

BOARD OF ADMINISTRATIVE REVIEW  
 Regular Meeting, 2 p.m.  
 Wednesday, March 15, 2006  
 Caldwell Park Conference Room, City Hall  
 777 Cypress Avenue  
 Redding, California 96001

M I N U T E S

Chairman Randall Smith called the meeting to order at 2 p.m., with Senior Planner Terri Thesken, Land Development Manager Gary Otremba, Associate Planners Jim Wildauer and Ron Adams, and Executive Assistant II Anita Felion present.

***PUBLIC HEARING - SITE DEVELOPMENT PERMIT APPLICATION SDP-6-06, by SHASCOM, requesting approval of a 15-foot-high extension to an existing 60-foot-high public-safety communications tower (for a total height of 75 feet) on property located at 3101 South Street in a "PF" Public Facilities District. Environmental Determination: Categorically Exempt. Staff Recommendation: Approval. L-010-390-700***

Associate Planner Ron Adams summarized the staff report. He noted that the SHASCOM facility abutted the northwest edge of Benton Airport. Mr. Adams said the proposed tower extension had been closely reviewed for consistency with airport operations. He advised that the existing antenna was well offset from the primary aircraft approach/departure pattern, and the 15-foot addition would not encroach into any other controlled air space. Mr. Adams stated that the City Airport Manager, Federal Aviation Administration (FAA), and Shasta County Airport Land Use Commission (ALUC) had been notified and that no objections had been raised.

Mr. Adams continued that aesthetics was not a major issue, since the existing tower was not readily visible to the public. He explained that the extension would be constructed using components to match the existing tower structure. He said staff recommended that the Board of Administrative Review approve Site Development Permit Application SDP-6-06 subject to the conditions of approval, which he reviewed. The Chairman opened the public hearing at 2:05 p.m. Determining that no one wished to speak, the Chairman closed the public hearing at 2:06 p.m.

**Motion:** Senior Planner Terri Thesken moved that the project be found categorically exempt under the provisions of the California Environmental Quality Act and that, based upon the testimony presented by staff, the Board of Administrative Review determine that the necessary findings for approval as identified in Section 18.13.090 of the Redding Municipal Code are in evidence and that the permit be granted subject to the conditions of approval as recommended by staff.

**Second:** Land Development Manager Gary Otremba.

**Ayes:** Senior Planner Thesken, Land Development Manager Otremba, Chairman Smith.

**Noes:** None.

***PUBLIC HEARING - AMENDMENT TO PARCEL MAP PM-3-03, which granted Airport Road Development, LLC, approval to subdivide approximately 35 acres for creation of ten lots to support future commercial and/or light industrial uses and two additional parcels for natural resource conservation on property located at the southeast corner of Highway 44 and Airport Road, on both the north and south sides of Old Oregon Trail, in an "HC" Heavy Commercial District and "GI" General Industrial District. The applicant is requesting an amendment to reduce the number of commercial lots from 10 to 6, reduce the number of on-site right-of-ways that cross an unnamed creek from 2 to 1, and realign Old Oregon Trail through the property to a connection point approximately 300 feet off-site to the south. Environmental Determination: Previously approved Mitigated Negative Declaration. Staff Recommendation: Approval. L-010-150***

Associate Planner Jim Wildauer summarized the staff report. He noted that the project site was currently undeveloped and was bisected by Old Oregon Trail. He stated that two intermittent creeks also bisected the site—one having a General Plan "Greenway" designation, which was proposed for

preservation, and the other a minor creek, located within Parcels 1 and 2, which was proposed to be developed.

Mr. Wildauer continued that in order to provide larger parcels with increased depths along Highway 44, the applicant proposed further realignment of Old Oregon Trail. He remarked that it would require reconstruction of Old Oregon Trail off-site for a distance of approximately 350 feet through land owned by the applicant. Mr. Wildauer discussed the revision of Conditions 3, 8, 9, 11, 16, and 17 and the addition of Condition 28. He noted that Conditions 8d and e (which had never been part of the original conditions of approval) had also been eliminated from the amended draft conditions of approval prior to today's meeting, since staff felt it was better to wait for the property to the south to develop to require that an easement be provided. Mr. Wildauer said staff recommended that the Board of Administrative Review approve the amendment to Parcel Map PM-3-03 subject to the previously approved conditions of approval, except for the revision of Conditions 3, 8, 9, 11, 16, and 17 and the addition of Condition 28.

Senior Planner Terri Thesken remarked that the amended map reflected less impacts to the wetlands but that the fees paid had been based on the impacts on the original map. Mr. Wildauer agreed, noting that the applicant had paid higher fees than the amended map required, but that there would be no refund of fees based on the new calculations. Ms. Thesken commented that by eliminating the east/west road, the amended map was a better project. The Chairman opened the public hearing at 2:14 p.m.

