

MINUTES of the Planning Commission Meeting of the City of Redlands held Tuesday, May 13, 2003, at 2:00 p.m. are as follows:

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

ABSENT: Caroline Laymon, Commissioner

ADVISORY STAFF

PRESENT: Jeffrey L. Shaw, Director
John Jaquess, City Planner
Bob Dalquest, Senior 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.

II. CONSENT ITEMS

Commissioner Miller was excused from discussion due to a possible conflict of interest.

- A. **COMMISSION SIGN REVIEW NO. 247** - A request for Planning Commission consideration of a Commission Sign Review for the placement of a three and one-half (3½) foot high monument sign with a sign area of nineteen (19) square feet for the LDS Temple on 8.86 acres located on the northwest corner of Wabash Avenue and 5th Avenue in the A-1 (Agricultural) District. Request submitted by the CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS.

MOTION

It was moved by Commissioner Macdonald, seconded by Commissioner Thompson and carried on a 4-0 vote (Commissioner Miller excused) that the Planning Commission approve Commission Sign Review No. 247.

III. OLD BUSINESS

- A. **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. John Jaquess stated after distribution of the Planning Commission packets, staff determined there was a procedural issue that will need to be addressed before moving forward with the project. Mr. Jaquess recommended continuing the project to May 27th.

Chairman Webber opened the public hearing.

Mr. Doug Kearney (SBA) stated he concurs with staff's recommendation.
Chairman Webber closed the public hearing.

MOTION

It was moved by Commissioner Thompson, seconded by Commission Macdonald, and carried on a 4-0 vote to continue Conditional Use Permit No. 789 to the May 27th Planning Commission meeting.

Commissioner Cook arrived at 2:03 p.m.

- B. **GENERAL PLAN AMENDMENT NO. 86** - PUBLIC HEARING for Planning Commission consideration of a recommendation to the City Council on a Mitigated Negative Declaration and a General Plan Amendment to change the land use designation from Light Industrial with a park to High Density Residential (0-27 units per acre) on 4.76 acres located on the north side of Orange Avenue 300 feet east of Kansas Street. Request Submitted by Mark Utzinger.
- C. **ZONE CHANGE NO. 386** - PUBLIC HEARING for Planning Commission consideration of a recommendation to the City Council on a Mitigated Negative Declaration and a Zone Change from A-1, Agricultural District (5 acre lots) to R-3, Multiple Family Residential (1,500 square feet of lot area per dwelling unit) on 4.76 acres located on the north side of Orange Avenue 300 feet east of Kansas Street. Request Submitted by Mark Utzinger.
- D. **CONDITIONAL USE PERMIT NO. 768** - PUBLIC HEARING for Planning Commission consideration of a recommendation to the City Council on a Mitigated Negative Declaration and a Conditional Use Permit for the construction of a one-hundred sixty (160) unit senior apartment complex in eight (8) two story buildings. The project also includes a Density Bonus for Senior Citizen Housing which provides for an increase in density of thirty-two (32) units above the maximum one-hundred twenty-eight (128) units allowed in the proposed zone of R-3, Multiple Residential (1,500 square feet of lot area per dwelling unit) . The proposed project is located on 4.76 acres in the existing A-1, Agricultural District (5 acre lots) proposed for a Zone Change to R-3, Multiple Residential (1,500 square feet of lot area per dwelling unit) on the north side of Orange Avenue 300 feet east of Kansas Street. Request Submitted by Mark Utzinger.

Mr. Jaquess stated after distribution of the Planning Commission packet, staff and the applicant identified additional studies that will be required in order to address issues raised in the staff report. Mr. Jaquess distributed a letter staff received from the applicant requesting the project be continued to the July 8th Planning Commission meeting.

Chairman Webber opened the public hearing.

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

MOTION

It was moved by Commissioner Osborne, seconded by Commissioner Thompson, and carried on a 5-0 vote that the Planning Commission continue General Plan Amendment No. 86, Zone Change No. 386, and Conditional Use Permit No. 768 to the July 8th Planning Commission meeting.

IV. NEW BUSINESS

- A. **CONDITIONAL USE PERMIT NO. 795** - PUBLIC HEARING for the Planning Commission to consider a Conditional Use Permit for a car detailing business in an existing 1,824 square foot building within an existing light industrial complex located at 414 Amigos Drive in the EV/IC Commercial Industrial District of the East Valley Corridor Specific Plan. Request Submitted by Gabriel Isaia.

Mr. Jaquess advised the Commission that the application for Conditional use Permit No. 795 was withdrawn by the applicant.

