

MINUTES
CITY ENGINEER PUBLIC HEARING
November 18, 2016

STAFF PRESENT

Tim Eriksen, City Engineer/Director of Public Works
Michelle Johnson, Associate Planner
Kevin Thompson, Interim Planning Director
Ben Kageyama, Senior Civil Engineer
Lory Limbird, Recording Secretary

OTHERS PRESENT

Gary Ackerstrom
Alpesh Jivan
Mitesh Jivan

The meeting was called to order by City Engineer Tim Eriksen at 10:30 a.m. in Conference Room 1, Ukiah Civic Center, 300 Seminary Avenue, Ukiah, California.

2. SITE VISIT VERIFICATION – Confirmed by City Engineer Eriksen.

3. APPROVAL OF MINUTES – The Minutes from the May 03, 2016 meeting are available for review and approval.

City Engineer Eriksen approved the May 03, 2016 meeting minutes, as submitted.

4. APPEAL PROCESS

City Engineer Eriksen read the appeal process, stating for matters heard at this meeting the final date for appeal is Thursday, December 1, 2016.

5. VERIFICATION OF NOTICE

Staff verified Airport Park Blvd Lot F6 Minor Subdivision File No.: 2134 was properly noticed in accordance with the provisions of the Ukiah Municipal Code.

6. PUBLIC HEARING

6A. Airport Park Blvd Lot F6 Minor Subdivision File No.: 2134. Conduct a public hearing on the property owners request for City Engineer approval of a three lot minor subdivision located at Airport Park Blvd Lot F6, APN 180-080-28.

Associate Planner Johnson:

- Gave a staff report as provided for pages 1-4 of the staff report to include the Findings in Attachment 1 and Conditions of Approval in Attachment 2, and all other relevant project documents/exhibits in association with the staff report.
- Staff recommends project approval based on the draft Findings in Attachment 1 and subject to the draft Conditions of Approval in Attachment 2 with special attention given to Condition of Approval No. 11 that reads, 'The Parcel Map shall offer to dedicate a 15-foot-wide Public Access Easement along the westerly line of Parcel 1. At the time of development, a Public Access Easement having a minimum width of 10 feet, shall be dedicated from the westerly line of Parcel 1 to Airport Park Boulevard, the alignment of which shall be incorporated into the site development plan, subject to the approval of the Director of Community Development and the City Engineer.'

PUBLIC HEARING OPENED: 10:34 p.m.

Gary Ackerstrom, Applicant:

- Questioned where the access easement requirement in Condition of Approval No. 11 is coming from?
- The project conforms to City Code regulations and corresponding development plan and cannot find where an access easement is a requirement.

1 **City Engineer Eriksen/Senior Civil Engineer Kageyama:**

- 2 • Since the subject property is located in the Airport Industrial Park (AIP) the requirement essentially
3 complies with the intent of AIP PD Ordinance No. 1098 that governs development in the AIP as the
4 proposed minor subdivision relates to:
- 5 ▪ item 5, Site Planning and Design Standards – Commercial Development, h, Pedestrian
6 Orientation, (1) that reads, ‘Pedestrian walkways shall be included that directly and safely
7 link all parking areas with building entrances, off-site transportation facilities, establish
8 sidewalks, and adjacent public rights-of-way.’ (3) that reads, ‘Lots with frontages along the
9 primary street shall provide a 5-foot side meandering sidewalk located within the required
10 front setback. The sidewalk may be located over the public utility easement. Every effort
11 shall be made to link developments with attractive and accessible pedestrian facilities,’ and
12 (4) that reads, ‘Secondary streets accessing the rear portion of parcels shall include 5-foot
13 side sidewalks or alternative pedestrian facilities that link the development on the rear
14 portion of the parcels with Airport Park Boulevard.’
 - 15 ▪ The requirement would also comply with item G, Development Standards, (8) Sidewalk
16 Requirements that reads, ‘Lots with frontages along the primary street shall provide a 5-foot
17 curvilinear sidewalk located within the required front setback. The sidewalk may be located
18 over the public utility easement. Every effort shall be made to link developments with
19 attractive and accessible pedestrian facilities,’ and (10) Development Integration that reads,
20 ‘Every effort shall be made to ‘master plan’ development within the Airport Industrial Park.
21 Applicants shall be encouraged to coordinate development proposals to ensure compatible
22 architectural themes, high quality site planning, efficient and functional traffic circulation,
23 coordinated pedestrian circulation, and compatible land use.’
- 24 • Is of the opinion a public access easement would be a benefit to the City and developer having almost
25 zero impact to the development.
26

