

MINUTES of the Planning Commission Meeting of the City of Redlands held Tuesday, August 12, 2003, at 2:00 p.m. are as follows:

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

ABSENT: Ruth Cook, Commissioner

ADVISORY STAFF

PRESENT: Jeffrey L. Shaw, Director
John Jaquess, City Planner
Robert Dalquest, Principal Planner/Project Manager
Asher Hartel, Senior Planner
Richard Malacoff, Associate Planner
Manuel Baeza, Associate Planner

I. CALL TO ORDER AND PUBLIC COMMENT PERIOD - None

II. CONSENT ITEMS

Chairman Webber pulled Commission Sign Review No. 250 from the consent calendar for discussion.

- A. **COMMISSION SIGN REVIEW NO. 249** - Hearing for the Planning Commission to consider a freestanding sign with an area of twenty-four (24) square feet for an office building located at 1615 Orange Tree Lane. Request submitted by INLAND SIGNS INCORPORATED.

MOTION

It was moved by Commissioner Osborne, seconded by Commissioner Macdonald, and carried on a 6-0 vote to approve Commission Sign Review No. 249.

- B. **COMMISSION SIGN REVIEW NO. 250** - Hearing for the Planning Commission to consider a time and temperature pedestal sign with a height of twelve (12) feet and a face area of twenty-four (24) square feet for an air conditioning and heating business located at 620 Tennessee Street in the C-M, Commercial-Industrial District. Request submitted by BURGESSON'S HEATING AND AIR, INC.

Mr. Baeza stated after review of the staff report, staff was advised by the City Attorney that the General Plan (with the addition of Measure U) does not allow for reader board signs. Mr. Baeza stated that staff based its analysis on the Sign Code. However, because the General Plan supercedes the Sign Code, staff cannot support the proposed time and temperature sign. Mr. Baeza stated that staff will support a modified version of the sign with a larger display if the time and temperature portion is removed.

Chairman Webber opened the public hearing.

Ms. Nancy Snell, Quiel Bros. Sign Co., stated that she was surprised with the City's Attorney's comment as she feels the sign is not a reader board. Chairman Webber stated that he disagreed.

Commissioner Osborne noted currently there is a bank at the corner of 6th and Citrus Avenue that has a time and temperature board. Mr. Shaw stated there are a number of non-conforming signs in the City that were installed prior to Measure U taking affect. Mr. Shaw stated since the Constitution does not allow sign content to be limited, a reader board once approved, could not be limited to time and temperature.

Commissioner Laymon noted that Commission Sign Review No. 249, which is a four (4) foot tall monument sign is required to have a 10 x 10 foot landscape area. Commissioner Laymon questioned why Commission Sign Review No. 250, which has a twelve (12) foot height, would be required to have the same amount of landscape, since it is a much larger sign. Commissioner Laymon stated she felt there should be an increase in the surrounding landscaping for Commission Sign Review Nol. 250 to balance the larger sign.

Ms. Snell stated she was sure the applicant would agree to additional landscaping. Ms. Snell stated she would prefer that the time and temperature portion of the sign remain.

Chairman Webber stated that a planter shown on the plans is not on the property. He asked if it is being proposed. Both Mr. Baeza and Ms. Snell stated that they did not know.

As one of the authors of Measure U, Mr. Bill Cunningham stated it was his understanding and interpretation that reader boards are changing messages. Mr. Cunningham stated he felt the City Attorney's interpretation is a "stretch."

Commissioner Laymon asked if it would be possible for the applicant to increase the area around the sign to a 12 x 12 foot area if the planter shown on the plan cannot be added. Chairman Webber stated there is enough room for the increase.

Ms. Snell stated she found a photo of the site and it does not show a planter as depicted on the plans.

Chairman Webber closed the public hearing.

Mr. Shaw stated the City Attorney's position is that content may not be limited therefore the message board portion of the sign could not be limited to time and temperature.

Commissioner Macdonald stated it would be an important addition to the business's advertising at a time when established local businesses are having to fight the influx of additional competition. Commissioner Macdonald stated he was in favor of the sign and he asked the Commission for a unanimous vote of support.

