



City of Ukiah

Community Development Department  
 Planning Division  
 300 Seminary Ave., Ukiah CA 95482  
 Email: [planning@cityofukiah.com](mailto:planning@cityofukiah.com)  
 Web: [www.cityofukiah.com](http://www.cityofukiah.com)  
 Phone: (707) 463-6268  
 Fax: (707) 463-6204

## Planning Permit Application

PROJECT NAME: Marlene Street minor subdivision and rezone					
PROJECT ADDRESS/CROSS STREETS: 960-979 Marlene Street, Ukiah				AP NUMBER(S): 003-100-24 thru 43	
APPLICANT/AUTHORIZED AGENT: Marcia Morgan Lazaro		PHONE NO: 707-972-4204	FAX NO:	E-MAIL ADDRESS: marcia.lazaro@coldwellbanker.com	
APPLICANT/AUTHORIZED AGENT ADDRESS: 444 N. State Street			CITY: Ukiah	STATE/ZIP: CA 95482	
PROPERTY OWNER IF OTHER THAN APPLICANT/AGENT: Ellen Bing & Hin Lok Kung		PHONE NO: 707-217-2764	FAX NO:	E-MAIL ADDRESS: ebkung@mindspring.com	
PROPERTY OWNER ADDRESS IF OTHER THAN APPLICANT: 1879 32nd Ave.			CITY: San Francisco	STATE/ZIP: CA 94122	
HAS YOUR PROJECT RECEIVED A PRELIMINARY REVIEW? <input type="checkbox"/> YES <input type="checkbox"/> NO					
<input type="checkbox"/> AIRPORT LAND USE COMM. DETERMINATION REFERRAL 100.0800.611.003	\$	<input type="checkbox"/> REZONING - PLANNED DISTRICT 100.0800.611.001	\$	<input checked="" type="checkbox"/> USE PERMIT - AMENDMENT 100.0400.449.001	\$ -
<input type="checkbox"/> ANNEXATION 100.0800.611.001	\$	<input type="checkbox"/> SITE DEVELOPMENT PERMIT - AMENDMENT 100.0400.449.001	\$	<input type="checkbox"/> USE PERMIT - MAJOR 100.0400.449.001	\$
<input type="checkbox"/> APPEAL 100.0400.449.001	\$	<input type="checkbox"/> SITE DEVELOPMENT PERMIT - MAJOR 100.0400.449.001	\$	<input type="checkbox"/> USE PERMIT - MINOR 100.0400.449.001	\$
<input type="checkbox"/> GENERAL PLAN AMENDMENT 100.0800.611.001	\$	<input type="checkbox"/> SITE DEVELOPMENT PERMIT - MINOR 100.0400.449.001	\$	<input type="checkbox"/> VARIANCE - MAJOR 100.0400.449.001	\$
<input type="checkbox"/> MURAL PERMIT 100.0400.449.001	\$	<input type="checkbox"/> SPECIFIC/MASTER PLAN 100.0800.611.003	\$	<input type="checkbox"/> VARIANCE - MINOR 100.0400.449.001	\$
<input type="checkbox"/> PRE-DEVELOPMENT MEETING 100.0800.611.003	\$	<input checked="" type="checkbox"/> MINOR SUBDIVISION/TENTATIVE PARCEL MAP (4 OR FEWER LOTS) 100.0800.610.001	\$ -	<input type="checkbox"/> ZONING AMENDMENT MAP OR TEXT 100.0800.611.001	\$
<input type="checkbox"/> STAFF RESEARCH (MORE THAN 1 HOUR) 10023100.41153	\$	<input type="checkbox"/> MAJOR SUBDIVISION/TENTATIVE SUBDIVISION MAP (5 OR MORE LOTS) 100.0800.610.001	\$	<input checked="" type="checkbox"/> REZONING 100.0800.611.001	\$ -
<input type="checkbox"/> LOT LINE ADJUSTMENT OR MERGER 100.0800.610.001	\$	<input type="checkbox"/> OTHER	\$	<input type="checkbox"/> OTHER	\$
COUNTY CEQA FILING FEE: CHECK PAYABLE TO MENDOCINO CO.	\$ -	MAJOR PERMIT DEPOSIT:	\$ 3,000	FILING DATE:	03/14/2024
COUNTY CEQA (NEG DEC) FEE: CHECK PAYABLE TO MENDOCINO CO.	\$ -	MINOR PERMIT FEE:	\$ -	TOTAL AMOUNT PAID:	\$ 3,000
COUNTY CEQA (EIR) FEE: CHECK PAYABLE TO MENDOCINO CO.	\$ -	TOTAL FEE:	\$ 3,000	RECEIPT NUMBER:	-
<b>APPLICATION NUMBER(S): 24-9277</b>					

**Recommendation:** Prior to submitting an application, discuss your project with Staff to discover what fees (sewer, water, in-lieu park fees, traffic impact fees, etc.) may be required for your project. Also, ask about street tree requirements, required sidewalk repairs, drainage issues, storm water mitigation requirements, frontage improvements, etc.



2 lot minor subdivision, rezone Parcel 1 out of PD to MDR  
**Project Description** See Tentative map

Please attach a written project description including summary of work (both interior and exterior for construction and operation) and/or business proposed. The purpose of the project description is to assist Staff in understanding the project. The project description will also be included in the Staff Report required to review (and ultimately approve or deny) the planning permit. Providing complete information will help expedite the project review process and in determining what additional information, if any, related to the project and required environmental review is required.

**Environmental Review and Reports**

Please be aware that projects are required to comply with the California Environmental Quality Act (CEQA). Projects will be reviewed by Staff for compliance with CEQA and Staff will determine the appropriate CEQA document to prepare for the project (exemption, negative declaration, etc.). In order to make this determination, specific reports (traffic, arborist, soils, etc.) and or additional information may be required.

**Use Information**

Please provide the following information related to the use of the site and building:

Description of Building & Site			
Parcel Size: 2.30 AC	Building Size:	Number of Floors:	
Use of Building (check all that apply)	Description	Square Footage	Number of Units/Suites
<input type="checkbox"/> Office (business/professional)	See Tentative Map		
<input type="checkbox"/> Office (medical/dental)			
<input type="checkbox"/> Retail			
<input type="checkbox"/> Light Industrial			
<input type="checkbox"/> Residential			
<input type="checkbox"/> Other:			
Operating Characteristics			
Days and Hours of Operation:			
Number of Shifts:	Days and Hours of Shifts:		
Number of Employees/Shift:			
Loading Facilities: <input type="checkbox"/> Yes <input type="checkbox"/> No	Type/Vehicle Size:		
Deliveries: <input type="checkbox"/> Yes <input type="checkbox"/> No	Type:	Number (day/week/month):	Time(s) of Day:
Outdoor areas associated with use? (check all that apply) <input type="checkbox"/> Yes <input type="checkbox"/> No	Sales area: <input type="checkbox"/> Yes <input type="checkbox"/> No	Unloading of deliveries: <input type="checkbox"/> Yes <input type="checkbox"/> No	Storage: <input type="checkbox"/> Yes <input type="checkbox"/> No
Noise Generating Use? <input type="checkbox"/> Yes	Square Footage: <input type="checkbox"/> No	Square Footage:	Square Footage:
		Description:	

**To Be Completed by Staff**

General Plan Designation: MDR	Zoning District: R2	Airport Land Use Designation: Zones 3 & 6
City's Architectural & Historic Inventory: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	Age of Building: Appx. 40 Years	Demolition Policy: N/A
Hillside: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	Flood Designation FIRM Map: Floodway	Flood Designation Floodway Map: Floodway
Tree Policies		
General Plan Open Space Conservation <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES GOAL/POLICY #:	Community Forest Management Plan <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES GOAL/POLICY #:	
Landscaping and Streetscape Design Guidelines <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES GUIDELINE #:	Commercial Development Design Guidelines <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES GUIDELINE #:	
Tree Protection and Enhancement Policy <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES NOTES:	Tree Planting and Maintenance Policy <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES NOTES:	
UCC: Street Tree Policy, Purpose and Intent <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES NOTES:	Other:	
Notes		

I, Elen Bing Kang Hin Lok Kang, owner authorize Marcia Lazaro to act on my behalf for this project and I have read and agree with all of the above. (Application must be signed by owner).

Elen Bing Kang Hin Lok Kang 3/14/2024  
PROPERTY OWNER SIGNATURE DATE

I, Marcia Morgan Lazaro, am the  owner /  authorized agent of the property for which the development is proposed. The above information and attached documents are true and accurate to the best of my knowledge.  
I have read and agree with all of the above.

I hereby authorize employees of the City of Ukiah, the City's authorized agents, and persons with review or decision making authority for the project to enter upon the subject property, as necessary, to inspect the premises, post notices, and process this application.

I understand that conditions of approval may be placed on my project by the city of Ukiah and it is my responsibility to fully understand the conditions and ask questions about them before action is taken on my planning permit.

Marcia Morgan Lazaro 3/14/24  
 OWNER /  AUTHORIZED AGENT DATE

### INDEMNIFICATION AGREEMENT

As part of this application, the applicant agrees to defend, indemnify, and hold harmless the City of Ukiah, its agents, officers, council members, employees, boards, commissions or Council 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 any approval of the application or related decision, or the adoption or certification of any environmental documents or negative declaration which relates to its approval. This indemnification shall include, but is not limited to, all damages, costs, expenses, attorney fees or expert witness fees that may be awarded to the prevailing party arising out of it or in connection with the approval of the application or related decision, whether or not there is concurrent, passive, or active negligence on the part of the City, its agents, officers, council members, employees, boards, commissions of Council. 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.

