

SHASTA COUNTY PLANNING COMMISSION

MINUTES

Special Meeting

Date: February 21, 2007
Time: 6:00 p.m.
Place: Shasta County Administration Center
Board of Supervisors' Chambers

Flag Salute

ROLL CALL

Commissioners

Present: John Cornelius District 3
Dave Rutledge District 1
Jerry Smith District 2
Roy Ramsey District 4
Shirley Easley District 5

Staff Present: Russ Mull, Director of Resource Management
Mike Ralston, Assistant County Counsel
Bill Walker, Senior Planner
Jim Smith, Environmental Health Division Manager
Jim Diehl, Shasta County Fire Department
Al Cathey, Public Works/Subdivision Engineer
Dawn Duckett, Staff Services Manager, Recording Secretary

Note: All unanimous actions reflect a 5-0 vote.

Key: California Environmental Quality Act (CEQA): Mitigated Negative Declaration (MND), Negative Declaration (ND), Categorically Exempt (CE), De Minimis Finding of Significance (DM).

CONFLICT OF INTEREST

DECLARATIONS: Commissioner Easley disclosed that she had spoken with individuals from both the opposition as well as in favor of the project and that most of the issues discussed were covered in the Environmental Impact Report (EIR) with the exception of one issue brought up by a proponent regarding an individual's right to property use. Chairman Cornelius disclosed that he had received a telephone call from an opponent and the discussion was limited to protocols of the hearing.

OPEN TIME: Rod Evans inquired as to the protocols for the meeting, specifically time limitations for public testimony.

APPROVAL OF MINUTES:

By motion made, seconded (Rutledge/Easley), and unanimously carried, the Commission approved the minutes of January 31, 2007, as submitted.

PUBLIC HEARING:

R1: **General Plan Amendment 04-002, Zone Amendment 04-003, and Use Permit 05-006 (Shasta Regional Auto Mall)**: The project site is approximately five miles north of the City of Anderson and six miles south of the City of Redding in Shasta County. The project is located on the northeast corner of the intersection of Knighton Road and Interstate 5 (I-5), between Knighton Road, I-5, and Churn Creek Road. The project proponent has applied for the development of eight parcels for a regional auto mall. The proposed actions required of the County of Shasta include the following: 1) General Plan Amendment 04-002 that would change a portion of the land use designations of the project site from Part-Time Agricultural (A-cg) to Commercial (C); 2) Zone Amendment 04-003 to amend the project site from the Limited Agriculture (A-1) District, the A-1 District combined with the Restrictive Flood District (A-1 F-2), and the Planned Development District (PD), to the Community Commercial District combined with the Design Review District (C-2-DR) and the C-2 District combined with DR District and the Restrictive Flood District (C-2-DR-F-2). The C-2-DR and the C-2-DR-F-2 Districts would be designed specifically for a regional auto mall; and 3) Use Permit #05-006 for a regional auto mall.

Senior Planner Bill Walker presented the staff report. Eugene Smith, from Quad Knopf (Environmental Impact Report (EIR) Consultant) made a Power Point presentation highlighting the key points of the EIR such as time lines, 13 environmental topics contained in the document, and impact conclusions. Mr. Smith told the Commission that 96 public comment letters had been received and responded to in the Final EIR and explained that as a result of the comments received, one mitigation measure was added to the project and eight mitigation measures were modified. Mr. Smith added that no new impacts were identified in the public comments that weren't already addressed in the Draft EIR.

The public hearing was opened and Les Melburg, representing the applicant, made a Power Point presentation and discussed the benefits of co-locating auto dealerships and the extensive site-selection process for the project. Mr. Melburg told the Commission that co-locating the dealerships near the freeway would decrease the number of individuals traveling outside of the Redding area to purchase an automobile (leakage).

RECESS: The Commission adjourned for a recess at 7:12 p.m.

RECONVENE: The Commission reconvened at 7:26 p.m.

