

PLANNING COMMISSION MINUTES

Date of Meeting: Tuesday, October 10, 2006

Time of Meeting: 5:15 p.m.

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

Commissioners Present: James Brink
Doug Dale
Greg Latourell
Andrew Christ
Bob Carrel

Commissioners Absent: None

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

Chairperson Brink introduced and welcomed newly appointed Planning Commissioner Bob Carrel.

The Pledge of Allegiance was led by Commissioner Carrel and the assemblage joined in.

A. CITIZEN'S COMMENT:

None

B. CONSENT CALENDAR:

APPROVAL OF MINUTES

September 26, 2006

M/S/C Dale, Christ to approve the minutes of September 26, 2006.

AYES: Commissioners: Dale, Christ, Latourell and Brink

NOES: Commissioners: None

ABSENT OR NOT VOTING: Commissioner: Carrel (abstained)

CURRENT BUSINESS:

PUBLIC HEARING TO CONSIDER; TENTATIVE TRACT MAP 05-1007; MITIGATED NEGATIVE DECLARATION; RESOLUTION NO. 06-017; MONTEBELLO ESTATES/HIGHLAND BLUFFS EXTENSION; ANDREW MEDHDADI (APPLICANT/OWNER)

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

1. Conduct the Public Hearing.
2. Consider all public testimony and all other information relating to this project submitted to the Commission.
3. Adopt Resolution No. 06-017 recommending that the City Council approve the Tentative Tract Map 05-1007 with the Findings and Conditions of approval shown in Planning Commission Resolution No. 06-017.

Mr. Timboe explained the purpose of the Fire and Lighting and Landscape Assessment Districts which will become part of the property owner's property taxes and will go toward fire suppression and provide funding for bike and pedestrian trails, more park amenities and green space with playground equipment. He also reported that 73% of the trees from within and out of the right of way will be saved, as well as 92% of the heritage oaks. He reported that with this development there will be a reduction in the amount of traffic compared to the previous proposed development.

Chairperson Brink opened the Public Hearing at 5:30 p.m.

Fred Swaim, resident, stated that he was not against the subdivision but with the fact that there would not be a new access and the additional traffic would go through his subdivision. He also commented on the drainage and flooding issues he has encountered where a 15" drain was installed to carry the runoff down the hill. He requested clarification on the assessment districts and if existing lots would be assessed.

Mr. Timboe explained that the present property owner owns 100% of the property and the assessments will only be applied to that property.

Mr. Swaim stated that the previous property owner used some of the land to dump with concrete etc and recommended that a performance bond be posted incase development of the area stops.

Don Winslow, resident, expressed his concerns with the Monroe Street and Highland Bluffs intersection and the lack of sight in both directions. His suggestions for mitigating this problem were lowering the wall heights, removal of the wall from the eminent domain, remove the Monroe centerline and strip the intersection to allow sight distance, install stop signs on Monroe Street, signalize the intersection based on the anticipated facts that warrant it, give the proposed project a new access to the north of Highland Bluffs or do nothing and identify this problem as an environmental impact that is not being mitigated. He also questioned where the traffic study states that if the project is not built the traffic would still double. He also requested clarification on the bicycle path north of Highland Bluffs and asked what was happening with the street and if it would be widened.

Mr. Timboe stated that the street would need to be brought up to code, which is curb, gutter, sidewalk and that the bicycle path would be part of the sidewalk. The street would be overlaid on both the south and north bound sides. The street would be widened according to the right of way that is there, which means that where the existing sidewalk and curb will be continued north. Mr. Timboe stated that the stop line might be able to be pushed out further to create a better sight triangle. Mr. Timboe explained how and what information was used to complete the traffic study. He also stated that when this traffic study was completed they had actually thought about a through road from Baker to Monroe to this project, which has been closed off by the developer.

Mr. Winslow questioned if the intersection at 36 be addressed.