27 **Gary Ackerstrom:**

- 28 • Is of the opinion an access easement would take up landscaping space and compromise the ability to
29 meet the LID requirements for the project.
- 30 • Questioned how runoff from the pavement relative to the public access easement will be addressed.
 - 31 • What measures will be taken to mitigate loss of trees and landscaping area as a result of
32 implementing a Public Access Easement from the rear of the subject property to Airport Park
33 Boulevard?
34

35 **City Engineer Eriksen:**

- 36 • A public access easement/rail trail must be consistent and/or meet with all City standards in this
37 regard.
38

39 **Senior Civil Engineer Kageyama:**

- 40 • Drew attention to draft Condition of Approval No. 6 from the Department of Public Works states, ‘Prior
41 to construction of site improvements, a final grading and drainage plan, and an erosion and sediment
42 control plan, prepared by a Civil Engineer, shall be submitted for review and approval by the
43 Department of Public Works. The plan shall include the detailed design of post-construction storm
44 water best management practices (BMPs) in compliance with the City of Ukiah’s Phase I Storm
45 Water Permit and the Low Impact Development Technical Design Manual (LID Manual), in effect at
46 the time of development. A Standard Urban Storm Water Mitigation Plan (SUSMP) shall be provided
47 to support the design of the proposed drainage system.’
- 48 • A pedestrian facility from the front of Airport Park Boulevard to the rear of the property is necessary
49 that would include ADA accessibility so that pedestrians can go from the Airport Park Boulevard
50 sidewalk to the back corridor to where the development would be located. The City is asking for an 8-
51 foot sidewalk rather than a 5-foot sidewalk. Accordingly, some kind of ADA access is necessary from
52 Airport Park Boulevard to the back of the property and/or development.
53

54 **Gary Ackerstrom:**

- 55 • Is of the opinion not all sidewalk and/or frontage improvements should be required of the proposed

1 hotel project but rather part of future development.

- 2 • When the Airport Industrial Park was developed we would have people walking on the sidewalks of
3 Airport Park Boulevard as well as on somewhat undefined meandering pathways in the area. There
4 was never a pedestrian connection from Airport Park Boulevard that extends to the railroad like what
5 is being required for the proposed project. Acknowledged the railroad may again be in use in some
6 type of capacity.
- 7 • Again, has concern that requiring a pedestrian connection from Airport Park Boulevard to the rear of
8 the development site would result in the loss of trees and landscaping potential.

9
10 **City Engineer Eriksen:**

- 11 • It may be that having a transportation system/facility and/or pedestrian connection/rail trail would
12 enhance the hotel situation in the area. The intent is to continue the existing City Rail Trail that
13 currently extends from E. Gobbi Street to Clara Avenue to other areas including the AIP.

14
15 **Alpesh Jivan:**

- 16 • Related to the railroad location, traffic is coming from the east and/or other side of the subject
17 property so there is essentially no benefit to having a pedestrian connection in the rear of the parcel.

18
19 **Associate Planner Johnson:**

- 20 • Asked about the potential benefit to having a pedestrian connection in the rear of properties for
21 persons coming to visit Crush and some of the commercial establishments on Airport Park Boulevard.
22 Having a pedestrian connection provides more options for restaurants especially in the Downtown
23 area so such a connection would likely benefit commercial establishments/hotels and/or other
24 business in the AIP.

25
26 **Alpesh Jivan:**

- 27 • Pedestrian activity typically occurs in the front of developments on street frontages. The front of hotels
28 is where most of the public activity occurs not in the rear of the hotel. The front of hotels is the safest
29 where people are walking in and out and then once in the hotel there is nothing in the back of the
30 hotel where people need to be.
- 31 • People in the Downtown benefit from having a pedestrian connection because they walk but in the
32 AIP people typically drive to a particular designation.

33
34 **Associate Planner Johnson:**

- 35 • Having a primary or main access in an area encourages/invites people to walk, shop, and dine.
36 Acknowledged having a primary access area is not as important for people having a specific
37 purpose/designation as it would be for persons wanting options with regard to shopping/dining and the
38 like.
- 39 • Having direct pedestrian access in the Downtown is a 'huge asset.'