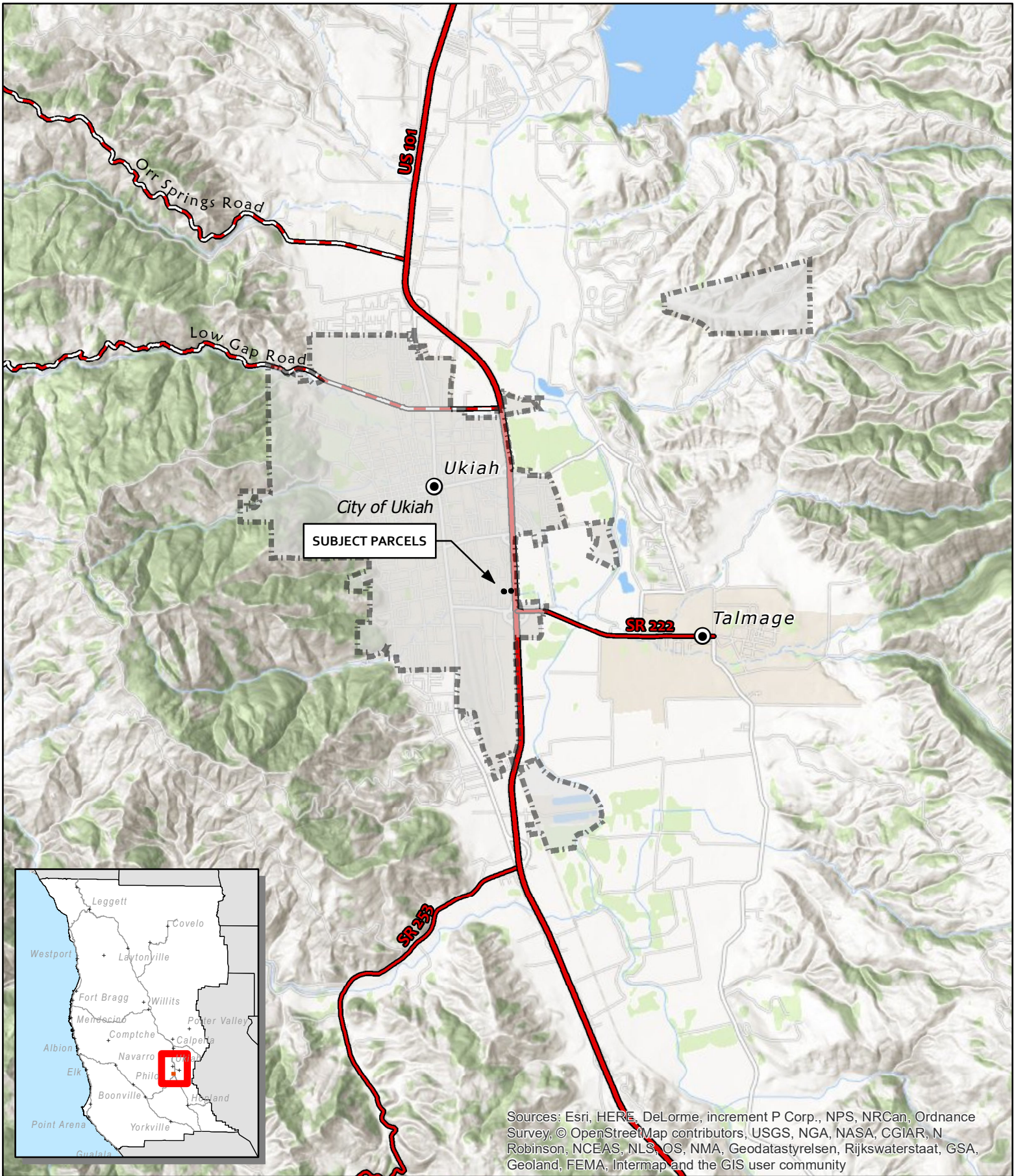
The City of Ukiah shall have the right to appear and defend its interests in any action through its City Attorney or outside counsel. The applicant shall not be required to reimburse the City for attorney's fees incurred by the City Attorney of the City's outside counsel if the City chooses to appear and defend itself in the litigation.

I have read and agree to all of the above.

Elen Bing Kang Hin Lok Kang  
 PROPERTY OWNER /  AUTHORIZED AGENT  
(PLEASE PRINT NAME)





Marcia Morgan Lazaro 3/14/24  
 PROPERTY OWNER /  AUTHORIZED AGENT DATE  
(SIGNATURE)

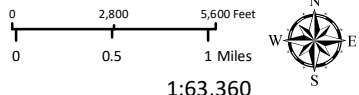




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**CASE:**  
**OWNER:** KUNG, Hin Lok & Ellen  
**APN:** 003-100-24 & 43  
**APLCT:**  
**AGENT:**  
**ADDRESS:** 960 & 979 Marlene St, Ukiah

-  Major Towns & Places
-  City Limits
-  Major Roads
-  Highways



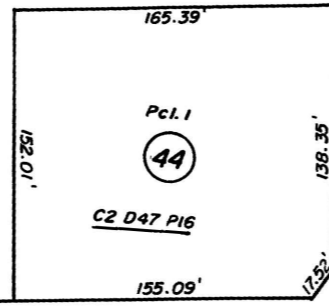
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LOCATION

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Fr. Lot 31 Yokayo Rancho

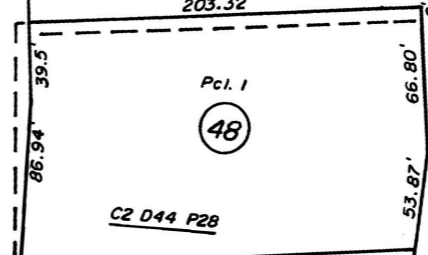
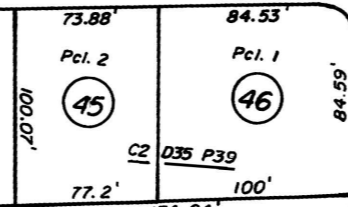


ORCHARD AVE.

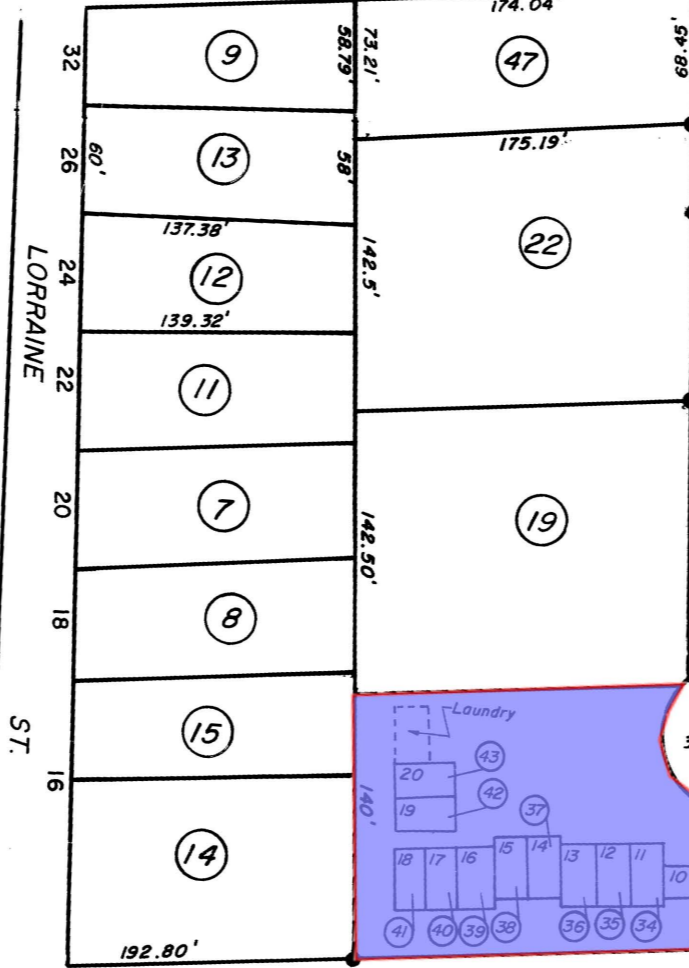
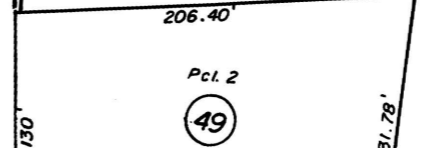
18

3-003

MARLENE ST.



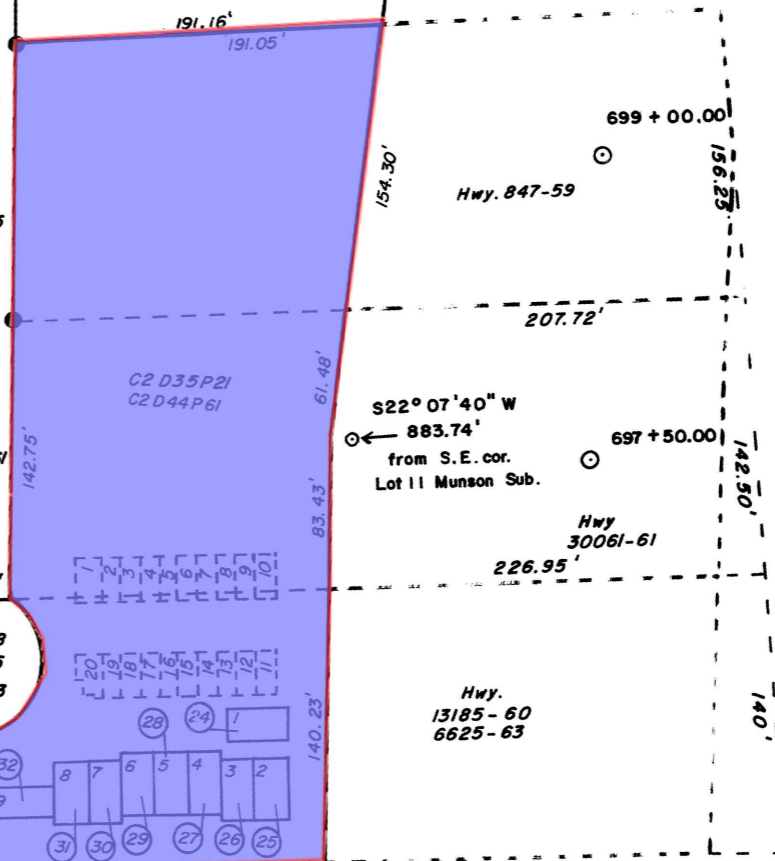
Bk 180 03



MARLENE ST.