Mr. Timboe stated that the property goes up to approximately 30 feet before intersection at 36 and that the City can only hold people accountable for the frontage, so the frontage would end up about 30 feet less. However there may be some room in the credits to go ahead work to have the extra portion finished out.

Warren Hampton, resident, stated that his concern was with the traffic that will be funneled into Highland Bluffs exiting on to Monroe and that he felt that there should be another road from the north section of the subdivision on to Monroe.

Mark Richardson, resident, stated that he is not opposed to the subdivision, but with the traffic that would be generated and if there was anything that could be done for another access.

Mr. Timboe stated that they were not addressing the temporary truck traffic for construction but the ratio of vehicles per dwelling. He explained the formula used to calculate the number of trips generated each day per dwelling. The construction trips are considered to be a temporary issue with 15-20 trucks on a maximum construction activity.

Mr. Winslow questioned if the earthwork would be a balanced job.

Mr. Timboe stated that he believed that is was and that a very good grading plan has been developed by Fred Lucero of PACE, which is the best that he has seen.

Commissioner Christ asked that Mr. Timboe follow-up with some of the Flood Mitigations.

Mr. Timboe stated that there was a drainage analysis done which took Brewery Creek all the way back within the county and looked couple of different alternatives for addressing the runoff. They wanted to look at something more natural, rather than using an underground type of detention, however there were some issues with a culvert at Forward Park. A baffle system would be recommended has they believe that this will help reduce future problems that can not be controlled and help reduce flooding in Dog Island Park which is where the outfall is for this whole system.

Mae McCornack, resident, requested clarification on the definitions of what a padded lot and flag lot were. She also requested clarification on the tagged trees and if the graders would recognize the tags or if it was a surveying method used.

J. D. Ellison, Building Inspector/Official, stated that they build up around the roots of the trees in order to protect them from the construction.

Mr. Timboe stated that a flag lot was a lot that had a very narrow access and that it was very difficult for the fire department to support, as it was a life, health and safety issue and that staff does discourage them. In response to the question of the tagging system used for the trees Mr. Timboe stated that it was a type of surveying method where the surveyor used a GPS point to pin point the trees and then tagged the trees. There are tags on the trees, except for the smaller ones, but staff does have a map that shows all the tagged trees.

Ms. McCornack requested that the developer think about preserving as many of the blue oak as possible.

Mr. Ellison stated that in response to the concrete that was previously dumped and stated that he has worked with Mr. Alan Abbs of the Tehama County Landfill creating a Construction and Demolition Ordinance where all the concrete must be kept in a sealed concrete dump spot and that it is hauled away.

Mr. Timboe stated that staff also requires a foundation investigation, soil reports and a geo-tech report prior to them building on the site.

Mr. Winslow questioned the drainage and if the project caused additional flow or is it mitigated on the project site to the south and also the drainage to the north.

Mr. Timboe stated that it was the baffle system that is planned for under Monroe and that the north section drainage will go through CalTrans right of way and through the state's standards they will hold the developer accountable for any type of structures and that the portion to the north will go through the open space and then across 36.

Peter Harvey, resident, stated that he believed that the Planning Commission could make recommendations and amendments to the conditions of the Tentative Map and/or Resolution that would be presented to the City Council. He continued by stating his concerns that there was just one map for the full project and questioned if it would be a phased project. He also questioned the street grades and if there would be shared driveways. He was concerned that there were no infrastructure plans included, unless it was being phased and also his concerns with drainage issues. He stated that he believed the Planning Commission should consider a provision that shared driveways not be allowed.

Mr. Timboe stated that it was not going to be phased and that it was his understanding that 150% of the infrastructure requirement could be bonded, so a portion of it could be build and the remainder bonded. Mr. Timboe stated that all of the lots but one has the proper frontage and that the one lot's issue is that there is a water line and drainage coming out and so the easterly 20 feet has been required to have an easement. As to the drainage issues these could be rerouted by the engineer for the project. The only easements that would need to be re-established is when this map is placed over the vacant property, which is approximately 112 acres, and any easements that there would need to be re-established.