Chairman Webber stated he felt the time and temperature display is more of an attention getter. Commissioner Macdonald stated he felt it was providing a service. Chairman Webber stated it would be a precedent setting sign and he would not be in favor of it. Chairman Webber stated a compromise has been reached to allow the sign to be a pedestal sign and he feels the sign without the time and temperature is a better sign that would be more visible.

Mr. Shaw stated it is important that the City enforce the General Plan criteria and since content cannot be limited, it is staff's position that it is a reader board and it would be in conflict with the General Plan.

Commissioner Thompson expressed his concern that content cannot be limited and stated he could not support it. Commissioner Miller stated it might open the door to allowing content that might not be in the City's best interest. Commissioner Miller concurred with Chairman Webber. Commissioner Osborne concurred with Chairman Webber and Commissioner Miller. Commissioner Laymon stated she would like to find a way to support the time and temperature sign, however if it is the determination of the City Attorney that it falls into the reader board category, she cannot support it.

Mr. Shaw stated if the time and temperature portion is deleted, the applicant could be allowed to have a 3 X 8 foot sign as a condition of approval.

MOTION

It was moved by Commissioner Miller, seconded by Commissioner Thompson and carried on a 5-1 vote (Commissioner Macdonald voting no) to approve Commission Sign Review No. 250 subject to the following revised conditions of approval:

1. The approval is for a twelve (12) foot high pedestal sign with a face area of twenty-four square feet (3 X 8 foot face) for an air conditioning and heating business located at 620 Tennessee Street in the C-M, Commercial-Industrial District.
2. The applicant shall install the pedestal sign in a 12 X 12 landscaped area to be enclosed by a six (6) inch concrete curb. The landscaped area shall be planted with turf and shrubs to be approved by the Community Development Director. Two (2) sweet shade trees shall be provided in the landscaped area, placed behind the sign on the east end of the planter.
3. Only one (1) main identification sign shall be permitted (24 square feet or larger). The applicant shall remove any existing signs on the project site.
4. The applicant shall obtain Building Permits from the Community Development Department.
5. All plans submitted to the City shall reflect all Planning Commission approvals and any other changes required by the Commission and/or staff. This condition applies to site plans, elevations, and all other illustrations, text, or plans submitted to the City in connection with the project.

III. OLD BUSINESS

- A. **VARIANCE NO. 648** - PUBLIC HEARING for the Planning Commission to consider Variance requests from Municipal Code Section 18.52.130.A, to allow a reduction in the required setback along Grove Street from twenty-five feet (25') to fourteen feet (14') and a request for a variance from Municipal Code Section 18.140.360 requiring not less than 3,000 square feet of open space recreation area or 400 square feet for each mobile home space within an existing mobile home park located at 1251 E. Lugonia Avenue within the R-2 Multi-Family Residential Zone. Request submitted by LUGONIA FOUNTAINS MOBILE HOME ESTATES.
- B. **CONDITIONAL USE PERMIT NO. 172 (Revision No. 1)** PUBLIC HEARING for the Planning Commission to consider a Conditional Use Permit to create 18 additional mobile home spaces on approximately 3.43 acres of vacant land on property to the east of an existing mobile home park, located at 1251 E. Lugonia Avenue within the R-2 Multi-Family Residential Zone. Request submitted by LUGONIA FOUNTAIN MOBILE HOME ESTATES.

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

Commissioner Macdonald stated that the two (2) trash enclosures will be located in the front of four (4) properties and he felt there should be a more appropriate location for trash enclosures than the entrance to the properties. Commissioner Macdonald recommended that one (1) space be vacated to provide the additional space.

Mr. Baeza stated the Municipal Utilities Department is looking into replacing the trash enclosures with individual barrels for each space.

Chairman Webber opened the public hearing.

Mr. Warren Tuttle, Tuttle Engineering, stated the only way to gain open space is to sacrifice a lot, which is undesirable. Mr. Tuttle stated that they discussed moving the trash across the street, but it would decrease the wall setback further. Mr. Tuttle stated that individual trash barrels for residents would be an excellent resolution.

Commissioner Miller stated he felt walls that have undulation to them would be more attractive and he suggested the applicant make indentations in the walls in the areas where the trash enclosures would be located.

Commissioner Miller asked for more information on the gate as he was concerned with the thirty-three (33) foot private drive.