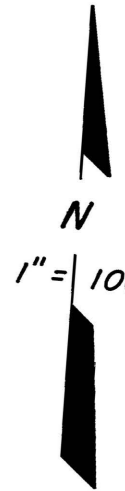
Par. 8  
39841-65  
6599-63

16



180 04

3-10



1" = 100'

N. E. Cor. Munson No. 1

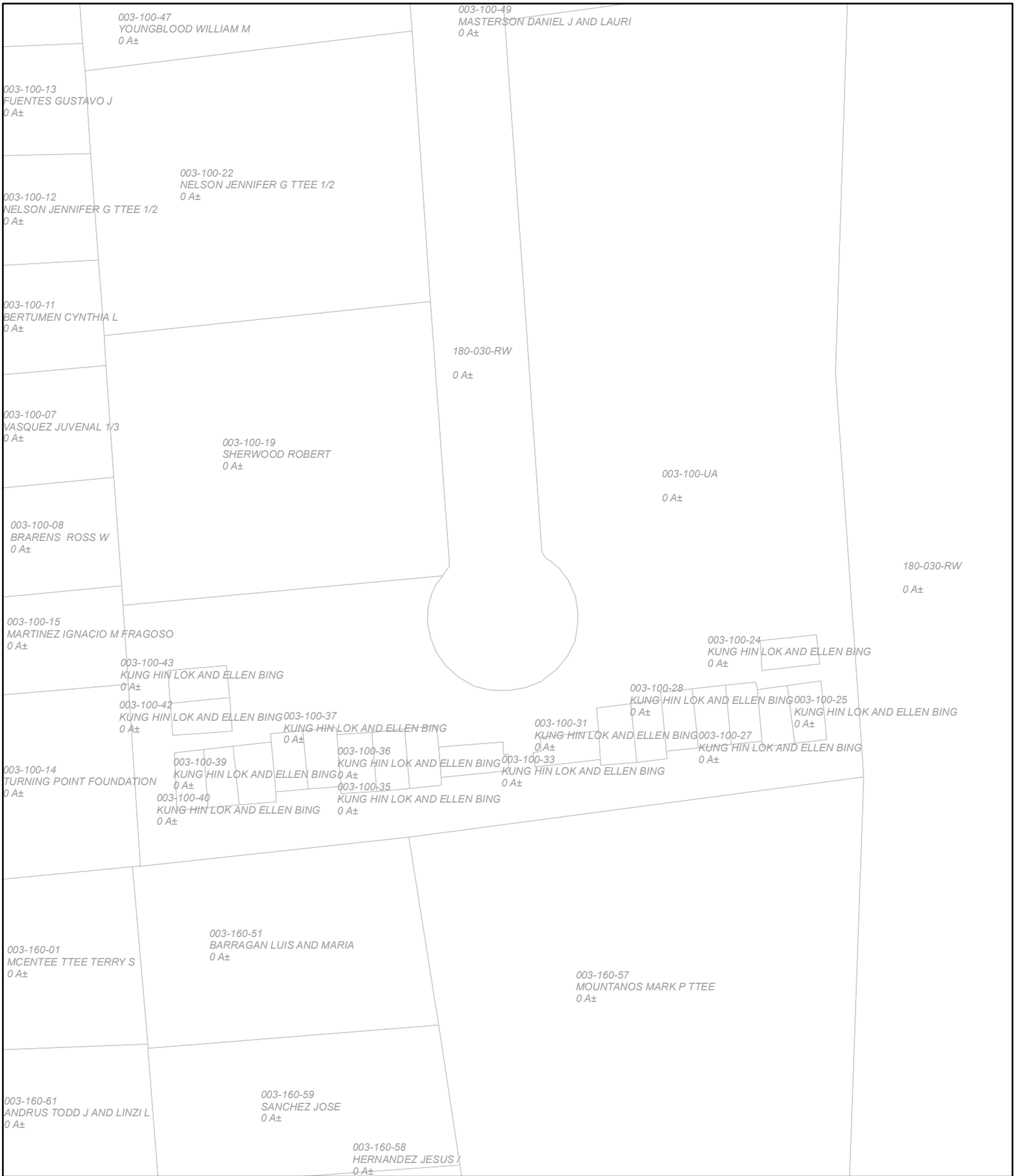







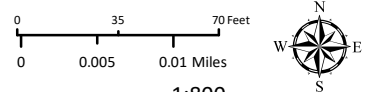






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**OWNER: KUNG, Hin Lok & Ellen**  
**APN: 003-100-24 & 43**  
**APLCT:**  
**AGENT:**  
**ADDRESS: 960 & 979 Marlene St, Ukiah**

 Assessor's Parcels



1:800

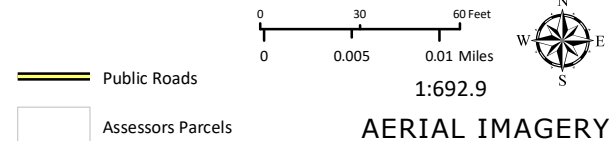
**ADJACENT PARCELS**

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Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

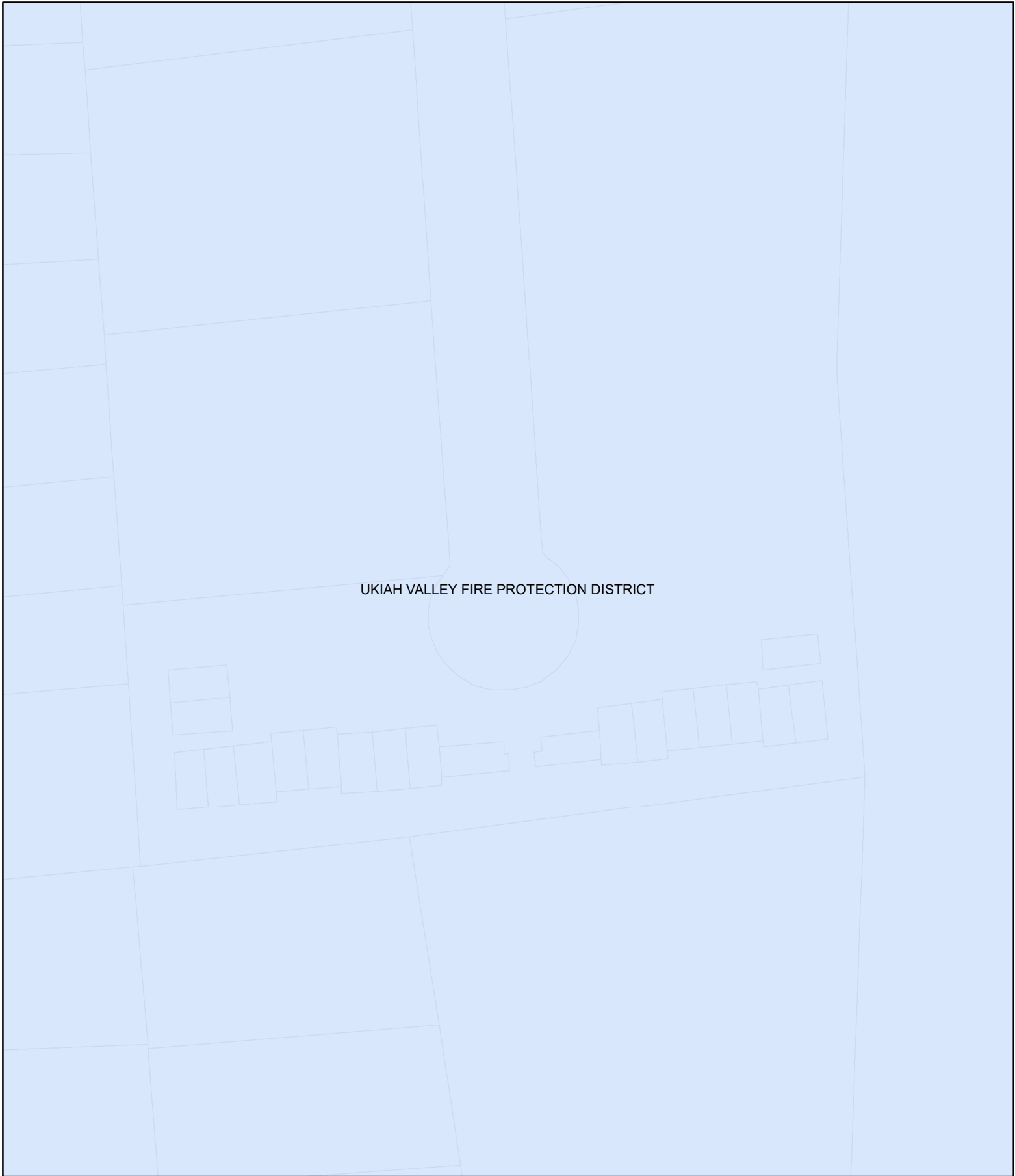
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**AERIAL IMAGERY**

