

MINUTES of the Planning Commission Meeting of the City of Redlands held Tuesday, April 8, 2003, at 2:00 p.m. are as follows:

PRESENT: George Webber, Chair
James Macdonald, Vice-Chairman
Ruth Cook, Commissioner
Caroline Laymon, Commissioner
Thomas Osborne, Commissioner
Paul Thompson, Commissioner

ABSENT: Gary Miller, Commissioner (Afternoon session)
Jeff Shaw, Director

ADVISORY STAFF

PRESENT: John Jaquess, City Planner
Bob Dalquest, Senior Planner
Richard Malacoff, Associate Planner
Manuel Baeza, Assistant Planner
Leslie E. Murad II, Assistant City Attorney

I. CALL TO ORDER AND PUBLIC COMMENT PERIOD

Chairman Webber called the meeting to order at 2:00 p.m. All commissioners were present with the exception of Commissioner Miller.

II. CONSENT ITEMS -NONE

III. OLD BUSINESS -NONE

IV. NEW BUSINESS

- A. SPECIFIC PLAN NO. 25, AMENDMENT NO. 6 - PUBLIC HEARING for the Planning Commission to consider a recommendation to the City Council on a Mitigated Negative Declaration, Socio-Economic Cost/Benefit Study, and a Specific Plan Amendment to modify Section 3 (B) (4) (d) (1) pertaining to front yard setback standards to allow thirty (30) percent of the building frontage to encroach in the front yard setback to a maximum of five (5) feet in the Office Industrial District of Specific Plan No. 25. Request Submitted by BERKSON REALTY ADVISORS.
- B. COMMISSION REVIEW AND APPROVAL NO. 749 - PUBLIC HEARING for the Planning Commission to consider a recommendation to the City Council on a Mitigated Negative Declaration, Socio-Economic Cost/Benefit Study, and a Commission Review and Approval for two (2) office buildings with two stories each and a floor area of 21, 172 square feet and 17, 248 square feet respectively located on the west side of Idaho Street between Plum Lane and Orange Tree Lane (APN: 292-341-16) on a lot with an area of 2.2 acres in the Office Industrial District of Specific Plan No. 25. Request Submitted by BERKSON REALTY ADVISORS.

Mr. Richard Malacoff gave a brief presentation on the proposed project. Mr. Malacoff stated staff is recommending approval of this project to City Council.

Chairman Webber opened the public hearing.

Mr. Gary Follett (Gary Miller Architects) stated the variance as requested will add interest to the street scape and the architecture is detailed on all four sides of the building.

Commissioner Webber stated he wants to ensure that there will be landscaping on all four perimeters of the building. Mr. Follett responded there would be landscaping around the perimeter.

Chairman Webber closed the public hearing.

Chairman Osborne asked Mr. Follett if different colors would be used for the reveals.

Discussion was held relative to clarification of the type of materials to be used for the reveals and mullions.

Mr. Malacoff stated that Condition of Approval 25 would be revised to read:

The architectural elevations shall clarify the type of material used on the mullions, width of the reveals, and color of reveals if any, to be approved by the Community Development Director.

MOTION

It was moved by Commissioner Laymon, seconded by Commissioner Thompson, and carried on a 6-0 vote that the Planning Commission recommend that the City Council approve the Mitigated Negative Declaration for Amendment 6 to Specific Plan No. 25 and Commission Review and Approval No. 25 and direct staff to file and post a "Notice of Determination" in accordance with City guidelines. It has been determined this project will not individually or cumulatively affect wildlife resources as defined in Section 711.2 of the California Fish and Game Code.

MOTION

It was moved by Commissioner Laymon, seconded by Commissioner Macdonald, and carried on a 6-0 vote that the Planning Commission approve RPC No. 988 and recommend that the City Council approve Amendment No. 6 to Specific Plan No. 25.

MOTION

It was moved by Commissioner Laymon, seconded by Commissioner Osborne, and carried on a 6-0 vote that the Planning Commission recommend that the City Council approve Commission Review and Approval No. 749 subject to the following findings:

1. The size and shape of the site are adequate for the proposed office buildings.
2. The site properly relates to Idaho Street, Plum Lane, and Orange Tree Lane which have been designed and improved to carry the type and quantity of traffic to be generated by the proposed office buildings.
3. The conditions proposed for Commission Review and Approval No. 749 shown on the site plan are necessary to protect the public health, safety and general welfare of the neighborhood and the City of Redlands.
4. When completed, the project will contribute to the overall development of the neighborhood
5. The proposed project will be consistent with the existing Commercial Designation of the General Plan with a revision to Condition of

Approval 25.