Commissioner Laymon asked who was responsible for maintenance of the open space.

Mr. Pete Meulenberg, Manager, Lugonia Fountains Mobile Home Estates, stated the original cost of the open space, not the maintenance was figured into the rent many years ago. Mr. Meulenberg stated the open space located east of the clubhouse which includes a barbeque pit and putting greens has not been used by the residents in years. Mr. Meulenberg continued by saying when they decided to develop the land to add more mobile units, they saw no use for open land. Mr. Meulenberg stated that the gate will be a sliding gate, however he is unsure if keys or cards will be used to gain access. Mr. Meulenberg stated that vandalism is a problem, and for that reason they would like to keep the gate the locked after dark.

Commissioner Laymon asked if there is a significant cost difference to the City between picking up the individual barrels and using the dumpster. Mr. Baeza stated there would be added cost for the individual barrels although it is unknown who would be responsible for payment, the mobile home park or the residents.

Chairman Webber closed the public hearing.

Commissioner Laymon stated that she does not want the City to foot the bill for a convenience provided to the residents.

Chairman Webber suggested continuing the proposed project in order to address the trash concerns.

Commissioner Miller provided a sketch on an alternative to addressing the open space issue.

Commissioner Miller expressed his concern that the non-conforming status of the Mobile Home Park is being used to justify Finding #2. Mr. Shaw stated that staff will look into other mobile home parks that may have been developed during the same time frame to see if there are examples of sites that do not meet current requirements.

MOTION

It was moved by Commissioner Macdonald, seconded by Commissioner Thompson, and carried on a 6-0 vote that the Planning Commission continue Conditional Use Permit No. 172 (Revision 1) and Variance No. 648 to September 9, 2003.

- 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 the applicant requested a continuance to September 9th, in order to provide information requested by staff. Mr. Malacoff noted that the continuance complies with CEQA and not the State Permit Streamlining Act.

MOTION

It was moved by Commissioner Thompson, seconded by Commissioner Laymon, and carried on a 6-0 vote to continue Conditional Use Permit No. 797 to September 9, 2003.

- D. **CONDITIONAL USE PERMIT NO. 800** - Public Hearing for the Planning Commission to consider a Mitigated Negative Declaration and a Conditional Use Permit to construct a 9,600 square foot community facility located at 1251 Clay Street in the O, Open Land District. Request submitted by the BOYS AND GIRLS CLUB OF REDLANDS.

Mr. Malacoff noted the applicant requested a continuance to September 9th which is in compliance with CEQA, not the State Permit Streamlining Act.

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. 800 to September 9, 2003.

- E. **MINOR COMMISSION APPROVAL NO. 31 - PUBLIC HEARING** for the Planning Commission to consider a Minor Commission Approval to allow for reductions of twenty percent or less for front or rear yard setbacks for eight (8) proposed single family residences to be developed for Tentative Tract Map No. 16365 generally located at the northwest corner of University Street and Pennsylvania Avenue in R-1, Single Family Residential District. Request submitted by BEAZER HOMES

Mr. Jaquess noted that Minor Commission Approval No. 31 was withdrawn by the applicant.

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

Mr. Shaw noted that the applicant was able to comply with the Code by having variable setbacks within the subdivision.

IV. NEW BUSINESS

- A. **CONDITIONAL USE PERMIT NO. 355 (REVISION 10)** - Public Hearing for the Planning Commission to consider a Mitigated Negative Declaration and a Conditional Use Permit to construct a 21,000 square foot three (3) story office building for administrative and support services and a 4,535 square foot single-story conference center within the Redlands Community Hospital site located at 350 Terracina Boulevard in the M-F, Medical Facility District. Request submitted by REDLANDS COMMUNITY HOSPITAL.

Mr. Asher Hartel gave a brief presentation on the proposed project.

Chairman Webber opened the public hearing.

Mr. Jim Holmes, President and CEO, Redlands Community Hospital stated the hospital developed a twenty-five (25) year plan in response to a variety of technological and economic factors, to address changes in healthcare technology, and to mitigate a bill relative to seismic standards set for hospitals. Mr. Holmes stated they would like to change the location of a support building that would improve traffic, provide more parking, and move non-patient care activities from the main area to another part of the campus. Mr. Holmes gave a brief slide presentation.