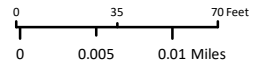




UKIAH VALLEY FIRE PROTECTION DISTRICT

**CASE:**  
**OWNER:** KUNG, Hin Lok & Ellen  
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**AGENT:**  
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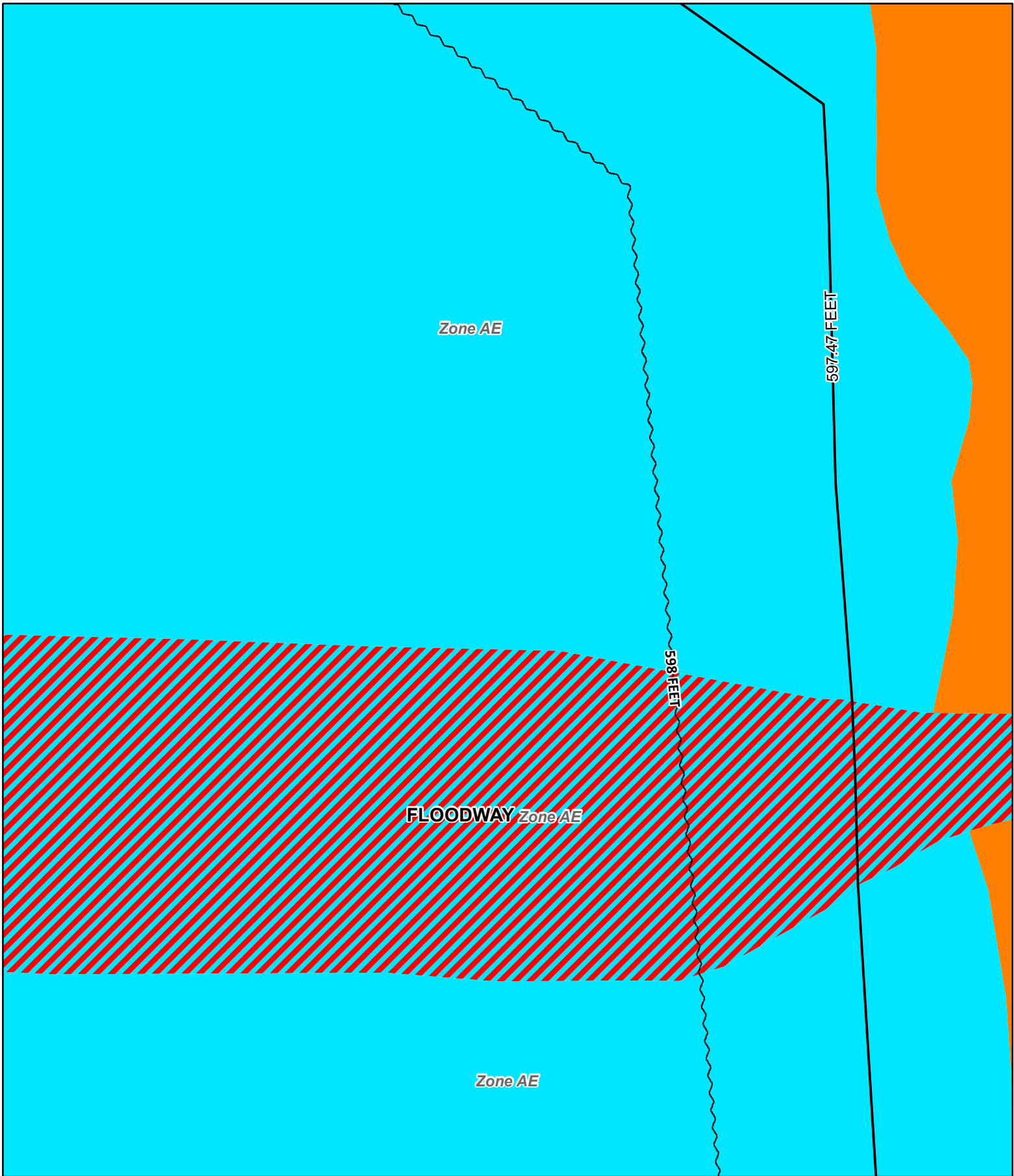
 Assessor's Parcels









1:800

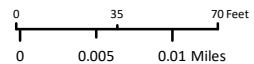
**FIRE HAZARD ZONES & RESPONSIBILITY AREAS**  
STATE RESPONSIBILITY AREA

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**AGENT:**  
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-  Cross-Sections
-  Base Flood Elevations
-  1% Annual Chance Flood Hazard
-  Regulatory Floodway
-  0.2% Annual Chance Flood Hazard
-  Assessors Parcels



1:800  
**FLOOD ZONES**



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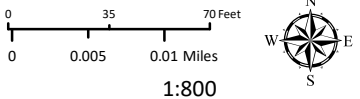




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 Assessors Parcels  
 Naturally Occurring Asbestos



**EASTERN SOIL CLASSIFICATIONS**

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**RECORDER'S CERTIFICATE**

FILED THIS 20 DAY OF May, 1986, AT 10:45 A.M. IN MAP CASE 2, DRAWER 44, PAGE 61, AT THE REQUEST OF W.R. COOTS.  
 MARSHA A. YOUNG  
 COUNTY RECORDER  
 BY Ferne Bennett, DEPUTY  
 FEE \$12.00

**PLANNING COMMISSION CERTIFICATE**

THIS IS TO CERTIFY THAT THE PLANNING COMMISSION OF THE CITY OF UKIAH, STATE OF CALIFORNIA, ON THE 9th DAY OF April, 1986, EXAMINED THIS MAP AND FINDS THAT SAID MAP CONFORMS WITH THE ACTION TAKEN ON THE TENTATIVE MAP THEREOF.  
W. W. [Signature]  
 CHAIRMAN OF THE PLANNING COMMISSION - CITY OF UKIAH.

**CITY COUNCIL CERTIFICATE**

THIS IS TO CERTIFY THAT THE CITY COUNCIL OF THE CITY OF UKIAH, STATE OF CALIFORNIA, ON THE 7th DAY OF May, 1986, BY MOTION REGULARLY PASSED AND ENTERED IN THE MINUTES OF SAID COUNCIL, DID APPROVE THIS MAP, AND ACCEPT THE EASEMENTS OFFERED FOR DEDICATION AS SHOWN HEREON.  
Charles D. Myers MAYOR  
U. Jutta S. Stayer CITY CLERK

**BOND CERTIFICATE**

I, JOYCE A. BEARD, CLERK OF THE BOARD OF SUPERVISORS, OF THE COUNTY OF MENDOCINO, HEREBY CERTIFY THAT THE BOND OR DEPOSIT AS REQUIRED BY THE SUBDIVISION MAP ACT, SECTION 66464 OF THE GOVERNMENT CODE, TITLE 7, DIVISION 2, (COMMENCING WITH SECTION 66410) HAS BEEN FILED.  
 DATED THIS 16th DAY OF MAY, 1986.  
 JOYCE A. BEARD  
 CLERK - BOARD OF SUPERVISORS  
 BY: Vignia Goddard, Deputy

**MAP FILING REPORT**

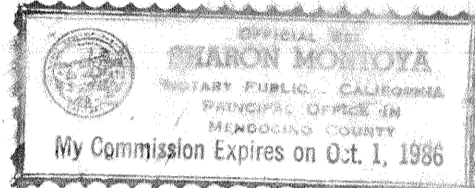
I HEREBY CERTIFY THAT THE MAP FILING REPORT MADE BY THE Redwood Empire Title Co THIS 20 DAY OF May, 1986, SHOWING A CLEAR TITLE TO THE LANDS OF THE WITHIN, CONFORMS TO THE PROVISIONS OF THE SUB-DIVISION MAP ACT AND REGULATIONS ADOPTED PURSUANT THERETO.  
 MARSHA A. YOUNG  
 COUNTY RECORDER  
 BY Ferne Bennett DEPUTY

**OWNER'S CERTIFICATE**

THE UNDERSIGNED HEREBY CERTIFY THAT THEY ARE THE OWNERS OF AND HAVE THE RIGHT, TITLE AND INTEREST IN AND TO THE REAL PROPERTY INCLUDED WITHIN THE SUBDIVISION SHOWN ON THIS MAP, THAT THEY ARE THE ONLY PERSONS WHOSE CONSENT IS NECESSARY TO PASS CLEAR TITLE TO SAID REAL PROPERTY AND THAT THEY CONSENT TO THE PREPARATION AND RECORDING OF SAID MAP AND TO THE SUBDIVISION AS SHOWN WITHIN THE BORDER LINES. THE UNDERSIGNED OFFER FOR DEDICATION AND DO HEREBY DEDICATE THE PUBLIC UTILITY EASEMENT, DRAINAGE EASEMENT AND DRAINAGE ACCESS EASEMENT AS SHOWN HEREON. THE UNDERSIGNED ALSO HEREBY CERTIFY THAT AS THE OWNERS THEY HAVE, OR WILL, COMPLY WITH ALL REQUIREMENTS OF SECTION 66427.1, SUBDIVISIONS (a), (b), (c) AND (d) OF THE SUBDIVISION MAP ACT.  
 UK. M. PARTNERS  
 A LIMITED PARTNERSHIP  
Uk. M. Partners  
 NAME  
 S-D PARTNERS.  
 A GENERAL PARTNERSHIP  
Stanford A. Diamond  
 STANFORD A. DIAMOND-GENERAL PARTNER