Eihnard Diaz, applicant's representative, offered to answer any questions of staff. Ms. Thesken asked about the elimination of Conditions 8d and e addressing installation of conduit and the requirement of an easement for Redding Electric Utility.

Jon Thomason, applicant, explained that the issues were part of the requirements of the Stillwater Business Park and that the alignment was still being finalized and would be handled through the acquisition process.

Land Development Manager Gary Otremba acknowledged that the City Engineer had proposed that the requirements be deferred to development of the Stillwater Business Park. Determining that no one else wished to comment, the Chairman closed the public hearing at 2:16 p.m.

**Motion:** Senior Planner Terri Thesken moved that the Board of Administrative Review approve the amendment to Parcel Map PM-3-03 subject to the previously approved conditions of approval, except for the revision of Conditions 3, 8, 9, 11, 16, and 17 and the addition of Condition 28.

**Second:** Land Development Manager Gary Otremba.

**Ayes:** Senior Planner Thesken, Land Development Manager Otremba, Chairman Smith.

**Noes:** None.

***PUBLIC HEARING - PARCEL MAP APPLICATION PM-9-04, by Scott Herndon, requesting approval to divide 10.5 acres into four single-family residential parcels and a designated remainder on property located at 3232 Nicolet Lane and 2901 North Bonnyview Road in an "RS-2" Residential Single Family District. Environmental Determination: Categorically Exempt. Staff Recommendation: Approval. L-010-150***

Senior Planner Terri Thesken summarized the staff report. She noted that the parcel map property was currently undeveloped with an existing house on the designated remainder portion of the property. She said the applicant did not intend to remove the house. Ms. Thesken advised that the northerly portion of the property at the extension of Glenrock Way had been used in the past for hay production and gardens associated with a house at 2921 North Bonnyview Road. She said the applicant would most likely subdivide the designated remainder (9 acres) at a later date. Ms. Thesken commented that the total number of lots that could be developed on the entire 10.5-acre parcel would be 21 (17 on the designated remainder parcel) under the current "RS-1" zoning. Ms. Thesken stated that conditions on the parcel map called for sprinklers in the homes for fire control and the future provision of secondary fire access, street connections, and waterline looping. She indicated that the applicant had submitted a working map showing the expected future extension of a connecting road through the designated remainder parcel and out to East Bonnyview Road by way of the development of a parcel fronting on East Bonnyview Road. She said staff recommended

that the Board of Administrative Review approve Parcel Map Application PM-9-04 subject to the conditions of approval, which she reviewed.

In response to Chairman Randall Smith's question about a possible entrance to East Bonnyview Road, Land Development Manager Gary Otremba explained that only the four parcels were currently being developed and decided upon at today's meeting and that the applicant had just supplied information about his future plans.

Mr. Smith remarked that when the other lots were developed, there would need to be another exit out. Ms. Thesken pointed out that Condition 5 addressed future development of the designated remainder parcel. She advised that staff did not have the ability to condition the designated remainder at today's meeting, but staff could address the issue of the future development in the conditions of approval. Ms. Thesken mentioned that the applicant understood that the subject of a second access would be addressed with the future development. The Chairman opened the public hearing at 2:27 p.m.

Janice Rukes, who lived on Nicolet Lane, commented that there had been a lot flooding occurring on the parcel. She pointed out that her home had flooded three times. She asked about the plans for drainage. Mr. Otremba explained that only the four parcels were going to be developed at this time. He continued that the four lots would drain into the public system but that her property would not be affected by the development at this time.

Bessie Heggie, who lived on North Bonnyview Road, mentioned that her home also had flooded.

Scott Herndon, applicant, acknowledged that the flooding problem had existed for a long time. He observed that until a drainage pipe was installed in that area, the problem would continue. He mentioned the concrete ditch that was constructed but noted that it needed to be kept clean of vegetation in order to move the water.

Mr. Smith observed that development was the solution, not the problem. Determining that no one else wished to comment, the Chairman closed the public hearing at 2:39 p.m.

**Motion:** Land Development Manager Gary Otremba moved that the parcel map be found categorically exempt under the provisions of the California Environmental Quality Act and that, in accordance with the Government Code of the State of California, the Board of Administrative Review find and declare that, as set forth in Government Code, Section 66474, none of the conditions as listed in (a) through (g) exists with regard to this proposed subdivision. He further moved that the Board find that the proposed subdivision is consistent with the Redding General Plan and applicable specific plans and that the parcel map be granted subject to the conditions of approval as recommended by staff.

**Second:** Senior Planner Terri Thesken.

**Ayes:** Senior Planner Thesken, Land Development Manager Otremba, Chairman Smith.

**Noes:** None.

***PUBLIC HEARING - AMENDMENT TO PARCEL MAP PM-5-05, which granted Jeff and Diane Ramsey approval to divide 3.5 acres into three residential parcels on property located at 6280 Oasis Road in an "RS-3" Residential Single Family District and "RM-6" Residential Multiple Family District. The applicants are requesting an amendment to correct mapping errors and reconfigure the parcels into three revised residential parcels. Environmental Determination: Categorically Exempt. Staff Recommendation: Approval. L-010-150***

Senior Planner Terri Thesken announced that an indefinite continuance was being requested in order for the City Engineer to study the matter further. She said the applicant was aware and had agreed to the request.