Mr. Pat Meyer referred to Condition of Approval 3 (Planning Division) which requires stepping of any retaining

walls with a height greater than six (6) feet. Mr. Meyer stated that rather than step the wall as required by Condition of Approval 3, they would like to be allowed to have a nine (9) foot height on that portion of the wall that would be screened with a creeping vine.

Chairman Webber closed the public hearing.

MOTION

It was moved by Commissioner Miller, seconded by Commissioner Thompson, and carried on a 6-0 vote that the Planning Commission approve the Mitigated Negative Declaration for Conditional Use Permit No. 355 (Revision 10) 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 Miller, seconded by Commissioner Thompson, and carried on a 6-0 vote that the Planning Commission recommend approval to the City Council of Conditional Use Permit No. 355 (Revision 10) subject to the following findings and subject to the attached Conditions of Approval:

1. That the use applied for at the location set forth in the application is properly one for which a conditional use permit is authorized by this title;
2. That the use is necessary or desirable for the development of the community, is in harmony with the various elements or objectives of the General Plan, and is not detrimental to existing uses or to uses specifically permitted in the zone in which the proposed use is to be located;
3. That the site for the intended use is adequate in size and shape to accommodate the use, and all the yards, walls or fences, landscaping, and other features required in order to adjust the use to those existing or permitted future uses on land in the neighborhood;
4. That the site for the proposed use relates to streets and highways properly designed and improved to carry the type and quantity of traffic generated or to be generated by the proposed use;
5. That the conditions set forth in the permit and shown on the approved site plan are necessary to protect the public health, safety or general welfare; and,
6. That Conditional Use Permit No. 355 Revision 10, therefore be APPROVED, subject to all department recommendations and

that the applicant can make an application to raise the wall height to nine (9) feet under the Minor Exception process.

- B. **CONDITIONAL USE PERMIT NO. 804** - PUBLIC HEARING for the Planning Commission to consider a Conditional Use Permit for the establishment of a Community Center in an existing fourplex multi-family residential unit located at 1006 Oxford Drive in the R-2 Multiple Family Residential District. Request submitted by TRINITY COMMUNITY FOUNDATION.
- C. **COMMISSION SIGN REVIEW NO. 253** - Hearing for the Planning Commission to consider a wall sign of twenty (20) square feet for a Community Center located at 1006 Oxford Drive in the R-2, Multiple Family Residential District. Request submitted by TRINITY COMMUNITY FOUNDATION.

Mr. Asher Hartel gave a brief presentation on the proposed project and noted that the applicant has concerns relative to the Fire Department's fire sprinkler requirements.

Chairman Webber opened the public hearing.

Mr. Tom Fort, CEO, Trinity Community Foundation, stated the center which will provide after-school tutoring and recreation for at-risk school children works closely with Redlands Police Department and Building a Generation. Mr. Fort stated the center's hours of operation will be after school and will continue to 6 p.m. Mr. Fort expressed his concern about the cost of fire sprinklers for the non-profit organization and stated he received a cost estimate of \$25-\$30k for the installation of fire sprinklers.

Chairman Webber asked Mr. Fort if he would agree to hours of operation of 12 noon to 7 p.m. Mr. Fort stated he would.

Chairman Webber stated he felt the Fire Department's request was reasonable due to the number of children who will be at the center.

Commissioner Laymon stated the center is located in a multi-family area, the distances between buildings is not that great and she felt it would be unwise not to have sprinklers.

Chairman Webber stated he supports the project and he wishes there was a solution to the cost of the sprinklers. Chairman Webber commended the Foundation for its work and expressed his hope that a solution be reached between the City and the applicant.

Mr. Shaw noted that the Fire Department felt the price quoted was not consistent with their understanding of the costs involved. Mr. Shaw suggested the applicant contact the Fire Department for other approaches or solutions that are less costly.