40
41 **Alpesh Jivan:**

- 42 • Owns a hotel on S. Orchard Avenue that is located somewhat near the Downtown with walkways
43 leading to the Downtown area. Finds though that people drive and call cabs rather than walk.

44
45 **Associate Planner Johnson:**

- 46 • Is of the opinion Orchard Avenue is not a very 'walkable' part of the community where the new City
47 Rail Trail is wide, is inviting, is lighted, and provides for a direct connection to the Downtown. If people
48 want something to do walking/bicycling on a pedestrian access area/rail trail gives people something
49 to do and also provides a connection to other places without having to drive. It is also a safe way to
50 travel from one designation to another.

51
52 **Alpesh Jivan:**

- 53 • Preference would be not to provide for an pedestrian connection/rail trail in the rear of the
54 development and to wait a few years to see what occurs with the railroad and/or other developments

1 in the area. His experience in the hotel business is that the primary important part in terms of foot and
2 vehicle traffic is the front entrance that fronts the street, which in this case is Airport Park Boulevard
3 and not in the rear of a hotel. The customer base a hotel owner is trying to attract comes from the
4 front entrance of the building. Has observed the whole corridor on S. Orchard Avenue where the Best
5 Western hotel is located is pretty walkable.

- 6 • Is not excited about having to provide for more pedestrian access other than that which comes from
7 the along the street frontage of his hotel. Even with just this point of access, his hotel experiences
8 vandalism and/or break-ins.

9
10 **Associate Planner Johnson:**

- 11 • Having additional pedestrian connections provides for more 'eyes' that can observe vandalism, break-
12 in and/or potential criminal activity or undesirable behavior.
- 13 • Her preference would be to choose hotels that offer access options so she can walk to other
14 establishments without having to drive.

15
16 **City Engineer Eriksen:**

- 17 • Asked if the applicant understands the City Rail Trail has been fully funded so the planned extension
18 from Gobbi Street to Commerce Drive is grant funded and on the books slated for constructed in
19 2018.
- 20 • Interconnecting pedestrian access are being considered in Ukiah to link with other pedestrian
21 walkways/trails with the intent to have a completed networking system throughout the community and
22 possibly extend into county areas but all of this takes strategic planning and financial resources. The
23 intent at this juncture is to extend the City Rail Trail from Gobbi Street to Commerce Drive and
24 possibly past the brewing company on Airport Park Boulevard.

25
26 **Civil Engineer Kageyama:**

- 27 • Acknowledged there are pathway corridors that are established as paths of travel by
28 homeless/transient/migrant persons and/or other persons that are not clearly visible by the public
29 where alternatively, planned public access easements/rail trails/pathways and the like would be visible
30 to the public and safe. Many of the homeless/transient population have moved away from the public
31 trail/pathways because they do not like being visible. Making trails public makes the situation better
32 for the community that want to walk or bike.

33
34 **City Engineer Eriksen:**

- 35 • Condition of Approval No. 11 does not require any construction but rather requires when the City Rail
36 Trail is constructed in the area that there is an access easement to the hotel property.

37
38 **Civil Engineer Kageyama:**

- 39 • As part of the project development the applicants would be required to have ADA access and
40 corresponding sidewalks to the hotel development. Even if the applicant is of the opinion the sidewalk
41 only needs to go as far as the front portion of the hotel there is still the parcel in the rear of the subject
42 property on the southwest corner that would need to have a pedestrian access from Airport Park
43 Boulevard.
- 44 • Recommends an eight-foot wide sidewalk from Airport Park Boulevard to the rear of the property that
45 would constitute a full 'Class 1 trail' as opposed to a five-foot wide sidewalk.

46
47 There was discussion referencing the Parcel Map regarding potential location of the sidewalks on the property.

48
49 **Gary Ackerstrom:**

- 50 • Was not supportive of having a sidewalk extend to the back of the hotel building. Hotel owners do not
51 want clientele lingering in the back of the hotel building where activity goes on for the function of the
52 business. The rear of the building essentially functions as the loading dock.

53
54 **Associate Planner Johnson:**

- Public access and ADA accessibility is necessary that is considered 'free' of the parking lot if parking is required for the project as part of the zoning ordinance regulations. As such, a development must provide for a sidewalk or striped area for pedestrian access from the parking lot to the building. If there is no sidewalk, pedestrian access in the parking lot must be striped to the front door of the building.
- Required parking and pedestrian access in the parking lot and sidewalk frontage improvements would be discussed and/or considered for the site development permit phase of the project for the hotel development and not for the minor subdivision project.