Mr. Harvey requested clarification on condition no. 16, which addresses sewer line upgrade and regional public utilities easements and stated that he felt lot 102 should be included.

Mr. Timboe stated that lot 102 was not necessary because the southern portion of the Church property actually comes down approximately 3-4 lots from this project and staff has worked with the developer to go extend 3-4 lots north of their property line in case it might be more suitable to run the sewer line. The sewer line would be proposed for the 3 to 400 units west of this property to run down and go through the City's open space to connect with a cul-de-sac where there will be 12 inch lines.

Mr. Harvey stated that he felt that condition needed to be clarified because it's a mistake have a PUE and plan to build a 20 foot sewer line along rear of these proposed lots.

Mr. Timboe stated it was traditional to what is currently in the City.

Mr. Harvey suggested that an addition to Condition No. 39 regarding Road F and the lots that border it and that he felt these lots should access on Road H.

Mr. Timboe stated that the homes along Road F would have their backyards facing that roadway, so there would not be access.

Mr. Harvey stated his concerns with the lack of treatment plant room for growth and based on this report it does not apply to this development. The residents on the north side of Highland Bluff Drive pay a surcharge for the operation of the sanitary sewer lift station and he would assume that this development would also pay a surcharge.

Mr. Timboe stated that it was his understanding that there has been new lines that have been installed down Monroe Street and that this development would connect into these lines.

Mr. Harvey questioned if the lift station would no longer be used and Mr. Timboe stated that it would be a question for the Public Works Director.

Mr. Harvey stated that there is also a surcharge for the pressure reducing facility for the existing water system.

Mr. Timboe stated that there was a new 3MG water tank that had recently been completed and he believed did hook up with the existing tank.

Mr. Harvey stated that there are a number of assessment districts and that it was not clear on how these would be imposed, by a levy or a set amount. He felt that however it is done the prospective buyers should be made aware of the assessment district.

Mr. Timboe stated that the model being used was approved in 1995, and that another individual purchased the property that this assessment district would relate to and that new property owner stated that he did not want to do the assessments, so the City Council and withdrew the idea.

Commissioner Dale requested clarification on if the rates were based on each lot.

Mr. Timboe stated that was correct and what happens is that an engineer will review the area and then breakdown a value for each lot. When the map is recorded the lots would be levied a tax based on the assessment recommended by the engineer.

Alfredo and Esther DeLaTorre's daughter presented a letter on their behalf as they could not attend due to illness. In their letter they submitted the following concerns:

1. That it remains a single family residential development.
2. That the 35.06 acres of open space promised as future bike/pedestrian trail remain intact.
3. That the preservation rate of 92.1% of the Heritage Oaks and the preservation rate of 73% of the Valley Oaks as plotted on the surveyor's map are left intact.
4. That all drainage/wetland concerns meet all local, state, and federal laws and regulations.

She stated that she was concerned with drainage and asked what type of drainage pipes would be installed and if it would be environmentally friendly.

Fred Lucero, PACE Engineering, stated that HDPE (High Density Pipe) would be used and that it is environmentally friendly.

Paul Trujillo, resident, stated that he would had to see any changes made to the current plan as it takes into account the trees, long term planning for parks, that Baker Road traffic is not going to come into this development, as if Baker Road traffic were brought into this area it would be destroyed.

Chairperson Brink stated that Mr. Trujillo brought up some very good points.

Ron David, resident, stated that his concern was with the traffic circulation. He would like to see some additional ingress and/or egress off of Monroe to relieve some of the traffic in the Highland Bluffs area. He questioned if CalTrans would have any additional input to the traffic trying to get on to Highway 36 from Monroe. He stated that he felt the Planner should be commended on his work on the green areas.