- C. **CONDITIONAL USE PERMIT NO. 797 - Public Hearing for the Planning Commission to consider a Mitigated Negative Declaration and a Conditional Use Permit to construct a religious institution consisting of a 20,300 square foot worship center and a 13,278 square foot sanctuary on 4.62 acres located on the southwest corner of Lugonia Avenue and Texas Street in the R-1, Single Family Residential District. Request Submitted by the SECOND BAPTIST CHURCH OF REDLANDS.**

Mr. Malacoff stated that the applicant and staff requested a two-week continuance of this project to allow staff ample time to complete the staff report.

Chairman Webber opened the public hearing. Seeing no comments forthcoming, Chairman Webber closed the public hearing.

MOTION

It was moved by Commissioner Macdonald, seconded by Commission Thompson and carried on a 6-0 vote to continue Conditional Use Permit No. 797 to April 22, 2003.

- D. **CONDITIONAL USE PERMIT NO. 787- Public Hearing for Planning Commission Consideration of a Socio-Economic Cost/Benefit Study, and a Conditional Use Permit for the expansion of an existing 7,660 square foot ambulance service and repair facility with the construction of a 2,400 square foot maintenance building for automotive repair and a 1,156 square foot building for vehicle washing on 2.2 acres located on the east side of Iowa Street, approximately 670 feet south of Redlands Boulevard, in the Commercial Industrial District of East Valley Corridor Specific Plan. Request submitted by AMERICAN MEDICAL RESPONSE.**

Mr. Manuel Baeza gave a brief presentation on the proposed project.

Chairman Webber opened the public hearing.

Mr. Robert Aikin (American Medical Response) stated the project has gone through an internal processing period for the past seven years.

Commissioner Laymon asked Mr. Aikin if four (4) parking spaces could be deleted in order to provide three (3) landscaping fingers in the parking lot. Mr. Aikin agreed to look into Commissioner Laymon's request.

Chairman Webber stated the carrot wood trees depicted on the landscaping plan are not on the approved list of Planning Commission Recommended Shade Trees for Parking Lots. Chairman Webber requested the number of trees in the parking lot be increased from three (3) trees as suggested by staff, to five (5) trees. Chairman Webber indicated that the trees should be taken from the list of fast-growing trees.

Chairman Webber suggested planting four (4) sweet shade trees in the grass strip located on the northwest corner, and four (4) sweet shade trees in the grass strip located on the southwest side of the project.

Mr. Aikin agreed to the revisions requested by Chairman Webber.

Chairman Webber closed the public hearing.

Mr. Baeza requested clarification on the width of the parking lot "fingers." Commissioner Laymon stated she wanted them to have a width of nine (9) feet.

MOTION

It was moved by Commissioner Osborne, seconded by Commissioner Cook, and carried on a 6-0 vote that the Planning Commission approve the Socio-Economic Cost Benefit Study for Conditional Use Permit No. 787 as it has been determined that this project will not create unmitigable physical blight or overburden public services in the community, and no additional information or evaluation is needed.

MOTION

It was moved by Commissioner Osborne, seconded by Commissioner Thompson, and carried on a 6-0 vote that the Planning Commission approve Conditional Use Permit No. 787 subject to the following findings, submitted plans, and revised conditions of approval:

1. The use applied for at this location is conditionally permitted in the EV/IC, Commercial Industrial District of the East Valley Corridor District under the provisions of section EV3.0713, which allows ambulance services subject to approval of a Conditional Use Permit.
2. The proposed expansion of the facility at this location will not be detrimental to existing or permitted land uses on the surrounding properties as the development will improve the appearance of the property.
3. The project site is sufficient in size and shape to accommodate the proposed use, meets all development standards and is well under the maximum allowable coverage limits for industrial uses.
4. The proposed use is necessary and desirable for the development of the community as it is consistent with the policies, programs, and objectives of the Redlands General Plan.
5. The conditions for the proposed use are reasonably related to the use to address potential effects of the proposed use, and are necessary to protect the public health, safety, and general welfare and the best interests of the neighborhood and the addition of

Condition of Approval 22: The applicant shall replace all proposed carrot wood trees with trees listed on the Planning Commission Recommended Shade Tree for Parking Lot List.