- B. **TENTATIVE TRACT NO. 16460** -Public Hearing for Planning Commission consideration of a Mitigated Negative Declaration, a Socio-Economic Cost/Benefit Study, and a Tentative Tract Map to subdivide approximately 5.03 gross acres into six (6) residential lots located on the northwest side of Fountain Avenue between Knoll Road and Prospect Avenue. In the R-A, Residential Estate District. Request submitted by Patrick J. Meyer.

Mr. Jaquess stated issues were raised relative to the application of the HD Hillside Development District to this project. Mr. Jaquess stated that staff did not have an opportunity to resolve the issues with the applicant prior to the Planning Commission meeting and he therefore requested continuing the project to May 27th.

Chairman Webber opened the public hearing.

Mr. Jan Van Roessel (1379 Knoll Road) stated his property borders on the proposed project. Mr. Van Roessel asked who would be responsible for maintenance of the open space.

Mr. Jaquess responded by stating the project will have a homeowners association with individual owners having partial responsibility for maintaining the open space.

Mr. Tom Shirtcliff (1377 Knoll Road) stated he owns property adjacent to the proposed project. Mr. Shirtcliff stated his backyard, as well as the yard of his neighbor to north, have extensive grading improvements that affect the natural drainage of the property. Mr. Shirtcliff expressed concern that the proposed project will effect where his property will drain. Mr. Shirtcliff asked if there was a map of the proposed project available for him to review.

Mr. Jaquess stated a copy of the application is available for review in the Planning Division office.

Commissioner Macdonald gave his map to Mr. Shirtcliff to review.

Chairman Webber suggested Mr. Shirtcliff contact both Mr. Pat Meyer, the applicant's representative, and staff for further information.

Mr. Shirtcliff asked if there was an approved grading plan for the project. Mr. Jaquess responded there was not.

Chairman Webber closed the public hearing.

MOTION

It was moved by Commissioner Macdonald, seconded by Commissioner Osborne, and carried on a 5-0 vote that the Planning Commission continue Tentative Tract Map No. 16460 to May 27, 2003.

Commissioner Miller arrived a 2:21 p.m.

- C. **TENTATIVE TRACT NO. 16480** - PUBLIC HEARING for the Planning Commission to consider a Mitigated Negative Declaration, Socio-Economic Cost/Benefit Study, and a Tentative Tract Map to subdivide 3.25 acres into six (6) single family residential lots located on the west side of Bellevue Avenue at the terminus of Blossom Avenue in the R-S (Suburban Residential) District. Request submitted by ALAN AND ROBIN GOTTA.

Mr. Bob Dalquest gave a brief presentation on the proposed project.

Chairman Webber opened the public hearing.

Mr. Brian King (Dudek & Associates) stated he concurs with all conditions of approval.

Commissioner Miller asked Mr. King if the existing homeowners are aware of the grading on the property. Mr. King stated the homeowners were made aware of the grading prior to purchasing the property.

Mr. Paul Garcia (1612 W. Olive Ave.) stated his property borders on the back side of the proposed project. Mr. Garcia stated the existing gravity feed water line that goes through the center of his property will need to be capped. Mr. Garcia stated an old water line which was abandoned will also need to be capped.

Mr. Dalquest stated a condition of approval could be added to address this issue.

Mr. Garcia stated during heavy rains, the overflow from his grove runs down his driveway onto the proposed site. Mr. Garcia stated if a new home is proposed for the site, the overflow from his property will affect the drainage at that site. Mr. Garcia stated there is a lot of wildlife on the proposed site, and expressed his wish that the wildlife not be destroyed during grading of the proposed site. Mr. Garcia stated he is agreeable to the wildlife relocating to his grove.

Chairman Webber stated a condition of approval would be added relative to capping the existing water line.

Mr. King stated he would calculate the hydrology relative to the water leaving Mr. Garcia's property and flowing onto the proposed site.

Chairman Webber closed the public hearing.

Commissioner Cook asked Mr. Dalquest if the resident was agreeable to having a 36 inch high retaining wall along the side of the property. Mr. Dalquest deferred the question to the applicant.

The public hearing was reopened.

Ms. Robin Gotta stated the property was purchased by friends, and they are well aware of the wall and setback restrictions on the property.

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 the Mitigated Negative Declaration for Tentative Tract No. 16480, and direct staff to file and post a "Notice of Determination" in accordance with City guidelines. It has been determined 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 Macdonald, seconded by Commissioner Thompson, and carried on a 6-0 vote that the Planning Commission approve the Socio-Economic Cost/Benefit Study for Tentative Tract No. 16480. It has been determined that this project will not create unmitigable physical blight or over burden public services in the community, and no additional information or evaluation is needed.