Gary Ackerstrom:

- Does not see any written regulation anywhere that requires a Public Access Easement be established for the project for future connection with the City Rail Trail and does not support such a condition of approval.

City Engineer Eriksen:

- What is of importance for consideration for the proposed Minor Subdivision project is Condition of Approval No. 11 that requires the Parcel Map dedicate a 15-foot wide Public Access Easement along the westerly line of Parcel 1 adjacent to the railroad tracks that abut the subject property and that, at the time of development, a Public Access Easement having a minimum width of 10 feet shall be dedicated from the westerly line of Parcel 1 to Airport Park Boulevard to meet the intent of AIP PD Ordinance 1098 that governs development in the AIP.

Associate Planner Johnson:

- Since the minor subdivision is a three-parcel split, Condition of Approval No. 11 would potentially give the applicants more options down the road with regard to the site development permit phase of the project with regard to parking, pedestrian access, street frontage improvements as to location of the pedestrian access from the rear of the property to Airport Park Boulevard.

While no site plans for the proposed hotel development have been submitted, there was review of the Parcel Map as to various potential options concerning location of the Public Access Easement that would extend from the rear of the property to Airport Park Boulevard.

City Engineer Eriksen:

- It may be the minor subdivision cannot be approved at this hearing since there is no consensus regarding acceptance of Condition of Approval No. 11.

Alpesh Jivan:

- Does not want the project delayed because it will take time to build the hotel.
- Would be amenable to accepting Condition of Approval No. 11 for the minor subdivision project.

There was discussion about the location of other corridors for bike and pedestrian use that might be possible in the area.

City Engineer Eriksen:

- Any improvements made by the City from grant appropriations with regard to extension of the City Rail Trail and/or other improvements to pathways/trails would in the future enhance the hotel development aesthetically or otherwise and from a safety perspective since the pedestrian access pathway would be lit. There would also be more foot and/or bicycle traffic that may further augment business.

There was further discussion regarding pedestrian access corridors in the City pertinent to how these pathways can be interconnected for feasible purposes that would benefit businesses and persons desiring to walk or bike as opposed to driving.

Civil Engineer Kageyama:

- Addressed the matter of grade differentials for the various pedestrian access options as it relates to feasibility on the subject property.

Gary Ackerstrom:

- While not particularly supporting the concept of Condition of Approval No. 11 would be okay with allowing this condition for approval of the minor subdivision project so future development can move forward.

PUBLIC HEARING CLOSED: 11:14 p.m.

City Engineer Eriksen approved Airport Park Blvd Lot F6 Minor Subdivision File No.: 2134 based on Findings in attachment 1 and subject to Conditions of Approval in attachment 2.

7. ADJOURNMENT

There being no further business, the meeting adjourned at 11:15 p.m.

Cathy Elawadly, Transcriptionist

FINAL MINOR SUBDIVISION FINDINGS

**MINOR SUBDIVISION
AIRPORT PARK BLVD LOT F6
APN: 180-080-28
FILE NO: 2134**

The following findings are supported by and based on information contained in this staff report, the application materials and documentation, and the public record.

1. The proposed Tentative Parcel Map, as conditioned, complies with the requirements of the City of Ukiah Municipal Code, Division 9, Chapter 1, Article 18 and the Subdivision Map Act.
2. The parcels established as a result of this minor subdivision are consistent with the General Plan Master Plan Area (MPA) land use designation.
3. The proposed minor subdivision map, as conditioned, complies with the requirements of Light Manufacturing Mixed Use zoning district.
4. The subdivision will create the lots, which are appropriate to the surrounding area and with the existing surrounding uses based on the following:
 - A. Proposed Parcels are consistent with the requirements of the Light Manufacturing Mixed Use zoning district.
 - B. Proposed Parcels will have access directly onto a public street and utilities are available to serve the site.
5. Notice of the proposed minor subdivision was provided in the following manner:
 - A. posted in three places on the project site on November 04, 2016;
 - B. mailed to property owners within 300 feet of the project site on November 04, 2016; and

1 C. published in the Ukiah Daily Journal on November 06, 2016
2
3

4 **FINAL MINOR SUBDIVISION CONDITIONS OF APPROVAL**

5
6 **MINOR SUBDIVISION**
7 **AIRPORT PARK BLVD LOT F6**
8 **APN: 180-080-28**
9 **FILE NO: 2134**
10

- 11 1. Approval is granted for the 3-lot minor subdivision as shown on the tentative map submitted to the
12 Planning Division and date stamped October 19, 2016, except as modified by the following conditions
13 of approval.