Condition of Approval 23: The applicant shall provide five (5) trees in front of the front building parking area. All trees shall be taken from Planning Commission Recommended Shade Trees for Parking Lot list.

Condition of Approval 24: The applicant shall provide eight (8) sweet shade trees for planters located in the northwest corner planter and the southwest corner planter of the project site.

Condition of Approval 25: The applicant shall provide three (3) additional landscape fingers equally spaced along the south property line parking area; each with a width of nine (9) feet.

- E. **CONDITIONAL USE PERMIT NO. 789 - Public Hearing for the Planning Commission to consider a Mitigated Negative Declaration and a Conditional Use Permit to install a cellular tower (monopine) with an overall height of eighty (80) feet, for a wireless telecommunication facility with a lease area of 372 square feet to be co-located with an existing Sprint PCS facility located on Cornell Avenue northeast of the University of Redlands Ted Runner Stadium in the E,**

Educational District. Request submitted by CINGULAR WIRELESS.

Mr. Manuel Baeza stated while staff was preparing the report, it was discovered the mailing labels provided by the applicant did not include all properties requiring notification of the public hearing. For that reason, Mr. Baeza requested continuance of the project until May 13th.

Chairman Webber opened the public hearing. Seeing no comments forthcoming, Chairman Webber closed the public hearing.

MOTION

It was moved by Commissioner Thompson, seconded by Commissioner Macdonald, and carried on a 6-0 vote to continue Conditional Use Permit No. 789 to May 13, 2003.

- F. ORDINANCE TEXT AMENDMENT NO. 292 - PUBLIC HEARING for the Planning Commission to consider a recommendation to the City Council on an Environmental Impact Report and an amendment to Section 18.124.100 of the "O" (Open Land) District to increase the permitted height of buildings from 15 feet to 55 feet and allow light poles to be up to a maximum height of 80 feet. Request submitted by the CITY OF REDLANDS.

Mr. Baeza gave a brief presentation on the proposed project and stated that staff is recommending approval to the City Council.

Chairman Webber opened the public hearing. Seeing no comments forthcoming, Chairman Webber closed the public hearing.

MOTION

It was moved by Commissioner Macdonald, seconded by Commissioner Osborne and carried on a 6-0 vote that the Planning Commission approve Planning Commission Resolution No. 982 recommending to the City Council approval of Ordinance Text Amendment No. 292.

- G. SPECIFIC PLAN NO. 45 (AMENDMENT NO. 7) - PUBLIC HEARING for the Planning Commission to consider a recommendation to the City Council on an amendment to Specific Plan No. 45 to add Section VI A.11 and amend Section III A.4 and Section IV A.3.c to establish incentives for the provision of housing within the downtown area of the City of Redlands. Request submitted by the CITY OF REDLANDS.

Mr. Bob Dalquest gave a brief presentation on the proposed project. Mr. Dalquest stated there are three (3) changes proposed to the Specific Plan:

1. Section VI (Urban Design and Architectural Guidelines) will be modified to add subsection A.11 which establishes mixed use zoning development incentives.
2. Section III (Land Use) subsection A.4 will be modified by deleting the appropriate text that discourages the ability of the City and/or Redevelopment Agency from redeveloping the existing residential property located within the Specific Plan.
3. Section IV.A.3.c which lists potential non-essential streets within Specific Plan No. 45 that may be closed or abandoned in order to permit the development of larger parcels, will be modified. The text will be reworded to indicate that Ruiz Street and High Street will be closed if these properties are assembled into a larger development site.

Chairman Webber opened the public hearing. Seeing no comments forthcoming, Chairman Webber closed the public hearing.

MOTION

It was moved by Commissioner Macdonald, seconded by Commissioner Thompson, and carried on a 6-0 vote that the Planning Commission approve Planning Commission Resolution No. 989, recommending that the City Council adopt Amendment No. 7 to Specific Plan No. 45.