MOTION

It was moved by Commissioner Macdonald, seconded by Commissioner Thompson, and carried on a 6-0 vote that the Planning Commission approve Tentative Tract No. 16480, subject to the following findings and subject to the attached Conditions of Approval:

1. That the proposed map is consistent with the policies, land use designation, and density prescribed by the General Plan;
2. That the site is physically suitable for the type of development;
3. That the site is physically suitable for the proposed density of development;
4. That the design of the subdivision and the proposed improvements will not cause any substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;
5. That the design of the subdivision and the type of improvements will not cause serious public health problems;
6. That the design of the subdivision and the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision;
7. Subject to section 66474.4 of the Subdivision Map Act, the land in question is not subject to a contract entered into pursuant to the California Land Conservation Act of 1965, commencing with section 51200 of the Government Code and the addition of Condition of Approval 20 to read:

Cap the existing water valve within Lot 6.

Mr. Shaw advised the Commission that Mr. Dalquest accepted a position with the City of Riverside Redevelopment Agency and stated that he would be dearly missed. Chairman Webber stated that Mr. Dalquest was a good addition, providing a lot of detail on projects, and able to respond quickly to questions asked by the Planning Commission. Chairman Webber commended Mr. Dalquest on his performance with the City and wished him the best with the City of Riverside.

V. APPROVAL OF MINUTES

- A. April 8, 2003

MOTION

It was moved by Commissioner Osborne, seconded by Commissioner Macdonald, and carried on a 6-0 vote to approve the Planning Commission minutes of April 8th, with a correction noted.

- B. April 22, 2003

MOTION

It was moved by Commissioner Osborne, seconded by Commissioner Macdonald, and carried on a 5-0 vote (Commissioner Thompson abstaining) to approve the Planning Commission minutes of April 22nd.

VI. CORRESPONDENCE/COMMUNICATIONS

- A. City Council Report

Mr. Jeff Shaw gave a brief presentation on the City Council actions of May 6th.

B. Status of Major Projects List

Mr. Shaw reviewed the updated Project Status list and noted the L. A. Fitness Club project was refilled.

VII. ADJOURN TO EVENING SESSION

Chairman Webber adjourned the meeting at 2:56 p.m.

7:00 P.M.

Chairman Webber reconvened the meeting. All commissioners were present with the exception of Commissioners Laymon and Thompson.

VIII. RECONVENE OLD BUSINESS

- 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. John Jaquess stated the proposed project was continued from the Planning Commission meetings on February 11th, March 11th, and April 8th. Mr. Jaquess stated the proposed project was continued due to issues on biology, archaeology, circulation, grading, and rural development standards.

Mr. Jaquess stated the Chambers Group is currently conducting Gnat Catcher surveys, which has determined that no additional review is necessary.

Mr. Jaquess stated there was a discussion in the staff report that identifies when an Environmental Impact Report (EIR) is warranted versus a Mitigated Negative Declaration.

Mr. Jaquess stated staff did not have enough time to review the grading plans in detail. Mr. Jaquess stated that staff would like to see additional information provided:

1. Overlay of the new plan versus the old plan, so that it could be compared by staff
2. Specific calculations that show total amount of dirt moved, the portion of the lot which is graded, specific areas that are impacted by cuts or fill (shown in color)

Mr. Jaquess stated that staff did not have ample time to review the landscaping plan in detail, and it felt the plan should be reviewed by the street tree committee and the Parks Commission relative to the planting of oak trees in the proposed park.

Mr. Jaquess stated staff had concerns relative to the dedication of 61 acres of land, which is more than the 12 acres described in the General Plan. Mr. Jaquess stated that staff was concerned about the cost of maintaining and accepting such a large parcel of land. Mr. Jaquess stated that staff recommends that the project go before the Parks Commission for evaluation and comment prior to City Council consideration.

Mr. Jaquess stated staff recommends the proposed project be continued to the May 27th Planning Commission meeting.

Commissioner Miller stated one of his concerns was the amount of traffic on rural streets that would be the result of a developed park. Commissioner Miller asked if the proposed continuance of the project was due to the fact that the Chambers Group had not completed its Gnat Catcher survey. Commissioner Miller asked Mr. Jaquess if staff hoped to have the results of the concerns expressed by the Department of Fish and Game relative to the wildlife corridor. Mr. Jaquess stated they hoped to have the issue resolved before coming back to the Commission.

Chairman Webber opened the public hearing.

Mr. Pat Meyer, representing Covington Development, gave a brief PowerPoint presentation on the tentative tract map which was revised as a result of the comments expressed by the Planning Commission as well as members of the public.