**ACKNOWLEDGEMENT**

STATE OF CALIFORNIA  
 COUNTY OF MENDOCINO  
 ON THIS 29 DAY OF AUGUST, 1985, BEFORE SHARON MONTOYA, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, RESIDING THEREIN, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED STANFORD A. DIAMOND, PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSON THAT EXECUTED THIS INSTRUMENT ON BEHALF OF THE PARTNERSHIP AND ACKNOWLEDGED TO ME THAT THE PARTNERSHIP EXECUTED IT.  
 MY COMMISSION EXPIRES OCTOBER 1, 1986



Sharon Montoya  
 NOTARY PUBLIC IN AND FOR THE  
 COUNTY OF MENDOCINO  
 STATE OF CALIFORNIA

**SURVEYOR'S CERTIFICATE**

I, W.R. COOTS, CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF CALIFORNIA, AND THAT THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION, THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN, THAT ALL MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED, AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED. IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL AT UKIAH, CALIFORNIA THIS 18th DAY OF MARCH, 1986.  
W.R. COOTS LS 4518



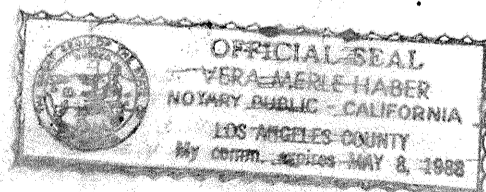
**TRUSTEE'S CERTIFICATE**

CONTINENTAL AUXILIARY COMPANY, A CALIFORNIA CORPORATION, TRUSTEE UNDER DEED OF TRUST AGAINST THE TRACT OF LAND HEREON SHOWN CONSENTS TO THE PREPARATION AND FILING OF THIS MAP.  
 IN WITNESS WHEREOF, SAID CORPORATION HAS CAUSED ITS CORPORATE NAME TO BE AFFIXED THIS 12th DAY OF MARCH, 1986.  
Donate C. Gable, Assistant Vice President  
 NAME TITLE CONTINENTAL AUXILIARY COMPANY, A CORPORATION

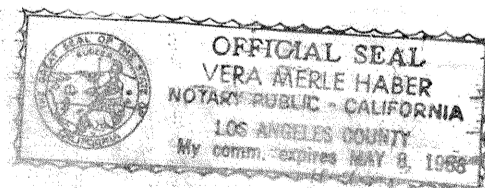


**ACKNOWLEDGEMENT**

STATE OF CALIFORNIA  
 COUNTY OF LOS ANGELES  
 ON THIS 17th DAY OF MARCH, 1986, BEFORE ME VERA MERLE HABER, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, RESIDING THEREIN, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED RENATE C. GABLE, PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSON WHO EXECUTED THE WITHIN INSTRUMENT AS ASSIST. VICE PRES. ON BEHALF OF THE CORPORATION THEREIN NAMED AND ACKNOWLEDGED TO ME THAT THE CORPORATION EXECUTED IT.  
 MY COMMISSION EXPIRES MAY 8, 1988

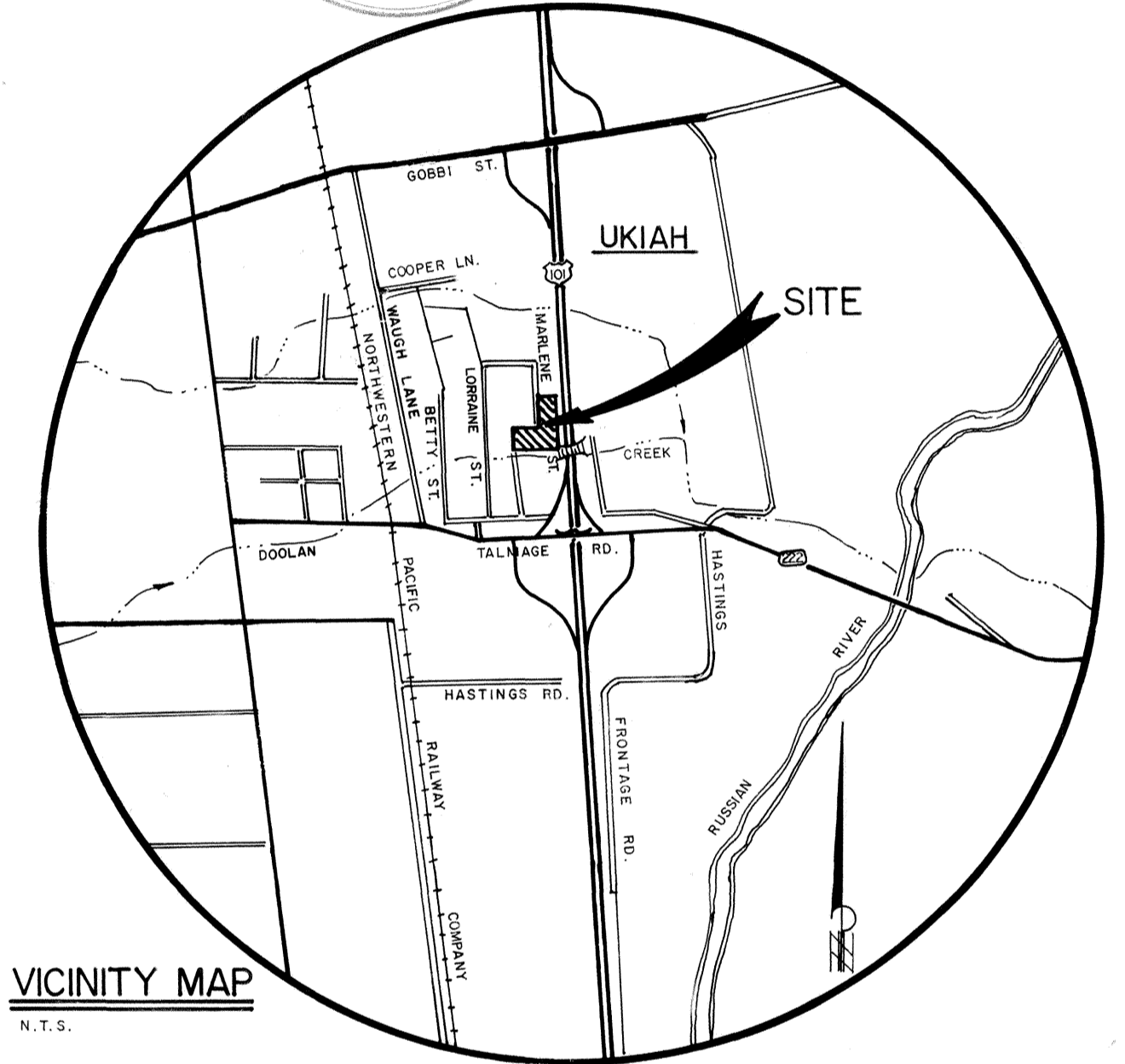
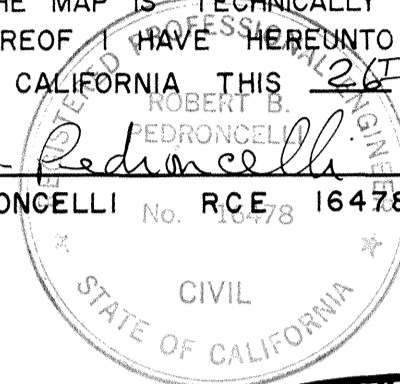


Vera Merle Haber  
 NOTARY PUBLIC IN AND FOR THE  
 COUNTY OF LOS ANGELES  
 STATE OF CALIFORNIA



**CITY ENGINEER'S CERTIFICATE**

I, ROBERT B. PEDRONCELLI, HEREBY CERTIFY THAT I HAVE EXAMINED AND CHECKED THIS FINAL MAP AND THAT THE SUBDIVISION AS SHOWN IS SUBSTANTIALLY THE SAME AS IT APPEARS ON THE TENTATIVE MAP OR ANY APPROVED ALTERATIONS THEREOF, AND I FURTHER CERTIFY THAT SAID MAP IS IN CONFORMANCE WITH TITLE 7, DIVISION 2, CHAPTER 2 OF THE GOVERNMENT CODE OF THE STATE OF CALIFORNIA AND THE UKIAH CITY CODE, AND THEREFORE I AM SATISFIED THE MAP IS TECHNICALLY CORRECT. IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL AT UKIAH CALIFORNIA THIS 20th DAY OF Mar, 1986.  
Robert B. Pedroncelli  
 ROBERT B. PEDRONCELLI No. R.C.E. 16478  
 CITY ENGINEER



VICINITY MAP  
 N.T.S.

**MARLENE STREET CONDOMINIUMS  
 A CONDOMINIUM SUBDIVISION**

LYING IN LOT 31 OF THE  
 YOKAYO RANCHO  
 CITY OF UKIAH, COUNTY OF MENDOCINO  
 STATE OF CALIFORNIA  
 FEB. 1985

7954

CASE	<u>2</u>
DRAWER	<u>44</u>
PAGE	<u>61</u>

See Book 1560 Page 17 for Declaration of Covenants, Conditions and Restrictions Marsha A Young County Recorder  
 See Book 1579 Page 424 for certificate of construction Marsha Young County Recorder  
 By Ferne Bennett Deputy  
 By Fern Small Deputy



PARCEL 2  
M.C. 2, DR. 30, PG. 64, M.C.R.