Speaking in support of the project were:

Speaker's Name ***Comment/Issue/Concern***

Jerry Wagar	Mr. Wagar (member of the Shasta Builder's Exchange (SBE)) told the Commission that the SBE had reviewed the EIR, listened to both the opponents and proponents of the project, and had voted unanimously to support the project.
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Dennis Riley	Mr. Riley, property owner in the Churn Creek Bottom area and partial owner of the proposed project site, offered comments in support of the project being approved for the site.
Roger Casey	Mr. Casey agreed with the previous speakers stating that the site is suited for this type of development.
Robert Wood	Mr. Wood, former owner of the Woodrick Christmas Tree Farm (now closed), stated support for the project and told the Commission that the Christmas tree farm was never an economically viable operation.
Pat Corey	Mr. Corey, Chairman of the Greater Redding Chamber of Commerce stated support for the project saying that the Chamber Board of Directors voted unanimously to support the project.
Ryan Denham	Mr. Denham, third-generation auto dealer, said that the auto mall project is a best-fit for the site because the operation is environmentally clean. He also discussed economic benefits such as the creation of jobs. Mr. Denham stated that there is no other location for the auto mall and that auto dealerships must be near Interstate 5.
Jerry Boyer	Mr. Boyer, land owner of 62 acres in the Churn Creek Bottom area, told the Commission that his past crops were not economically viable.
Nancy Ward	Ms. Ward stated that the project's design was excellent and discussed negative impacts to the environment caused from pesticide use while farming.
Don D. Davis	Mr. Davis made comments in support of the project stating that Knighton Road is the best location for the auto mall.
Phil Gonsalves	Mr. Gonsalves voiced support for the project stating changes in society.

Speaking in opposition to the project were:

<u><i>Speaker's Name</i></u>	<u><i>Comment/Issue/Concern</i></u>
Rod Evans	Mr. Evans asked that he be allowed additional time for testimony rather than five minutes in lieu of the fact that members of his organization (Churn Creek Bottom Home Owners' Association) were willing not to speak, granting Mr. Evans their allotted time, in order for him to speak as

their representative. Chairman Cornelius responded that the set protocols for the meeting would remain and each speaker would be limited to five minutes. Mr. Evans was advised that he would be allowed as many five-minute increments of testimony as were necessary for him to complete his comments.

Mary Ocasion

Ms. Ocasion discussed the importance of preserving farmlands and said that the Churn Creek Bottom area had been designated by the State as important prime farmland. NOTE: Ms. Ocasion's discussion was split into two five-minute increments and was concluded later in the hearing.

Mike Chitham

Mr. Chitham stated that he was donating his allotted five-minute testimony time to Rod Evans.

Gary Singleton

Mr. Singleton told the Commission that he had opposed the proposed truck stop and was also opposed this project. He said that the General Plan was a contract with the community, was adopted to promote stability, and there must be overriding reasons to change it.

Stan Wangberg

Mr. Wangberg, General Manager of the Anderson-Cottonwood Irrigation District (ACID), said that although ACID was not opposed to the project, ACID would not accept drainage/runoff from the project without expressed approval from the ACID Board of Directors. Mr. Wangberg read aloud a prepared statement. NOTE: The last paragraph of Mr. Wangberg's letter was read aloud later in the hearing by Victor Ogrey.

John Abraham

Mr. Abraham stated opposition to the project and voiced concerns regarding future blight.

John Livingston

Mr. Livingston voiced concerns regarding contaminated runoff, light pollution, effects on wildlife, and possible negative impacts to the Sacramento River and other water resources.

Louise Zimmerman

Ms. Zimmerman, representing the League of Women Voters, discussed the need for policies regarding land use that prevent urban sprawl and provide protection to watersheds, wetlands, and agricultural lands.

Lloyd Burton

Mr. Burton stated concerns regarding the lack of sufficient infrastructure to support the project's needs for water treatment and sewage disposal. He said that the EIR only addressed the sewage disposal needs from the employees of

the auto mall and did not take into consideration the capacity needed for customers.

Larry Sergeant

Mr. Sergeant voiced general opposition and stated that leakage was not caused by the current location of the Redding auto dealerships, but because the pricing for autos locally was too high and individuals preferred to travel out of the area to purchase vehicles at a lower cost.