- H. ORDINANCE TEXT AMENDMENT NO. 294 - PUBLIC HEARING for the Planning Commission to consider a recommendation to the City Council on an Ordinance Text Amendment to add Section 18.164.045 and amend Section 18.164.100 of the Redlands Municipal Code regarding residential parking facilities in the C-3 (General Commercial) District. Request submitted by the CITY OF REDLANDS.

Mr. Dalquest gave a brief presentation on the proposed project and stated the amendment affects residential parking facilities for properties located within the C-3 (General Commercial) District. Mr. Dalquest stated the new section will provide an exemption for properties in a parking district and zoned C-3 District to meet the residential parking requirements by meeting the in lieu fee. The second change modifies the section which requires parking facilities for residential units to be on the same parcel they are intended to serve and allows parking on a substitute location under the following conditions:

1. That all or part of the substitute location is within 200 feet of the principal use for which the parking is being provided; and
2. That the substitute lot is in the same possession as the use it is intended to serve. Such possession may be by deed or long-term lease, the terms of which meet the approval of the City.

Mr. Dalquest stated the City Attorney requested the item be continued to April 22, 2003 so the text can be "fine tuned" prior to forwarding a recommendation to the City Council.

Commissioner Macdonald asked Mr. Dalquest how the 200-foot distance from the principal use was determined. Mr. Dalquest responded by saying that was carried over from the nonresidential parking standards. Commissioner Macdonald stated it may be something that should be looked at by the Commission.

Mr. Dalquest requested direction from the Commission. Commissioner Macdonald suggested the distance be changed to 400 feet, as is required with Historic buildings. The Commission reached a consensus to change the wording from 200 feet to 400 feet.

Chairman Webber opened the public hearing. Seeing no comments forthcoming, Chairman Webber closed the public hearing.

MOTION

It was moved by Commissioner Macdonald, seconded by Commissioner Thompson, and carried on a 6-0 vote that the Planning Commission continue Planning Text Amendment No. 294 to April 22nd.

- I. GENERAL PLAN AMENDMENT NO. 92 - PUBLIC HEARING for the Planning Commission to consider a recommendation to the City Council on a Negative Declaration and a General Plan Amendment from non-designated to Commercial for a 43.5 acre area, (the Kohl's site) generally located on the west side of Citrus Plaza Drive, approximately 500 feet north of Lugonia Avenue and the Caltrans right-of-way between Lugonia Avenue and San Bernardino Avenue. Request submitted by the CITY OF REDLANDS.

Mr. John Jaquess, City Planner, gave a brief presentation on the proposed project. Mr. Jaquess stated the amendment was initiated to return the General Plan to what it was prior to removal of the Donut Hole from the City's Sphere of Influence by the Local Agency Formation Commission (LAFCO).

Mr. Jaquess stated the City has initiated annexation of forty (43.5) acres of land between Lugonia and San Bernardino Avenue and the area of the Kohl's building and parking lot. Mr. Jaquess stated that this action will reestablish the same land use category that existed prior to the removal of the Donut Hole by LAFCO.

MOTION

It was moved by Commissioner Thompson, seconded by Commissioner Macdonald and carried on a 6-0 vote that the Planning Commission recommend approval to the City Council on the Negative Declaration for General Plan Amendment No. 92 and direct staff to file and post a "Notice of Determination" in accordance with City guidelines. It is recommended that this project will not individually or cumulatively affect wildlife resources as defined in Section 711.2 of the California Fish and Game Code.

MOTION

It was moved by Commissioner Thompson, seconded by Commissioner Macdonald, and carried on a 6-0 vote the Planning Commission adopt Resolution No. 977 and recommend to the City Council that General Plan Amendment No. 92 be approved to reestablish a Commercial land use designation for the property as shown in Exhibit A.

ADDENDA

A. City Council Report

Mr. Jaquess stated Mr. David Waters approached the City Council relative to action taken by the Planning Commission on the proposed Centex development. Mr. Waters asked the City Council to initiate an appeal, but the Council felt the proposed project did not require an appeal, and declined Mr. Water's request.

VI. APPROVAL OF MINUTES - NONE

VII. CORRESPONDENCE/COMMUNICATIONS

VIII. ADJOURNMENT TO 7:00 P.M.

Chairman Webber adjourned the meeting to the evening session.