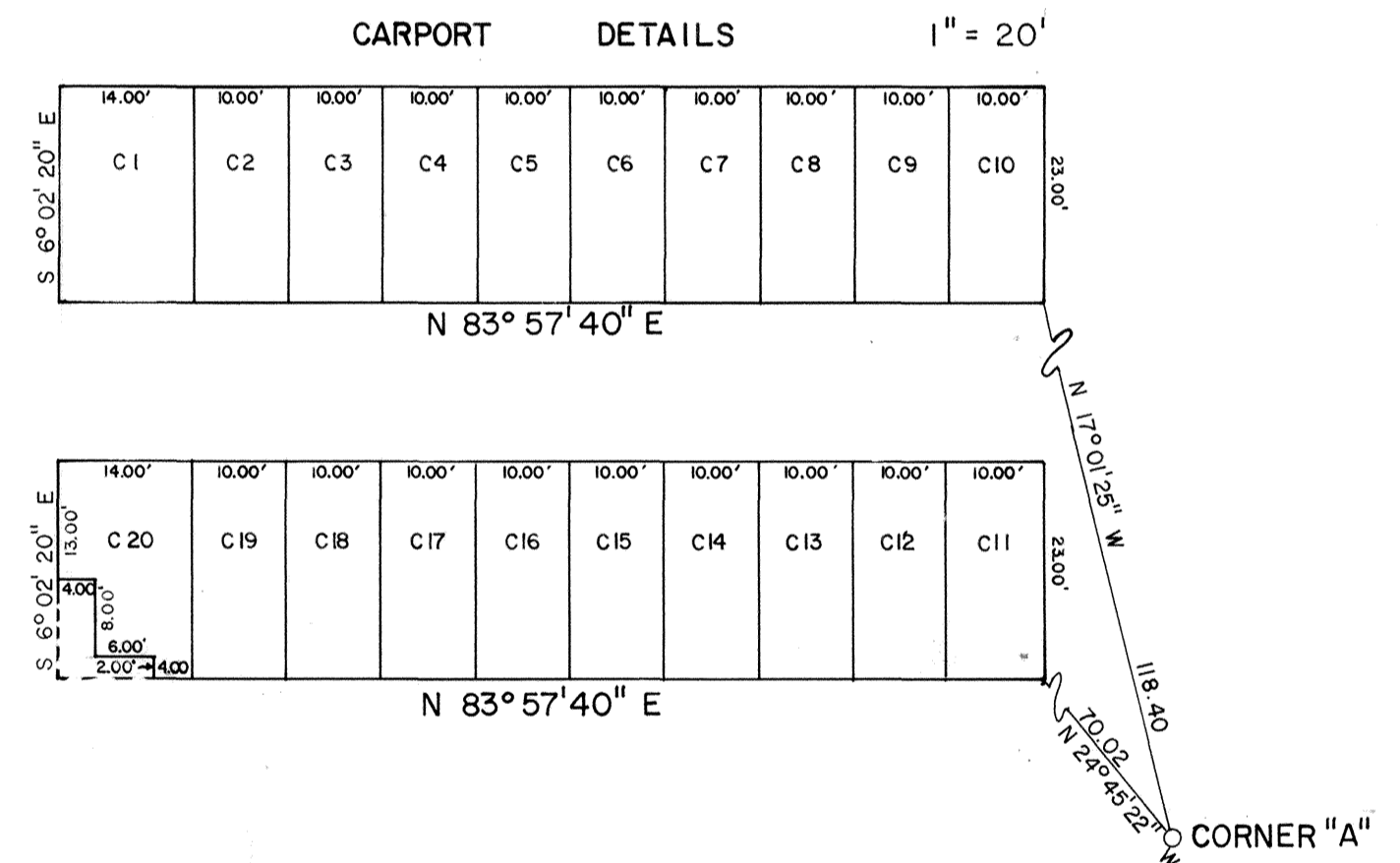
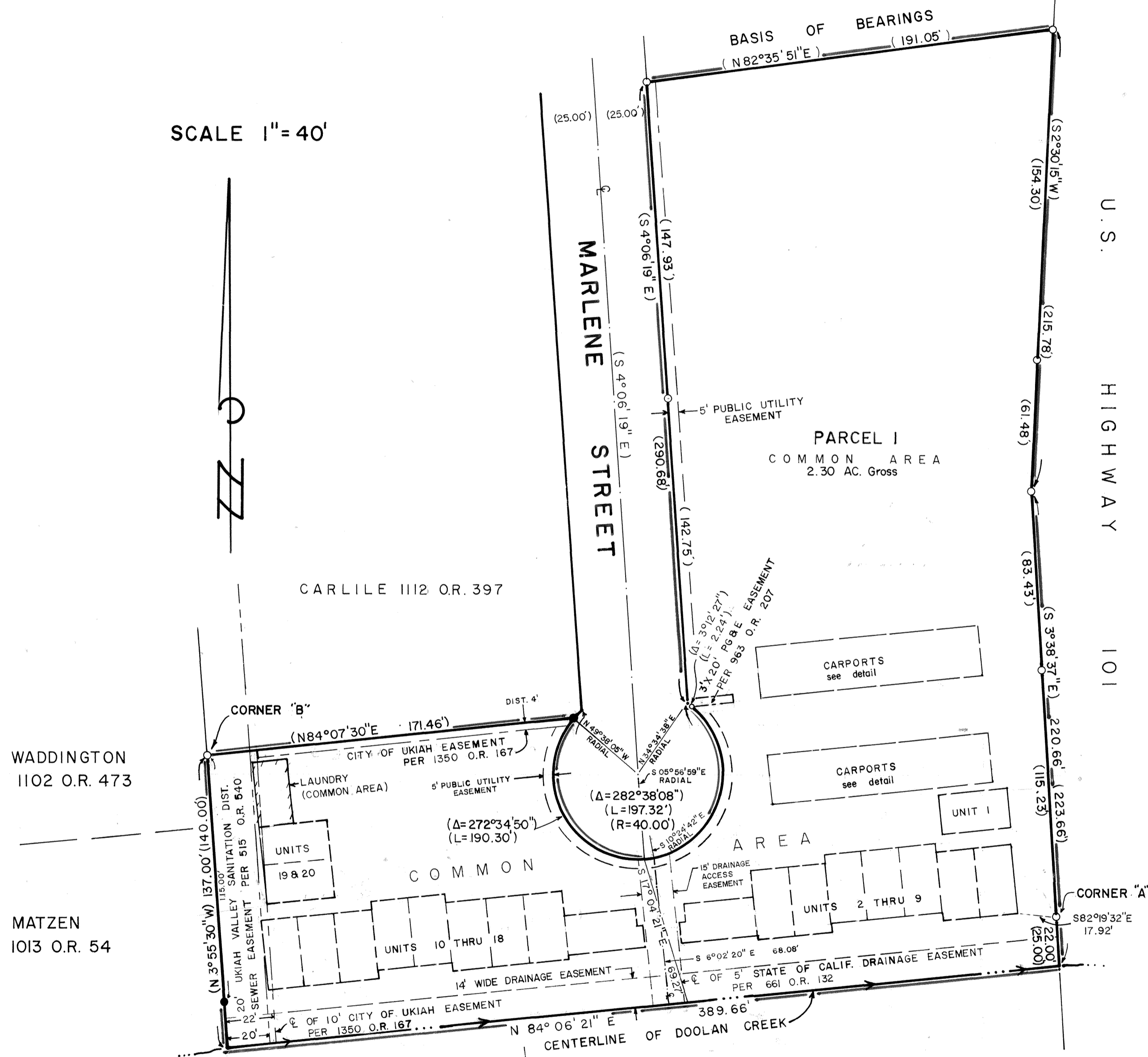
BASIS OF BEARINGS:

BETWEEN MONUMENTS FOUND PER  
M.C. 2, DR. 35, PG. 21, M.C.R.

SCALE 1" = 40'

LEGEND:

- FOUND 1/2" IRON PIPE TAGGED R.C.E. 15311 PER M.C.2, DR. 35, PG. 21, M.C.R.
- ( ) RECORD DATA PER M.C.2, DR.35, PG. 21, M.C.R.
- SET 1/2" IRON PIPE TAGGED L.S. 4518



## MARLENE STREET CONDOMINIUMS A CONDOMINIUM SUBDIVISION

LYING IN LOT 31 OF THE  
YOKAYO RANCHO  
CITY OF UKIAH, COUNTY OF MENDOCINO  
STATE OF CALIFORNIA  
FEB. 1985

NOTE: THIS SUBDIVISION MAY BE SUBJECT  
TO THAT 10' WIDE EASEMENT DESCRIBED  
IN 321 O.R. 448.

WADDINGTON  
1102 O.R. 473

MATZEN  
1013 O.R. 54

WILLS  
1319 O.R. 654

MATTHEWS  
987 O.R. 137

7954

CASE	2
DRAWER	44
PAGE	61

MEMORANDUM

DATE: APRIL 25, 1986  
TO: CITY MANAGER  
FROM: DIRECTOR OF PLANNING  
SUBJECT: FINAL SUBDIVISION MAP NO. 82-85 MARLENE STREET CONDOMINIUMS

On June 2, 1982 the City Council approved the tentative subdivision map for a 20 unit condominium conversion project at the southern terminus of Marlene Street. The developer has completed the necessary improvements and submitted the final map and the C.C. & R.'s. All conditions of the tentative map have been completed. The Planning Commission, at their April 9, 1986 meeting, approved the final map. Council approval is now appropriate. Staff concurs with the Commission's action and recommends approval of the map.

Attached for the City Council's information is a copy of:

1. Resolution for adoption.
2. Excerpt of April 9, 1986 Planning Commission meeting minutes.
3. April 1, 1986 Planning Commission staff report.

RECOMMENDATION: Recommend that the City Council adopt resolution approving Final Map for Marlene Street Condominiums.

