial and the owner would like to see it rezoned as Commercial.

Mr. Mullen also reported that the Special Meeting to receive public comments on the re-circulated traffic element for the Wal-Mart project. This meeting will begin at 6 p.m. at the Community/Senior Center on Tuesday, August 29th.

E. ADJOURNMENT:

There being no further business the meeting was adjourned at 5:50 p.m. until August 22, 2006 at 5:15 p.m., City Council Chambers, City Hall.

Respectfully submitted,

s/b Charlie Mullen
Planning Director