Richard Rhodes

Mr. Rhodes, Principal of Pacheco School, distributed a letter to the Commission from the California Department of Education and discussed traffic concerns and the possibility that future commercial growth could isolate Pacheco School among non-compatible neighbors.

Jeff Swanson

Mr. Swanson, attorney for the Churn Creek Bottom Homeowners' Association cited several policies of the General Plan (CO-t and AG-b) stating that according to these policies, commercial development should be strictly limited to the Interstate 5/Knighton Road interchange and that there must be an overriding public need to change the General Plan.

Ron Reese

Dr. Reese, from Citizens for Smart Growth voiced opposition and concerns regarding contamination of water, insufficient infrastructure for sewage disposal, traffic, safety, and aesthetics.

Tom Reemts

Mr. Reemts told the Commission that he had farmed walnuts in the project vicinity for 25 years and said the topsoil in the area was 16 feet deep. He also noted that people travel outside the Redding area to buy a car because of pricing rather than location.

Caleen Sisk-Franco

Ms. Sisk-Franco, speaking for the Winneman Wintu Tribe, discussed concerns regarding the depletion of water supplies, preservation of agricultural lands, negative impacts to salmon, and the loss of sacred tribal sites. She told the Commission that the Tribe had requested consultation on the project.

D. Phelps

Ms. Phelps stated concerns regarding the loss of farmlands, drought, and aesthetics.

Julie Buick

Ms. Buick discussed concerns regarding water quality, negative impacts to local livestock, global warming, and changes in the microclimate due to asphalt.

RECESS: The Commission adjourned for a recess at 9:07 p.m.

RECONVENE: The Commission reconvened at 9:19 p.m.

Speaking in opposition to the project were:

<u><i>Speaker's Name</i></u>	<u><i>Comment/Issue/Concern</i></u>
Pam Rocca	Ms. Rocca asserted that glare from cars as well as emissions were not considered in the EIR. She also stated that the original intent of the General Plan was to limit further growth in the Churn Creek Bottom area.
Chris Carmona	Mr. Carmona discussed inconsistencies with traffic counts stated in the EIR and stated concerns regarding test drives.
Joann Moore	Ms. Moore, representing the Shasta County Citizens for a Healthy Environment voiced concerns regarding the quality of life and the significant and unavoidable impacts of the project.
Gail Mellow	Ms. Mellow stated general opposition to the project and the reasons people travel outside the area to purchase vehicles.
Mary Ocasion	Ms. Ocasion concluded her previous discussion of the issues.
Randy Smith	Mr. Smith distributed a news article to the Commission and voiced opposition to changing the General Plan.
Victor Ogrey	Mr. Ogrey was concerned about time lines of the EIR stating that the public only had six working days to review the document prior to the public hearing.
Kathleen Cullledge	Ms. Cullledge stated opposition and concerns regarding fuel consumption.
Rod Evans	Mr. Evans discussed the significant, unavoidable, and cumulative impacts of the project and questioned the validity and methodology used in the CED/SBDC (Chico State) economic report. Mr. Evans asserted that the author of the report had told him (Mr. Evans) that the applicant (Mr. Maxwell) had provided all of the assumptions and inputs used to create the outputs for the report. A report prepared by UC Berkeley professor Thomas Davidoff was distributed to the Commission and Mr. Evans read aloud sections of discussed the details of that report. Mr. Evans concluded by saying that a major revision of the General Plan should be

done before approving a project of this size and scale without the infrastructure to support it.

Victor Ogrey

Mr. Ogrey read aloud the last paragraph of Mr. Wangberg's prepared statement.

Les Melburg offered no rebuttal remarks and thanked the public for their comments. There being no other speakers for or against the project, the public hearing was closed.

Russ Mull, Director of Resource Management presented a brief Power Point presentation giving a land-use history of the Knighton Road area. Mr. Mull's presentation also included statistical information regarding vehicle sales inside and outside of Shasta County and how those sales affect tax revenues. He stated that based on the statistical facts, \$2,000,000 in tax revenues from the sale of vehicles were being lost in Shasta County to other jurisdictions. Mr. Mull displayed a graphic representation of the vacant commercial properties in Shasta County and he noted that the total acreage of available commercial land was 409 acres, none of which would be a viable alternative for the proposed project. He concluded by saying that the Knighton Road interchange is the single-most valuable interchange in the unincorporated area of Shasta County.