Respectfully submitted,



Michael F. Harris  
Director of Planning

MFH:bj

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RESOLUTION NO. 85-29

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
UKIAH AMENDING OPEN SPACE AND AMENITIES OF  
TENTATIVE SUBDIVISION MAP NO. 82-85  
MARLENE STREET CONDOMINIUMS

WHEREAS, the Planning Commission has considered and recommended approval of modifications to the location and types of amenities within Tentative Subdivision Map No. 82-85, Marlene Street Condominiums, and

WHEREAS, the City Council approved Tentative Map No. 82-85 (Resolution No. 82-73) on June 2, 1982, and

WHEREAS, the proposed tennis court will not serve the majority of the project tenants whereas open turf area will, the new location of the pool will be more convenient to the tenants and the open parking is safer.

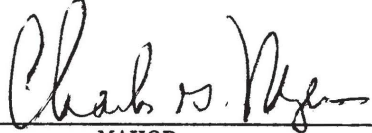
NOW THEREFORE, BE IT RESOLVED that the tennis court is eliminated from the map and replaced by open turf, the 20 uncovered parking spaces are located with a one-way drive and the swimming pool is relocated to the southwestern portion of the project, all as shown on Attached Exhibit A.

PASSED AND ADOPTED this 3rd day of October, 1984 by the following roll call vote:


AYES: Councilmembers Henderson, Kier, Hickey, Kelley, and Mayor Myers

NOES: None

ABSENT: None

  
MAYOR

ATTEST:

  
CITY CLERK



1 RESOLUTION NO. 86-5

2 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
3 UKIAH EXTENDING THE TENTATIVE SUBDIVISION MAP  
4 NO. 82-85 FOR MARLENE STREET CONDOMINIUMS

5 WHEREAS, the City Council and Planning Commission approved Tentative  
6 Subdivision Map No. 82-85 for the Marlene Street condominiums, and

7 WHEREAS, the applicant has requested a time extension to allow filing a  
8 final map for this project, and

9 WHEREAS, the State Subdivision Map Act allows extensions of up to three  
10 years, and

11 WHEREAS, the developer has pursued completion of the project in an  
12 appropriate manner,

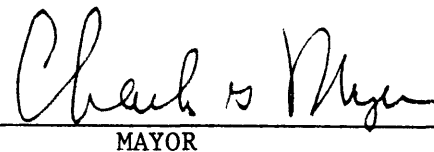
13 NOW, THEREFORE, BE IT RESOLVED, that the time for filing the final map  
14 for Marlene Street condominiums in compliance with Tentative Map No. 82-85 is  
15 hereby extended until June 2, 1986.

16 PASSED AND ADOPTED this 7th day of August, 1985 by the following  
17 roll call vote:

18 AYES: Councilmembers Henderson, Kelley and Mayor Myers

19 NOES: None

20 ABSENT: Councilmembers Kier and Hickey

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MAYOR

25 ATTEST:

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27 CITY CLERK  
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RESOLUTION NO. 86-42

RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF UKIAH APPROVING FINAL MAP FOR  
MARLENE STREET CONDOMINIUMS

WHEREAS, on February 13, 1980 Use Permit No. 80-40 for a 20 unit  
condominium conversion project was approved by the Planning Commission, and

WHEREAS, on June 2, 1982 Tentative Subdivision Map No. 82-85 for the  
same project was approved by the City Council, and

WHEREAS, the Planning Commission has considered and recommended approval  
of the Final Map for the Marlene Street Condominiums with conditions being  
consistent with the adopted Tentative Map, and

WHEREAS, the Director of Public Works reports that the City of Ukiah has  
sufficient wastewater treatment capacity to handle wastewater from this  
project without violation of the Water Quality Control Board Standards.

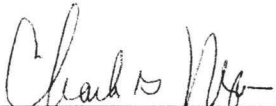
NOW, THEREFORE, IT IS HEREBY RESOLVED that the Final Map (Exhibit A) for  
the aforesaid project is approved subject to the conditions noted in this  
resolution and on the map and conditions of approval of Use Permit No. 80-40,  
and the Mayor and City Clerk are authorized to sign said map.

PASSED AND ADOPTED this 7th day of May, 1986, by the following roll call  
vote:

AYES: Councilmembers Henderson, Kier, Hickey, Kelley, and Mayor Myers

NOES: None

ABSENT: None

  
MAYOR

ATTEST:

  
CITY CLERK

MEMORANDUM

DATE: APRIL 1, 1986  
TO: PLANNING COMMISSION  
FROM: DIRECTOR OF PLANNING  
SUBJECT: MARLENE STREET CONDOMINIUMS  
FINAL SUBDIVISION MAP/COVENANTS,  
CONDITIONS AND RESTRICTIONS

RECOMMENDATION: Recommend to the City Council approval of the Final Subdivision Map and the Covenants, Conditions and Restrictions (C.C. & R's.) for the Marlene Street Condominiums.

ZONING: P.D., Planned Development Zoning District.

GENERAL PLAN DESIGNATION: Medium High Density Residential.


PROPOSAL: Applicant requests approval of the final subdivision map and the C.C. & R's for the condominium subdivision.

ANALYSIS: The final map is in compliance with the revised tentative map to convert the 20 units to condominium ownership as approved by the City Council in September 1984. Staff has included in your agenda packet those sections of the C.C. & R's relating to Planning considerations. We believe they are appropriate. Approval of both is recommended. A single motion can be made.

Attached for your information is a copy of:

1. Excerpt of the Feb, 13, 1980, May 12, 1982, and September 12, 1984 Planning Commission meeting minutes.
2. Section 4: Use Restrictions, and Section 5: Maintenance Obligations of the C.C. & R's.
3. Final Subdivision Map and Certificate page.

Respectfully submitted,

  
Michael F. Harris  
Director of Planning

MFH:ar



NON-AGENDATED ITEM  
REPORT FROM PLANNING COMMISSION REPRESENTATIVE  
TO THE PARKING ADVISORY COMMISSION

Clyde Oakes, Planning Commission representative to the Parking Advisory Commission, reported on the following matters recently considered by the Parking Advisory Commission:

1. School/Seminary, Telephone Building: Parking meters along portions of School, Oak and Seminary Streets will be five hour meters to allow telephone employees to renew the meters during the noon hour.
2. Palace Hotel: Parking being moved to allow unloading zone and one more space in front of the hotel on State Street.
3. Parking Advisory Commission is considering the purchase of the lot at the southeast corner of Oak and Stephenson.
4. They are considering an additional parking lot on Main Street south of Perkins.
5. They are also considering a double-deck on the post office parking lot.

Commissioner Metzler thanked Mr. Oakes for his presentation and stressed the importance of this type of communication between the Planning Commission and Parking Advisory Commission.

Mr. Oakes noted he would be happy to report to the Planning Commission on items of concern or answer any questions the Commission might have on parking problems as they arise.

Planning Director Harris advised Mr. Oakes there may be some difficulties involved with the purchase of the Niderost lot on the corner of Oak and Stephenson since this is the same lot utilized by the building owned by Niderost.

USE PERMIT NO. 80-5  
ARLENE HUGHEY, 602B N. STATE STREET

Planning Assistant Yarbrough presented the application for a renewal of a use permit for a period of six months. The applicant would like to enlarge an existing non-conforming single family dwelling in a C-1 district.

PUBLIC HEARING OPENED AND CLOSED WITH NO AUDIENCE PARTICIPATION.

On a MOTION by Commissioner Fowler, seconded by Commissioner Metzler, it was carried by the following roll call vote to approve the extension of Use Permit No. 80-5 subject to the following conditions:

1. Standard Conditions 1-9.

AYES: Commissioner Fowler, Kelly, Metzler and Chairman Fenter

NOES: None

ABSENT: Commissioner Gorny, Hamburg and Thomas

USE PERMIT NO. 80-40  
LANCASTER INC. MARLENE STREET

Planning Director Harris presented the application to convert an existing 20 unit apartment complex to condominium units. This matter was continued from the November 28, 1979 meeting. The General Plan presently designates the area as Medium Low Density but the Planning Commission has recommended a change to Medium

High Density at their meeting on January 9, 1980. If this in density is approved by the City Council, the project would conform to the density requirements and the proposed revised condominium ordinance.

PUBLIC HEARING OPENED - 6:49 P.M.

Letha Actkinson, co-owner of the project, urged some action be taken tonight noting the paperwork involved on the State level is very time consuming and with an indication of approval from the Planning Commission she could begin proceedings for the conversion. Further delays will increase the purchase price of the units now anticipated to be \$62,500, considerably less than other two bedroom, 1200 sq.ft. homes for sale in the community. Mrs. Actkinson also urged the Commission to consider more "0" lot line development with higher densities and noted that with lots currently selling for \$30,000 it is impossible for persons of modest means to buy or build their own homes.

Don Vandermeijer stated these condominium units at \$62,500 are the only opportunity for people to purchase affordable housing in this area this year and noted there is nothing of a comparable nature and price available in the community.

PUBLIC HEARING CLOSED - 6:42 P.M.

Commissioner Kelly indicated she could see no problem in granting the conversion for the existing units but questioned the possibility of developers building apartments and then converting them to condominiums.

Chairman Fenter noted all new construction has to meet building codes for construction and all condominiums have specific zoning code requirements which must be met.

Mrs. Atkinson noted most of the existing apartment units in town cannot meet the parking, storage and other specific requirements for condominium conversions.

On a MOTION by Commissioner Kelly, seconded by Commissioner Fowler, it was carried by the following roll call vote to approve the Negative Declaration for Use Permit No. 80-40.