IX. RECONVENE OLD BUSINESS

Chairman Webber reconvened the evening session at 7:02 p.m. All commissioners were present with the exception of Commissioners Cook and Thompson.

A. GENERAL PLAN AMENDMENT NO. 93 - PUBLIC HEARING for the Planning Commission consideration of a recommendation to the City Council on a Mitigated Negative Declaration and a General Plan Amendment to change Highview Drive from a "Local Street" to a "Collector Street" and to modify Figure 5.2 of the Circulation Element to establish design standards for Rural Streets and other rural public facilities. Request submitted by COVINGTON CONSTRUCTION AND DEVELOPMENT.

B. AGRICULTURAL PRESERVE REMOVAL NO. 100 - PUBLIC HEARING for the Planning

Commission to consider a recommendation to the City Council on a Mitigated Negative Declaration and Agricultural Preserve Removal on approximately nine (9) acres located along the south border of the project located south of Highview Drive and east of Freya Drive on Assessor's Parcel No. 300-241-20. Request submitted by COVINGTON CONSTRUCTION AND DEVELOPMENT.

- C. ZONE CHANGE NO. 390 - PUBLIC HEARING for the Planning Commission to consider a recommendation to the City Council on a Mitigated Negative Declaration and Zone Change from A-1, Agricultural District (5 acre lots) to R-R, Rural Residential District (1 acre lots) on four contiguous lots totaling 180.9 acres located south of Highview Drive and east of Freya Drive on Assessor's Parcel Numbers: 300-241-17, 18, 19, and 20). Request submitted by COVINGTON CONSTRUCTION AND DEVELOPMENT.
- D. CONDITIONAL USE PERMIT NO. 780 - PUBLIC HEARING for the Planning Commission to consider a recommendation to the City Council on a Mitigated Negative Declaration and Socio-Economic Cost/Benefit Study for a Conditional Use Permit for a Planned Residential Development (PRD) to subdivide four (4) contiguous lots totaling approximately 180.9 acres into eighty-eight (88) residential lots and four (4) common lots located south of Highview Drive and east of Freya Drive in the existing A-1, Agricultural District (5 acre lots) which is proposed for a Zone Change to R-R, Rural Residential District (1 acre lots) on Assessor's Parcel Numbers: 300-241-17, 18, 19, and 20. Request submitted by COVINGTON CONSTRUCTION AND DEVELOPMENT.
- E. TENTATIVE TRACT NO. 16361 - PUBLIC HEARING for the Planning Commission to consider a recommendation to the City Council on a Mitigated Negative Declaration and Socio-Economic Cost/Benefit Study for a Tentative Tract Map to subdivide four (4) contiguous lots totaling approximately 180.9 acres into eighty-eight (88) residential lots and four (4) common lots located south of Highview Drive and east of Freya Drive in the existing A-1, Agricultural District (5 acre lots) which is proposed for a Zone Change to R-R, Rural Residential District (1 acre lots) on Assessor's Parcel Numbers: 300-241-17, 18, 19, and 20. Request submitted by COVINGTON CONSTRUCTION AND DEVELOPMENT.

Mr. Richard Malacoff gave a brief summary on outstanding issues relative to development of the project:

- 1. A density comparison was completed based on A-1, A-2 and R-R zoning.
- 2. No indication that geoglyphs exist on the property
- 3. Original biological assessment was reviewed by the applicant. Required botanical studies found none of the indicated species on the property.
- 4. Parks Commission has reviewed the project. The Planning Commission and the City Council will determine the appropriate amount of land to be use as a park
- 5. Staff is reviewing new plans for revised street width.
- 6. Staff is awaiting additional information from the applicant relative to grading.

Mr. Malacoff stated that street standards, lighting, trails, and grading will be reviewed at the April 22nd Planning Commission meeting. Mr. Malacoff stated that staff is recommending continuance of this item to May 13th.

Commissioner Laymon asked Mr. Malacoff for clarification on the difference between the type of environmental surveys required by an Environmental Impact Report (EIR) as opposed to those required by a Negative Declaration. Mr. Malacoff deferred to the biologist present at the meeting.

Chairman Webber opened the public hearing.