Mr. Lee Young (13050 South Lane) expressed concerns relative to the traffic patterns in the city, which he stated will change as a result of the proposed project. Mr. Young suggested the Planning Commission address projects that want to have open space land and private streets.

Ms. Carol Beswick, former City of Redlands Councilmember, stated she was on the City Council at the time the large parcel of land was annexed. Ms. Beswick stated at that time the City Council had to overcome strong resistance from people who were unwilling to annex to the City. Ms. Beswick referred to the LAFCO minutes of

March 21, 1990, relative to the Southeast General Plan amendment. Ms. Beswick continued by saying that people annexed to the City with the expectation that they would have a reasonable expectation of development rather than "land bank".

Ms. Joanne Lessard (31543 Highview Drive) expressed concerns relative to open space issues and stated the proposed project is a precedent setting, growth inducing plan for development. Ms. Lessard asked that the current zoning be maintained.

Mr. Don Layton (31553 Highview Drive) stated he felt the project is an outstanding plan that will add value to the neighborhood. Mr. Layton cited the generous amount of open space, preservation of hiking/horse trails and oak trees, reduction of fire hazards and project design as "positives" of the project.

Mr. Howard Hurlbut (12727 Valley View Lane) read a letter from the President of the Malki Museum, Inc. dated May 5, 2003, which opposes development of the tentative tract due to rock-alignment art in an area that is located in close proximity to Live Oak Canyon.

Mr. Brian Roche (31576 Highview Drive) stated he felt it was a form of misdirection to focus on development plans when the zoning issue is undetermined. Mr. Roche stated he felt the current zoning should be maintained. Mr. Roche stated he felt the project was pricey, the design was not rural, and the change in zone request precludes the project from fitting the definition of "rural". Mr. Roche requested an EIR on the project.

Mr. Tim Green (31307 Alta Vista Street) stated he did not feel an EIR was warranted for the project. Mr. Green stated that people have a right to expect to develop their property when it is purchased. Mr. Green stated he wants the project to be the nicest, and most expensive private project.

Mr. Fred Waitz (31550 Highview Drive) stated he is opposed to the proposed project and changing Highview Drive to a collector street. Mr. Waite asked the Commission to drive up Alta Vita to Highview Drive and take a look.

Ms. Theresa Kwappenberg (31265 Freya Drive) requested an EIR for the project, stating it is mandated by CEQA, and is needed to evaluate traffic, and other growth inducing impacts. Ms. Kwappenberg advised the Commission that Leonard Temby, of the Redlands Fire Department, stated a Fuel Modification Plan had not yet been submitted by the applicant. Ms. Kwappenberg stated that the letter from Malki Museum, which indicates a difference in opinion relative to the geoglyph, necessitates an EIR on the project.

Mr. Bill Cunningham (Redlands Association) stated with the amount of controversy and issues involved, an EIR is merited and necessary.

Mr. Meyer stated he was appreciative that former Councilmember Beswick attended the meeting to recount her recollection of the LAFCO hearings. Mr. Meyer stated there was a misunderstanding relative to the A-1 zoning which was applied to the property. Mr. Meyer stated at the time of annexation, if a property was not pre-zoned, it was automatically given an A-1 designation. Mr. Meyer stated he will complete the overlays requested by staff.

Commissioner Miller stated a number of residents commented that they do not want this development, if approved, to have the same grading character as the Cordillera project. Commissioner Miller requested an exhibit that shows areas with slopes greater than 3 to 1.

Commissioner Macdonald asked Mr. Meyer what would prevent the project from being the first of future development projects in the Canyon.

Mr. Meyer stated the 188-acre Covington parcel is the flattest property throughout south Redlands. Mr. Meyer stated the analysis that will come out of this land will not allow development, even from a clustering standpoint, because the density would be so low, it would not be fiscally feasible to build. In addition, Mr. Meyer indicated there are flood plain issues that would be prohibitive to development.

Chairman Webber closed the public hearing.

Discussion was held relative to continuing the proposed project to the May 27th evening Planning Commission

meeting. Mr. Jaquess indicated that the proposed Acqua Bella project is tentatively scheduled to be heard on that date and time. Chairman Webber indicated that he did not want to have the two projects scheduled on the same night. It was determined that the proposed Covington project would be heard on May 27th and the Acqua Bella project would be heard at a later date.

MOTION

It was moved by Commissioner Miller, seconded by Commissioner Macdonald, and carried on a 5-0 vote 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 27th, 2003.

IX. ADJOURNMENT TO MAY 27, 2003

Chairman Webber adjourned the meeting at 8:43 p.m.

Respectfully submitted,

Patricia Ortiz, Senior Admin. Assistant
Community Development Department

Jeffrey L. Shaw, Director
Community Development Department