

CITY OF UKIAH
City Engineer Public Hearing MINUTES
Conference Room #1
300 Seminary Avenue
Ukiah, CA 95482
October 26, 2017
3:00 p.m.

STAFF PRESENT

Rick Seanor, Acting City Engineer
Adele Phillips, Associate Planner
Ben Kageyama, Senior Civil Engineer
Shannon Riley, Deputy City Manager
Cathy Elawadly, Recording Secretary

OTHERS PRESENT

Gary Ackerstrom

1. CALL TO ORDER

Acting City Engineer Seanor called the meeting to order at 3:00 p.m. in Conference Room No. 1, Ukiah Civic Center, 300 Seminary Avenue, Ukiah, California.

Acting City Engineer Seanor presiding.

2. SITE VISIT VERIFICATION

Staff confirmed.

3. APPROVAL OF MINUTES

a. The Minutes of September 21, 2017.

Acting City Engineer Seanor approved the September 21, 2017 minutes, as submitted.

4. COMMENTS FROM AUDIENCE ON NON-AGENDA ITEMS

No public comment was received.

5. APPEAL PROCESS

Note: For matters heard at this meeting the final date to appeal is November 6, 2017 at 5:00 p.m.

6. VERIFICATION OF NOTICE

Staff confirmed.

7. PUBLIC HEARING

a. **Lot Line Adjustment:** Conduct a public hearing on the property owners' request for City Engineer approval of a lot line adjustment between two parcels located on Airport Park Boulevard: APNs 180-110-11 (City of Ukiah Successor Agency for URA) and APN 180-080-76 (Redwood Business Park of Ukiah).

Presenter: Adele Phillips, Associate Planner gave a staff report as provided for on pages 1 – 6 of the staff report.

PUBLIC HEARING OPENED: 3:04 P.M.

Public Comment: Gary Ackerstrom, applicant.

PUBLIC HEARING CLOSED: 3:04 P.M.

There was discussion concerning the existing issue of storage of solid waste on the subject property owned by Redwood Business Park/Gary Akerstrom that is specifically addressed in Condition of Approval #7 that states: "Prior to final approval and recordation of the lot line adjustment, the owner of APN 180-080-76 (Redwood Business Park / Gary Akerstrom) shall apply for a Use Permit from the City of Ukiah Community Development and Planning Department for the continued storage of solid waste on the subject property and adjoining APN 180-080-2, and receive Planning Commission approval; OR, remove the material to a zoning district in which such use is permitted and approved by the City of Ukiah."

Acting City Engineer Seanor approved Lot Line Adjustment between two parcels located on Airport Park Boulevard: APNs 180-110-11 (City of Ukiah Successor Agency for URA) and APN 180-080-76 (Redwood Business Park of Ukiah) with Findings in attachment 2 of the staff report and Conditions of Approval in attachment 3 of the staff report.

8. **ADJOURNMENT**

There being no further business, the meeting adjourned at 3:07 p.m.

Cathy Elawadly, Recording Secretary

ATTACHMENT 2

**FINDINGS
LOT LINE ADJUSTMENT ON
APN 180-080-76 AND APN 180-110-11
FILE NO. MUNIS 2887**

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

1. The adjustment will not create a greater number of parcels than existed prior to the adjustment;
2. The adjustment will not result in an increase in the number of nonconforming parcels;
3. The adjustment will not increase the nonconformity of any parcel;
4. All of the parcels resulting from the adjustment, as subject to the conditions of approval, are consistent with the General Plan, Zoning Ordinance, and Building Code.

ATTACHMENT 3

**CONDITIONS OF APPROVAL
LOT LINE ADJUSTMENT ON
APN 180-080-76 AND APN 180-110-11
FILE NO. MUNIS 2887**

Approval is granted to the Project based on the project description submitted to the Planning and Community Development Department, and as shown on the Plot Plan contained therein, except as modified by the following conditions of approval:

1. All fees related to the Lot Line Adjustment application must be paid prior to the final approval and the recordation of the Lot Line Adjustment.
2. The lot line adjustment shall be reflected in deeds meeting the approval of the City Engineer and shall be recorded with the Mendocino County Recorder. The recorded deeds shall include legal descriptions and plat maps, and shall be prepared by a Licensed Land Surveyor or a Registered Civil Engineer.
3. If required, any existing easement, utility or other infrastructure affected by the Lot Line Adjustment shall be adjusted or relocated, as determined by the City Engineer.
4. If required, property owners shall obtain partial reconveyances from any mortgagor or other lien holders for any portion of a parcel being transferred to an adjacent parcel and that any liens covering the adjacent property have been modified to cover the newly created larger parcel.

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5. Prior to recordation of deeds, written verification shall be provided by a title company that partial reconveyances and modified deeds of trust will be filed, as necessary.
6. The project must comply with the requirements of the City of Ukiah Public Works Department Lot Line Adjustment Procedures.
7. Prior to final approval and recordation of the lot line adjustment, the owner of APN 180-080-76 (Redwood Business Park / Gary Akerstrom) shall apply for a Use Permit from the City of Ukiah Community Development and Planning Department for the continued storage of solid waste on the subject property and adjoining APN 180-080-2, and receive Planning Commission approval; OR, remove the material to a zoning district in which such use is permitted and approved by the City of Ukiah.
8. This approval is contingent upon agreement of the applicant and property owner and their agents, successors and heirs to defend, indemnify, release and hold harmless the City, its agents, officers, attorneys, employees, boards and commissions from any claim, action or proceeding brought against any of the foregoing individuals or entities, the purpose of which is to attack, set aside, void or annul the approval of this application. This indemnification shall include, but not be limited to, damages, costs, expenses, attorney fees or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the City's action on this application, whether or not there is concurrent passive or active negligence on the part of the City. If, for any reason any portion of this indemnification agreement is held to be void or unenforceable by a court of competent jurisdiction, the remainder of the agreement shall remain in full force and effect.