Mr. Pat Meyer reviewed changes made to the plan based on input from the last Planning Commission meeting:

1. Street right-of-ways throughout the development have been widened.
2. A cul-de-sac abuts the Freya Drive cul-de-sac, as requested by the Commission.
3. The grading was revised to save the oak trees.
4. The Fish and Wildlife Service performed a gnat catcher study on the property for nine (9) consecutive weeks with no results.
5. A local biological company (The Chambers Group) was hired to conduct a spring survey in response to public input questioning Mr. Tom Leslie's qualification. The survey was conducted in February 2003.

Mr. Don Mitchell (Director of Terrestrial Biology and Manager for The Chambers Group) stated that he visited the project site on March 15. On March 24th and 25th a focus survey for sensitive plant species was conducted. Mr. Mitchell stated two species were determined to have a significant potential to occur on the site; the Nevins barberry and the perry spine flower.

Commissioner Laymon asked Mr. Mitchell if additional botanical surveys would be conducted in March, April, and May as indicated in a previous report by Mr. Leslie. Mr. Mitchell stated that they did not anticipate a need for additional surveys based on the initial visit to the site to determine the phenological stage of the plants. Mr. Mitchell stated the botanist reviewed the species and determined the survey was valid for this year.

Mr. Meyer indicated that Mr. Mitchell would visit the site on a subsequent date to re-verify the results of the survey.

Mr. Robert White (Director of Archaeological Associates) stated that a record search at the San Bernardino County Museum failed to note a recorded geoglyph on the property. Mr. White stated the results of a field study were negative. Mr. White distributed copies of aerial photos taken of the proposed project site and stated the strange figure of lines located on the north end of the property, was actually caused by a tractor.

Mr. Pat Meyer indicated that the Parks Commission approved the proposed park in concept. Mr. Meyer stated the proposed park will return to the Parks Commission after Planning Commission approval has been granted to determine the park amenities, improvements, and exact size of the park.

Mr. Eric Blum (12876 Highview Drive) stated approval of a General Plan amendment should be a last resort. Mr. Blum encouraged the Commission to visit his property.

Ms. Joanne Lessard (31543 Highview Drive) stated very few residents want the property to be developed.

Mr. Brian P. Roche (12876 Highview Drive) stated he was in favor of a park on the property.

Ms. Sherli Leonard (501 W. Crescent Avenue) stated the only people who will benefit from the project are the developers.

Mr. Howard Hurlbut (12727 Valley View Lane) stated he would defer his comments to the April 22nd meeting.

Dr. Tim Krantz (Professor of Environmental Studies, University of Redlands) stated he is the Chairman of the Crafton Hills Open Space Conservancy and a member of the Board of Directors of the San Bernardino Valley Audubon Society. Dr. Krantz stated the studies conducted by Mr. Leslie were unreliable. Dr. Krantz stated Live Oak Canyon is potential habitat for the California gnat catcher. Dr. Krantz submitted a map of the project area for the record which indicates a bottleneck adjacent to the project site that is a critical habitat designation for the gnat catcher. Dr. Krantz stated pursuant to CEQA, mandatory findings of significance require a focused Environmental Impact Report.

Mr. Joe Ferrao (31274 Freya Drive) thanked Mr. Meyer for proposing to keep Freya Drive closed and making it into an emergency access only. Mr. Ferrao asked the Commission to consider keeping Freya Drive closed.

Mr. Tim Green (31307 Alta Vista Drive) asked what type of guarantee the residents would have that Western Heights Water Co. would not use the 1.2 million gallon tank as a tool to open up San Timoteo for development. Mr. Green stated he would like the development to be a private gated community.

Ms. Teresa Kwappenberg (31265 Frey Drive) requested an Environmental Impact Report for the project. Ms. Kwappenberg distributed a list of her concerns relative to aesthetics, cultural resources, geology and soils, hydrology and water quality, population and housing, transportation and traffic, and utilities and service systems.

Chairman Webber closed the public hearing.

Commissioner Laymon referred to page 10 of the Initial Study for the General Plan Amendment (Biological Resources IVa-f) and questioned the notation that the impact on the wildlife corridor was not deemed significant. Mr. Malacoff stated he spoke with the U. S. Fish and Wildlife Service and the site did not satisfy their threshold for a Protocol Study for the California gnat catcher. Chairman Webber noted the discrepancy between Dr. Krantz's comments and the Fish and Wildlife Service's Biological Assessment.