14 From Public Works-Ben Kageyama 707-463-6284
15

- 16 1. The tentative map shall be revised to include the following:
- 17 a. Pursuant to Section 8305B of the Ukiah City Code, a minimum 20-foot wide access and public utility
18 easement shall be provided to serve Lot "F6-B," which has no street frontage.
 - 19 b. Re-number the proposed parcels consecutively as: Parcel 1, Parcel 2, and Parcel 3.
 - 20 c. The location of all existing easements must be shown on the tentative map (refer to preliminary
21 report for listing).
 - 22 d. Indicate both gross and net square foot areas of each proposed parcel.
 - 23 e. Include the map scale on the reduced tentative map, or include a graphic scale.
 - 24 f. Indicate the Assessor's Parcel Number of the subject property.

25 The following conditions of approval are recommended for the proposed minor subdivision:

- 26 2. At the time of development, street frontage improvements shall be provided along Airport Park
27 Boulevard, including curb, gutter, ADA compliant meandering sidewalk and street trees in accordance
28 with improvement plans prepared by a Registered Civil Engineer and approved by the City Engineer.
29 The applicant shall be responsible for the relocation or replacement of utilities as necessary to
30 accommodate the construction of street frontage improvements. Public sidewalks located outside of
31 the street right-of-way will require a sidewalk easement dedicated to the City.
- 32 3. Prior to construction of site improvements, a grading and drainage plan, and an erosion and
33 sediment control plan, prepared by a Civil Engineer, shall be submitted for review and
34 approval by the Department of Public Works. The plan shall include the detailed design of
35 post-construction storm water best management practices (BMPs) in compliance with the
36 City of Ukiah's Phase I Storm Water Permit and the Low Impact Development Technical
37 Design Manual (LID Manual), in effect at the time of development. A Standard Urban Storm
38 Water Mitigation Plan (SUSMP) shall be provided to support the design of the proposed
39 drainage system.

- 1 4. Applicable Ukiah Valley Sanitation District sewer connection fees shall be paid at the time of
2 building permit issuance
- 3 5. This project is subject to Airport Industrial Park Capital Improvement Fees as adopted by the
4 Ukiah City Council.
- 5 6. The tentative map shall expire twenty-four (24) months from the date of its approval or
6 conditional approval unless extended in accordance with the City of Ukiah Subdivision
7 Ordinance and the Subdivision Map Act.
- 8 7. A Parcel Map shall be prepared and submitted to the City Engineer for review and approval,
9 along with payment of all parcel map processing and review fees, and shall be prepared and
10 recorded in a manner consistent with Ukiah Municipal Code requirements.
- 11 8. The Parcel Map submitted for recordation shall include all necessary easements or such
12 easements shall be recorded by separate instrument.
- 13 9. All taxes now due, or past due, must be paid prior to the approval of the Parcel Map.
- 14 10. Each parcel shall be served individually upon the development of the parcel with appropriate
15 public utilities required for the type of development within the parcel.
- 16 11. The Parcel Map shall offer to dedicate a 15-foot-wide Public Access Easement along the
17 westerly line of Parcel 1. At the time of development, a Public Access Easement having a
18 minimum width of 10 feet, shall be dedicated from the westerly line of Parcel 1 to Airport
19 Park Boulevard, the alignment of which shall be incorporated into the site development plan,
20 subject to the approval of the Director of Community Development and the City Engineer.

21 From Electric Department-Scott Bozzoli 707-467-5775

22 Ukiah Electric Utility Department (EUD) has the following requirements and comments on the proposed parcel
23 split:

- 24 a. A 10' Public Utility Easement is required along all road side frontages and any primary
25 power that traverses across the property. The PUE shall be a surveyed deed or defined
26 on the subdivision map recorded with the County Recorder Office of Mendocino County.
- 27 b. The parcel is served from underground facilities in the area.

28 All future site improvements shall be submitted to the Electric Utility Department for review and comment.
29 At that time specific service requirements, service voltage and developer costs and requirements will be
30 determined
31