Mr. Timboe stated that the Traffic Study is done to assess the impacts and the impacts to the State Highways are not at a point where it meets a threshold requirement that the developer would be required to improvement any of those properties. What will be a benefit to the community is the Development Impact Fees that will be collected and put into the Capital Transportation Improvement Plan. The City Council will prioritize and fix some of the transportation issues within the City.

James Collins, resident, stated that he would also like to see another road for construction traffic either in the way of an ingress and egress and also asked that the developer leave any many trees as possible.

Fred Lucero, PACE Civil Engineering, stated that he was the engineer on the project and that the developer had basically declined to allow access to the subdivision from Baker Road through the subdivision to Monroe.

Carolyn Yates, resident, requested clarification on where the northern access would be located and asked if Derby Road would be impacted.

Mr. Timboe stated that the subdivision is between Forward Park and 36W and that the access would be between Sacred Heart School and Highway 36W.

Chairperson Brink closed the Public Hearing at 6:33 p.m.

Commissioner Dale requested clarification on Condition No. 31 Utility Screening because in a previous development the Planning Commission required no rooftop HVAC units. He questioned if this condition should have specific wording included that would address the issue.

Mr. Timboe stated that the intent and experience over the years was that the HVAC units be installed on 5 foot side yard and that he was not opposed to beefing up the language in condition 31 at all.

Commissioner Dale questioned what the developer thought about this.

Andrew Medhdadi, developer, stated that it was not his intent to put roof top HVAC and that he was available to answer any questions the Planning Commission may have.

Chairperson Brink asked if not allowing rooftop HVAC units could be made part of Condition No. 31 for this development as well as for future developments.

Mr. Timboe stated that he was not opposed to doing that and that it could be added to this development when the Planning Commission makes a motion.

Commissioner Dale stated that his other concerns were with the Highland Bluff at Monroe intersection and the sewer/water fees paid by the current residents of Highland Bluffs and if the new development would share in these costs. He also questioned how the intersection of Monroe at Highway 36 would be improved.

Mr. Timboe stated that the City does take that very seriously and one of the goals is to make this project a good neighbor. He has looked at this and concurs with the gentleman's concerns of the intersection at Highland Bluffs and Monroe and he would be speaking with the Public Works Director to see what could be done to accomplish this, as well as to see if the new infrastructure that had been installed along Monroe Street in relation to the current fees being paid by the existing residents. As to the intersection of Monroe at Highway 36 this may be something that the Director of Public Works could address by trading credits with the Developer. He stated that he felt that Mr. Lucero did an excellent job with the grading plan for this development.

Commissioner Dale questioned if there would be a retention pond on the site.

Mr. Timboe stated he was working with the developer to restructure a culver system that goes under Monroe with a baffle system. This baffle system would cause a retention or

somewhat of a detention system of sorts by causing the water to back up into the open space area.

Commissioner Dale requested clarification on the dark colored area behind lots 114 and 115.

Mr. Timboe stated that was something that was proposed but there is a condition that makes it null and void.

Commissioner Dale stated that he was concerned that the artificial pond in the open area would become a hazard.

Mr. Timboe stated that it was better because the area may be larger but it would be flatter and that there is a section that addresses this.

Commissioner Dale questioned if the City Council could amend the two assessment district fees on an annual basis.

Mr. Timboe stated that this is called an Engineers Assessment Report, which is completed by an engineer that re-evaluates these between staff and other inflation adjustments to make sure that it's being fair and if it's not fair it's readjusted.

Mr. Medhdadi stated that the engineer initially estimates what the cost of electricity, water, etc. and after the end of the year the City Administration figures out the actual cost and gives it to the engineer who would figure what increase to the adjustments might be.

Commissioner Dale requested clarification on who would approve the assessment increases.

Mr. Timboe stated that the City Council would approve.

Commissioner Dale asked Mr. Medhdadi if he had any idea of what the assessment would be.

Mr. Medhdadi stated that he felt it would be between \$25 to \$100 month.