Commissioner Laymon stated she felt that water services coming down to the southernmost part of the project would be growth inducing.

Mr. Meyer responded to concerns voiced by Commissioner Laymon. Mr. Meyer stated the applicant is preserving the wildlife corridor identified in the biotic resource exhibit. With regard to the water system, Mr. Meyer stated there are no intentions of building any lines beyond the streets that are located in the tract.

Commissioner Macdonald stated the land use element of the General Plan pays particular attention to the hillsides and canyons of Live Oak Canyon and San Timoteo Canyon, and the proposed R-R zoning would cause mass grading to the hills and ridges. Commissioner Macdonald noted the General Plan states that future development should preclude any further disruptions to the ridge line, such as the two (2) water tanks that are currently located on the ridge line. Commissioner Macdonald stated he felt an EIR is required for the proposed project.

Assistant City Attorney Les Murad noted that the Environmental Review Committee reviewed the proposed project, determined an EIR was not required, and recommended a Negative Declaration.

Commissioner Laymon asked Mr. Murad for direction in case the Commission does not agree with the recommendation made by the ERC.

Mr. Murad responded by saying if the Commission did not agree with the recommendation, it could outline significant issues and make a determination to pass the project with a recommendation for an EIR, or deny the project.

Commissioner Macdonald stated he was opposed to the zone change, general plan amendment, and agricultural preserve removal.

Commissioner Laymon stated she is bothered by the fact that the Commission is developing rural standards specifically to go forward with the proposed project. Commissioner Laymon stated she wants the rural standards to be broad enough to be applicable to all development in the canyon.

Commissioner Miller stated that he sees similarities between what is being proposed and the surrounding neighborhoods. Commissioner Miller stated there are some aesthetic issues and quality of life impacts that need to be addressed. Commissioner Miller concurred with Commissioner Macdonald in that a general plan amendment to magnify the capacity of a street, appears to be specifically for this site. Commissioner Miller stated he is strongly opposed to opening access down into the canyon.

Commissioner Miller stated he would prefer to see compressed development consistent with the development on either side and large expanses of contiguous open space as opposed to five acre parcels that require connecting roads.

Commissioner Osborne asked for clarification on the definition of open space per the General Plan.

Mr. Jaquess responded by saying open space is undeveloped land, either privately or publically owned.

Commissioner Osborne stated a property owner has the right to determine how his property is going to be developed; he does not feel citizens have to right to say how they want property owned by another individual to be developed. Commissioner Osborne stated he was not opposed to a zone change.

Chairman Webber stated a positive element of the proposed project is there is a trade-off with a lot of open space that is not fragmented. Chairman Webber stated that he would like to see cross sections through the major slope areas that will show all the major cuts with the existing surface areas shown also. In general, Chairman Webber stated he felt there were too many lots and too much grading in the proposed project.

Commissioner Laymon questioned how the Western Heights Water Company can refuse to provide service to residents outside of the proposed project area.

Commissioner Laymon stated she concurs with Commissioner Osborne, that the property owner cannot be told how to develop his land. Commissioner Laymon stated that any future development in the canyon will bring in a "string" of general plan amendments, resulting in disagreement with the surrounding neighbors. Ms. Laymon stated she hopes the rural standards developed by the Planning Commission will "soothe some of the ills."

Chairman Webber reiterated that he would like staff to come back with a cross section of the major slope areas.

MOTION

It was moved by Commissioner Osborne, seconded by Commissioner Laymon, and carried on a 4-1 vote (Commissioner Macdonald voting no) to continue General Plan Amendment No. 93, Agricultural Preserve Removal No. 100, Zone Change No. 390, Tentative Tract No. 16361, and Conditional Use Permit No. 780 to May 13th.

X. ADJOURNMENT TO APRIL 22, 2003

Chairman Webber adjourned the meeting at 9:00 p.m. to April 22nd.

Respectfully submitted,

Patricia Ortiz, Senior Admin. Assistant
Community Development Department

Jeffrey L. Shaw, Director
Community Development Department