Land Development Manager Gary Otremba explained that there were six projects in various stages of development in the Oasis Road area. He stated that staff needed to examine the growth occurring in the area and review the alignment of Oasis Road before more projects could move forward.

Chairman Randall Smith worried about the length of time for an indefinite continuance and sympathized with the applicant.

Ms. Thesken added that there were other issues dealing with the property lines on the applicant's parcel and structures built across property lines. She was not sure how long it would take to get the other property owners together to discuss the situation. Because the item was advertised as a public hearing, the Chairman opened the public hearing at 2:44 p.m.

Brian Cleaver stated that he was present to support the applicant. He also wondered what the problems were with the survey.

Cynthia Spencer worried that her property lines were probably not right, either. Ms. Thesken replied that the City did not have any control in what the private surveys showed. Mr. Otremba explained that the City did not get involved in private surveys and did not have authority to determine land ownership. He advised Ms. Spencer to hire a surveyor and added that Shasta County would have information on the property that was surveyed previously.

Jeff Ramsey, co-applicant, noted that PACE Civil had surveyed his property and had discovered the errors. He lamented that he had only found out the morning of today's meeting that the item was going to be continued. Mr. Ramsey said he understood the City's position, but did not want to have to wait too long to start his project. Ms. Thesken reiterated that the issue also involved other property owners. She advised that the City Engineer would inspect the area and determine where the intersections should be. Determining that no one else wished to comment, the Chairman closed the public hearing at 2:58 p.m.

**Motion:** Senior Planner Terri Thesken moved that the Board of Administrative Review continue indefinitely Amendment to Parcel Map Application PM-5-05.

**Second:** Land Development Manager Gary Otremba.

**Ayes:** Senior Planner Thesken, Land Development Manager Otremba, Chairman Smith.

**Noes:** None.

***PUBLIC HEARING - PARCEL MAP APPLICATION PM-25-05, by Frank Avantino, requesting approval to divide 1.1 acres into three lots on property located at 2421 Hartnell Avenue in a "GC" General Commercial District. Environmental Determination: Categorically Exempt. Staff Recommendation: Approval. L-010-150***

Chairman Randall Smith announced that the applicant had requested a continuance to the meeting of April 12 to allow additional time for further discussions with his engineers and City staff regarding the sewer and the buffer-yard wall. Since the item was advertised, the Chairman opened the public hearing at 3 p.m.

Bruce Sindorf stated that he had not been notified when the project originally went through and questioned the raising of the parcel three feet higher than his. He asserted that the extra height created a three-foot dam between his parcel and the applicant's. Mr. Sindorf explained that the water had always run from his parcel to the applicant's and that now there would be problems with drainage. He said he had previously met with City staff to address the water problem and had requested a storm drain on his side of the fence to alleviate the drainage issue but that nothing had been done.

Mr. Sindorf continued that straw waddles had been put into the ditch created by the increased height of the parcel and that weeds had sprouted, blocking the flow of water. He noted that a storm drain had been installed on the other side of the applicant's fence and that he had asked for an extension from the storm drain. He said he had volunteered to put in the storm drain on his property. He also noted that the masonry fence would seal off his property from draining.

Regarding the fence, Mr. Sindorf advised that he had a pool and that with the applicant's property being three feet higher, the windows of the applicant's buildings would be above the fence height. He pointed out that the whole back of the building was nothing but windows facing his house.

Land Development Manager Gary Otremba advised Mr. Sindorf that he would have Inspection Services Supervisor Josh Watkins call him to discuss the situation, since there had been some changes since Mr. Sindorf's last meeting with Engineering staff.

Ms. Thesken explained that the issues Mr. Sindorf mentioned were some of the reasons why the applicant was requesting a four-week continuance to the meeting of April 12. She observed that the applicant had already received approval to build three buildings on one lot and that the parcel map request was to put those buildings on separate lots. Ms. Thesken indicated that there would be a reciprocal agreement requiring all the owners of the buildings to be responsible for maintaining the drainage ditch. Determining that no one else wished to comment, the Chairman closed the public hearing at 3:11 p.m.

**Motion:** Senior Planner Terri Thesken moved that the Board of Administrative Review continue Parcel Map Application PM-25-05 to the meeting of April 12, 2006.

**Second:** Land Development Manager Gary Otremba.

**Ayes:** Senior Planner Thesken, Land Development Manager Otremba, Chairman Smith.

**Noes:** None.

### ***ADJOURNMENT***

There being no further business to come before the Board, Chairman Randall Smith adjourned the meeting at 3:12 p.m.

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Anita M. Felion, Executive Assistant II

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Randall Smith, Chairman