Mr. Timboe stated that there is a benefit with an open space park because it can be maintained fairly natural and can be updated as the City gets funds. He stated that he did not feel that this would be expensive districts as there were no waterlines and it's a natural open space.

Commissioner Dale questioned if there were any requirements that perspective buyers be notified by they were in an assessment district.

Mr. Medhdadi stated that it is included in the disclosures, which is made prior to purchase at escrow.

Mr. Timboe questioned Mr. Medhdadi on what he thought the people thought of the benefits they get from these assessment districts with the subdivisions that he had done so far.

Mr. Medhdadi stated that if it is reasonable and that it's a write-off on their taxes.

Chairperson Brink questioned if this was something of the future of Red Bluff where this would be done with all new developments or just specific ones.

Mr. Timboe stated that from his stand point it is not something that would apply to all developments, but when you have larger projects it becomes something that is acceptable and that the benefits really should be going to things such as open space parks.

Chairperson Brink stated that he did not want to see this become the norm for all subdivision.

Mr. Timboe stated that if there is a benefit for the community then we would want to have them, but if it's just a standard subdivision that has the landscape strips between the curb and the sidewalk, which are made part of the front yards and have to be maintained by the single family residents.

Commissioner Dale asked if the Fire Chief would like to speak to the sprinkler issue.

Gerry Gray, Fire Chief, stated that in regards to the fire sprinklers there is not a Fire Chief that would not want these required. He stated that with the installation of the 3MG tank off of Plymire Road the fire flows had been significantly improved. He stated that the department had looked at the potential impacts of fire hazards with the open space and that the assessment districts help to maintain the same level of service as is currently being provided.

Commissioner Dale asked if the Fire Chief would like a fire break drawn into the open space and is the department would need additional equipment.

Chief Gray stated that the Weed Abatement Program would address the needed fire breaks and that the staff of the Fire Department is very well trained and equipped. What he's looking at is the potential to help offset the increase in call volume that this development would create and that the City needs to start evaluating the impact of the accumulative projects.

Commissioner Latourell questioned if there would be any shared driveways, if any additional lift stations would be needed and the available sewer disposal capacity.

Mr. Timboe stated that there would not be any shared driveways. He has not been told that there would be a need for an additional lift station and that the City does have a sewer master plan which states that anything within the City limits can be served at the current plant.

Commissioner Latourell questioned if there had been a consideration of a Road Assessment District.

Mr. Timboe stated that the road will be built to City standards which is a 30 year standard. Currently working on a road to connect to Baker via Monroe which would be a public street.

Commissioner Latourell stated that with the strained budget for repair of City streets he felt there should be another assessment district.

Mr. Timboe stated that the standard is for the road to be built to a 30 year road.

Commissioner Latourell requested clarification on whether the baffle system will require maintenance.

Mr. Timboe stated that it wouldn't be checked anymore than the current storm drains within in curbs, as this will just back the water up.

Commissioner Latourell questioned if the retention and/or detention runoff area would create a mosquito issue and if the baffle system was designed for the 100 year flood event.

Mr. Timboe stated that mosquito's don't survive in the winter months when this system would be in use.

Mr. Lucero stated that most of these types of systems are designed for the 100 year event.

Commissioner Latourell stated that he would like to see a bike trail more clearly defined on Monroe Avenue since it will have a direct effect.

Mr. Timboe stated that frontage road improvements will be done as per the conditions and mitigations.

Commissioner Latourell questioned if the school was still planning to build in the area and if the open areas within the City limits would be patrolled.

Mr. Timboe stated that local government only has so much say with school projects and that the open areas would be patrolled similar to Dog Island.

Commissioner Carrel requested clarification on the erosion factor with the lots that backup to ravines and questioned how it was proposed to be taken care of and if there was any provisions to retain any run off.

Mr. Lucero stated that most of the lots drain to the street and that those in back will have ditches or a pipe that will take storm runoffs to the storm drains. He continued by saying that most of these areas they avoid retaining any run off because of wetland issues.