Commissioner Rutledge stated that during the past public hearing for the Flying J Truck Stop, he (Commissioner Rutledge) had stated publicly that his review of the General Plan concluded that commercial development in the Knighton Road area was to be strictly limited to six acres. Commissioner Rutledge asked that the EIR consultant provide clarification to the Commission and address traffic concerns discussed in a letter from Caltrans dated 01/05/07, regarding the scope of the traffic study for the project and unresolved traffic issues. Russ Mull recommended that Pat Minturn, Director of Shasta County Department of Public Works brief the Commission on traffic concerns.

Mr. Minturn told the Commission that on February 20, 2007, the Caltrans district Director had expressed satisfaction that the mitigation measures dealt sufficiently with the traffic concerns for the project. Mr. Minturn also provided a brief summary of the traffic mitigations including a per-vehicle-sold fee which will contribute to traffic improvements to the area.

Commissioner Easley asked for clarifications on Table 3.12.15, regarding the amount of traffic listed as using a merge ramp (Knighton Road) during peak hours. Jason Pack, traffic engineer, provided the methods used to arrive at traffic densities listed in the table and responded to questions from Commissioner Rutledge regarding traffic scope, potential problems caused by test drives, and mitigation measures.

Commissioner Ramsey asked if the Environmental Health Division was satisfied that the sewage disposal and runoff concerns had been adequately addressed for the project. Jim Smith, Environmental Health Division Manager explained that the project would use a centralized sewage disposal system that would sufficiently serve the site and that the Regional Water Quality Control Board would require a monitor for the system. Pat Minturn explained the drainage systems proposed for the site.

Commissioner Easley proposed the following changes to the Mitigation Monitoring Plan:

Page 4 - Section 3.24 - Change “Building Permit” to Grading Permit.” Add the words “Planning Division has verified compliance that ACID’s permits are issued..”

Page 12 - Cultural Resources - Remove the words “unusual amount” from the phrase “unusual amount of bones.” Add the words “A representative with knowledge of cultural resources of the Wintu-Winneman or Toyon-Wintu tribes shall be hired to monitor the site during all ground disturbing work at the project site.

Additional archeological testing at OCM 1 to the same depth for any planned excavation to determine the presence or absence of archeological resources to be done prior to issuance of a grading permit.

If the discovery of Native American human remains or cemeteries are found, the developer will pay for all removal and reinternment.”

Page 15 - five lines from the bottom - replace the word “or” to “and.”

Page 22 - Section 3.13 - require a wastewater management agreement. Russ Mull recommended that rather than changing the mitigation monitoring plan, a new Use Permit condition be added (Condition 47a) that states, “Site owners shall employ professional wastewater services for ongoing management of the system.”

ACTION:

By motion made, seconded (Smith/Ramsey), with Commissioners Smith, Ramsey, and Cornelius voting AYE and Commissioners Rutledge and Easley voting NO, for a 3-2 vote, the Commission by Resolution 2007-016, recommended that the Shasta County Board of Supervisors review and certify the Environmental Impact Report for the Shasta Regional Auto Mall and adopt the related Mitigation Monitoring and Reporting Program (as amended); and by Resolution 2007-017, recommended that the Shasta County Board of Supervisors conduct a public hearing and approve General Plan Amendment 04-002, based on the findings listed in the Resolution; and by Resolution 2007-018, recommended that the Shasta County Board of Supervisors conduct a public hearing and approve Zone Amendment 04-003, based on the findings and subject to the conditions listed in the Resolution; and by Resolution 2007-019, recommended that the Shasta County Board of Supervisors conduct a public hearing and approve Use Permit 05-006, based on the findings and subject to the conditions listed in the Resolution.

ADJOURNMENT: The Planning Commission adjourned at 11:23 p.m.

Submitted by:

Dawn Duckett, Staff Services Manager
Recording Secretary