AYES: Commissioner Fowler, Kelly, Metzler and Chairman Fenter

NOES: None

ABSENT: Commissioner Gorny, Hamburg and Thomas

On a MOTION by Commissioner Kelly, seconded by Commissioner Metzler, it was carried by the following roll call vote to approve the Use Permit No. 80-40 for Lancaster Inc. subject to the following special conditions:

1. The City Council approve the General Plan designation of Medium High density for the subject parcel.
2. Individual electric service be provided to each unit and all wires contained within the individual unit as specified by the National Electric Code. Compliance to be inspected by the Building Inspector prior to approval of the final map.
3. Units be inspected by the Building Inspector for compliance to the Uniform Building Code as it relates to condominiums.
4. Additional paving or sidewalk for turn-around areas be provided on the east side of the carports and the R-V storage area.
5. The name of the street (Doolin Court) as shown on the site plan be changed to Marlene Court.
6. Tentative map and final map to be filed to approval of the City Engineer.
7. Sidewalks to be installed to the approval of the Director of Public Works.
8. Complete landscaping plan be submitted for the approval of the Director of Planning prior to placement. Said plan to include extensive landscaping adjacent to the freeway.



9. The location of the volleyball court and the croquet court be reversed allowing for more beautiful landscaping along the freeway.
10. Landscaping be maintained by an automated sprinkler system.

AYES: Commissioner Fowler, Kelly, Metzler and Chairman Fenter  
NOES: None  
ABSENT: Commissioner Gorny, Hamburg and Thomas

VARIANCE NO. 80-52  
FIRST NATIONAL BANK OF MENDOCINO COUNTY  
225 N. ORCHARD AVENUE

Planning Director Harris explained this variance from the Sign Ordinance had been discussed at the last meeting and continued at the request of the applicant. The Bank would like to place a second sign on the Orchard Avenue (west) side of the building. Staff feels that the entrance on the south wall constitutes the frontage, thus a sign has been allowed on the south face of the building and none on the west wall.

PUBLIC HEARING OPENED - 7:02 p.m.

Conrad Cox, attorney representing First National Bank, spoke on behalf of the applicant and urged a sign be allowed on the Orchard Avenue side also. Mr. Cox referred to the sections of the Sign Ordinance which are vague and noted case law does not restrict the definition of frontage to that building face with an entrance. He listed examples of various businesses along Perkins Street and in the shopping center which have multiple signs or signs on two sides of the buildings. To be consistent with past actions, the First National Bank should also be allowed signs on two sides. He noted the bank's largest frontage is actually on Orchard Avenue and according to the description in the lease it fronts on Orchard. He feels staff's interpretation that the main entrance constitutes frontage is in error and to say a second sign on Orchard is non-conforming is a staff interpretation of a vague ordinance.

Don Vandermeijer agreed this section of the Sign Ordinance is vague and asked for clarification since he may want to construct additional signing for the John Maudlin building, technically with three frontages, in the near future.

PUBLIC HEARING CLOSED - 7:20 p.m.

Planning Director Harris explained several of the businesses with multiple signs are non-conforming and have been notified their signs are to be removed by 1981. Several others have put up signs without applying for sign permits and due to the lack of staff, enforcement is impossible. Mr. Harris also noted a recent City Attorney interpretation made during consideration of the Orchard Plaza shopping center which determined that a frontage is where a business has its entrance.

Commissioner Metzler expressed both sympathy to the applicant and opposition to portions of the existing Sign Ordinance but felt approval of this variance would not be in conformance to the Ordinance. As Planning Commissioners it is their duty to uphold the ordinance regardless of their personal opinions and to approve the variance making this sign non-conforming would subject the bank to possible fines in 1981.



SINGLE FAMILY RESIDENTIAL DISTRICT TO R-3, GENERAL  
MULTIPLE RESIDENTIAL DISTRICT; GENERAL PLAN CONSISTENCY

It was the consensus of the Commission to approve Zone Change No. 82-98, Washington North, from R-1, Single Family Residential District to R-3, General Multiple District for General Plan consistency.

4P. ZONE CHANGE NO. 82-99, BEACON WAY, FROM C-2, HIGHWAY COMMERCIAL  
AND RESTRICTED INDUSTRIAL DISTRICT TO R-1, SINGLE FAMILY  
RESIDENTIAL DISTRICT; GENERAL PLAN CONSISTENCY

It was the consensus of the Commission to approve Zone Change No. 82-99, Beacon Way, from C-2, Highway Commercial and Restricted Industrial District to R-1, Single Family Residential District for General Plan consistency.

On a MOTION by Commissioner Kelley, seconded by Commissioner Ivey, it was carried by the following roll call vote to continue consideration of Zone Change No. 82-90, Waugh East/Gobbi-Cooper and Zone Change No. 82-92, Waugh-Betty/So. Marlene-Talmage to September 22, 1982 and to approve Zone Changes 82-91, 82-93, 82-94, 82-95, 82-96, 82-97, 82-98 and 82-99 as previously noted:

AYES: Commissioner Ivey, Kelley, Thomas, Vander Mey, Chairman Metzler  
NOES: None  
ABSENT: Commissioner Fenter, Velardi

Commissioner Vander Mey suggested that Washington North is an appropriate area for higher density and should be reconsidered under General Plan Amendment C. No action was taken.

SUBDIVISION MAPS

6A. SUBDIVISION NO. 82-85, LANDCASTER CONSTRUCTION  
COMPANY, 960-979 MARLENE STREET

Planning Director stated the Planning Commission in February, 1980 approved the Use Permit to create a 20 unit condominium project but the use permit could not become effective until the General Plan Amendment had been adopted. Staff recommends approval of the Tentative Subdivision Map with conditions.

Letha Actkinson stated that she has notified all tenants of the proposed condominium conversion.

Bill Smith, 974 Marlene, stated, as a tenant, he had been told when he rented his apartment of the condominium conversion; he expressed concern with the shortage of apartments in the Ukiah area and noted the lack of landscaping and that laundry facilities were not kept up in the subject apartment complex.

Mrs. Actkinson stated that any landscaping would be taken care of by the homeowners association.

Mr. Smith referred to Doolin Creek and children playing in the Creek and felt a fence should be required. Mrs. Actkinson stated a rear fence will be constructed with the project.

Commissioner Vander Mey felt the pool was located too far from the units without the provision of bathrooms. Mr. Smith stated he would rather have the pool further away from the units from the standpoint of noise and would not mind walking the distance.

Commissioner Thomas made a motion to approve Subdivision Map 82-85 but it died for lack of a second.

Commissioner Vander Mey asked if the pool would be fenced? Mrs. Actkinson stated it is required.

On a MOTION by Commissioner Vander Mey, seconded by Commissioner Thomas, it was carried by the following roll call vote to approve Tentative Subdivision Map 82-85, Marlene Street Condominiums subject to the following conditions:

1. Complete landscaping plan be submitted for approval of the Director of Planning prior to placement, said plan to include extensive landscaping adjacent to freeway.
2. Landscaping be maintained by an automated irrigation system.
3. Sidewalks and other necessary street improvements be completed to the approval of the City Engineer for the full street frontage of the property.
4. Additional paving for turn around/backing area be provided at the east side of the carports and R.V. storage area.
5. Units be inspected by the Building Official for compliance with the Uniform Building Code as it relates to condominiums.
6. Electrical facilities to be taken from existing panel.
7. At least two street lights be provided along the length of the property at the owner's expense.
8. The water and sewer lines indicated on the map at the northern end of the project and near the barbecue area be capped off at owner's expense, if not to be utilized for the development.
9. Capital Improvement Fees to be paid to the approval of the Director of Public Works.
10. All onsite drainage that currently flows to the freeway be contained and be taken to the creek to the approval of the Director of Public Works.
11. Dedication of an easement along the south property line for maintenance of the creek to the approval of the Director of Public Works.

AYES: Commissioner Ivey, Kelley, Thomas, Vander Mey, Chairman Metzler  
NOES: None  
ABSENT: Commissioner Fenter, Velardi

Planning Director stated he would pass along Mr. Smith concerns regarding the creek to the Public Works Department for security precautions.

#### COUNTY REFERRALS

- 7A. COUNTY REFERRAL #R 18-82, FRANK TUNZI, TO REZONE PROPERTY FROM C-1 TO C-2



5. PUBLIC HEARINGS

- A. Request for amendment of Use Permit No. 80-40, Marlene Street Condominiums, requesting elimination of proposed tennis court in favor of developing "open space" area, located at the southerly terminus of Marlene Street, zoned PD

Amendment to Tentative Subdivision Map for Marlene Street Condominiums, replacing tennis courts with open space area

Planning Assistant stated the proposal is to substitute a multi-purpose turf area in lieu of the tennis court area. The open space area can be enjoyed by all of the tenants of the complex whereas the tennis court would probably only benefit a few. The croquet court, volleyball court and swimming pool will still be constructed. Parking meets the code. Staff recommends approval.

PUBLIC HEARING OPENED - 7:03 P.M.

Bill Townsend, 24 Lorraine Street, stated he feels the area needs more parking and would prefer the tennis courts constructed as planned. He also expressed concern as to the possibility of more development occurring on the property.

Victor Lopes, architect for the project, displayed a color rendition of the site plan with the proposed changes and explained the reason for changes from the original site plan. He noted the tenants and prospective buyers desired the open area rather than tennis courts.

Mr. Lopes was questioned as to developer's having plans to construct more units on the property and his response was that he was not aware of plans for further development.

PUBLIC HEARING CLOSED - 7:19 P.M.

ON A MOTION by Commissioner Mason, seconded by Commissioner Schneider, it was carried by the following roll call vote to approve the revised development plan dated September 12, 1984 for Use Permit No. 80-40 with the condition that:

1. Lawn area be landscaped and automatic irrigation system be installed.

AYES: Commissioners Geronzin, Knutson, Mason, Redding, Schneider, and Chairman Ivey

NOES: None

ABSENT: Commissioner Mastin

ON A MOTION by Commissioner Mason, seconded by Commissioner Schneider, it was carried by the following roll call vote to approve the amendment to Subdivision Map for Marlene Street Condominiums to reflect the change in the open space area.