Mr. Medhdadi questioned staff what approach would be used in regards to the circulation development.

Mr. Timboe stated that staff is approaching this Road F and that as other subdivisions come in it will be extended but between the development on Baker Road and the Church property there will be a 112 acre gap. Road F will be designed so that the houses backyards will face Road F.

Commissioner Dale requested clarification on whether the homes on lots 205 through 217 would front on Road F or H and if they would have a sound barrier wall.

Mr. Timboe stated that the homes would face Road H and that there was nothing in the nexus that would require a masonry wall.

Commissioner Dale questioned if that could be added as a condition.

Mr. Timboe stated that a condition could be added that stated that all homes will front on Road H.

Mr. Lucero stated that all the utilities would be on Road H.

Commissioner Dale stated that his concern is with the homes that backup to Road F and stated that he would like to see the Planning Commission stiffen up the conditions for lots 205 to 217.

Mr. Timboe stated that Condition Number 40 could be added to indicate that all lots on Road H must front on Road H with their rear yards facing Road F and that lots 205 through 217 must have a 6 foot decorative masonry wall.

Commissioner Latourell noted that there was no phasing proposed and questioned if CalTrans had finalized the alignment of Monroe and 36 yet.

Mr. Timboe stated CalTrans has plans A-D but not the necessary significant funds to do the work. He stated that CalTrans has been aware of this project for two years and that he has worked with CalTrans on a daily basis and would personally like to see plan D.

Commissioner Latourell requested clarification on the easement proposed.

Mr. Timboe stated that it would be a 20 foot un-buildable easement and that no other alternative was available at this time.

Motion by Commissioner Dale to adopt Resolution No. 06-017 recommending that the City Council approve the Tentative Tract Map 05-1007 with the Findings and Conditions of approval shown in Planning Commission Resolution No. 06-017 with the following changes:

1. Amend Condition No. 31 to read no rooftop HVAC.
2. Add Condition No. 40 for those homes on Road F & H that will state that the homes on Road H will front on Road H with the rear yards facing Road F and that a decorative masonry wall will be installed along Road F.

Motion died for lack of a second.

Commissioner Christ stated that he would like to see the wording worked out for providing a wall along Road F.

Mr. Timboe asked Mr. Medhdadi if he would be acceptable to there being a masonry wall along Road F.

After reviewing the map Mr. Medhdadi stated that he had no objections.

Mr. Timboe stated that Condition No. 40 could be added that read that lots 205 to 217 along Road F shall front on to Road H with a rear 6 foot decorative masonry wall.

Commissioner Latourell stated that he had too many issue with the road maintenance and easement.

M/S/C Dale, Christ to Resolution No. 06-017 recommending that the City Council approve the Tentative Tract Map 05-1007 with the Findings and Conditions of approval shown in Planning Commission Resolution No. 06-017 with the following changes:

1. Amend Condition No. 31 to read no rooftop HVAC.
2. Add Condition No. 40 for those homes on Road F & H that will state that the homes on Road H will front on Road H with the rear yards facing Road F and that a decorative masonry wall will be installed along Road F.

AYES: Commissioners: Brink, Carrel, Christ and Dale

NOES: Commissioner: Latourell

ABSENT OR NOT VOTING: None

STAFF ITEMS/REPORTS:

Mr. Timboe reminded the Commissioners of the Special Meeting on October 16th beginning at 6:30 p.m. at the Red Bluff Community/Senior Center to consider the Wal-Mart Supercenter and reported that for the October 24th meeting there may be a Use Permit for motorcycle sales in C-2 zoning.

E. ADJOURNMENT:

There being no further business the meeting was adjourned at 7:40 p.m. until October 16, 2006 at 6:30 p.m., Red Bluff Community/Senior Center.

Respectfully submitted,

Scot Timboe
Interim Planning Director