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. 804 based on the following findings:

1. The community center applied for at the 1006 Oxford Drive is proper for a Conditional Use Permit;
2. The community center use as proposed is a project that is necessary, essential, and desirable for the public welfare as well as the development of the community;
3. The community center use is not detrimental to existing or permitted uses in the R-2 District where it would be located;
4. The size and shape of the site are adequate for the proposed community center;
5. The site properly relates to Oxford Drive which is designed and improved to carry the type and quantity of traffic to be generated by the proposed community center;
6. The conditions set forth on this Conditional Use Permit are deemed necessary and reasonable to protect the public health, safety and general welfare, and the best interests of the neighborhood;
7. The proposed project will be consistent with the existing Medium Density Residential designation of the General Plan.

MOTION

It was moved by Commissioner Osborne, seconded by Commissioner Macdonald, and carried on a 6-0 vote that the Planning Commission approve Commission Sign Review No. 253 subject to the Conditions of Approval.

- D. **TENTATIVE TRACT NO. 16551** -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 1.97 gross acres into five (5) residential lots located on the northwest side of Magnolia Avenue between San Mateo Street and Lakeside Avenue in the R-S, Suburban Residential District Request submitted by MASSARO AND WELSH.

Commissioner Osborne recused himself at 3:39 p.m. due to a possible conflict of interest.

Mr. Baeza gave a brief presentation of the proposed project and stated the City Attorney is recommending deletion of Condition of Approval 8 (Planning Division). Mr. Baeza stated the drainage to the project was to be carried by a drainage easement located at the back of the lot in a westerly direction to an existing open storm drain. In order to do so, the applicant would have needed a drainage easement from adjoining property owners. Mr. Baeza stated the applicant has been unsuccessful in obtaining the drainage easement and since the staff report was written, the applicant has proposed another alternative to solve the drainage issue.

Chairman Webber opened the public hearing.

Mr. Paul Welsh, applicant, stated that he concurs with the staff report.

MOTION

It was moved by Commissioner Macdonald, seconded by Commissioner Thompson and carried on a 5-0 vote (Commissioner Osborne recused) that the Planning Commission approve the Mitigated Negative Declaration for Tentative Tract No.16551and 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 Macdonald, seconded by Commissioner Thompson and carried on a 5-0 vote (Commissioner Osborne recused) that the Planning Commission approve the Socio-Economic Cost/Benefit Study for Tentative Tract 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 Macdonald, seconded by Commissioner Thompson and carried on a 5-0 vote (Commissioner Osborne recused) that the Planning Commission approve Tentative Tract No. 16551 subject to the conditions of approval and based upon the following findings:

1. The proposed map is consistent with the City's General Plan and Municipal Code. The project has a General Plan land use designation of Low Density Residential and a zoning of R-S, Suburban Residential and is consistent with both the General Plan and Municipal Code;
2. The site is physically suitable for the type of development. The site is large enough to subdivide into five (5) lots;
3. The site is physically suitable for the density of development of a five (5) unit subdivision. The General Plan Land Use Designation of Low Density Residential and Zoning allow for up to five

(5) dwelling units;

4. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The subject site is not identified as being within an area containing biological resources or within a wildlife corridor;
5. The design of the subdivision or type of improvements is not likely to cause serious public health problems. This is a residential project and will only cause temporary air quality and noise impacts during construction addressed in Mitigation Measures 1 and 4.
6. The design of the subdivision or 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. That pursuant to California Government Code Section 66474.4, of the Subdivision Map Act the land is not subject to a contract entered into pursuant to the California Land Conservation Act of 1965. The property is not in an agricultural preserve;
8. The deletion of Condition of Approval 8;
9. The addition of a Condition of Approval to read:

No french drain shall be allowed as a means for drainage of the tentative tract.

Commissioner Osborne returned to the meeting at 3:51 p.m.

- E **REVISED TENTATIVE TRACT NO. 16276** - PUBLIC HEARING for the Planning Commission to consider a revised tentative tract to modify a condition of approval relating to required street improvements on approximately 2.19 acres located on the southwest corner of Bellevue Avenue and Olive Avenue in the R-S, Suburban Residential District. Request submitted by MASSARO AND WELSH.

Mr. Jaquess gave a brief presentation on the proposed project. Mr. Jaquess stated that one of the original conditions of approval required that the street be widened to a twenty-four (24) foot section between the center line and the curb plus a sidewalk, which would require that a wall be moved back several feet. Mr. Jaquess stated the proposed revision is for a reduction in the street width from twenty-four (24) to twenty (20) feet which reduces the impact on the front yard of the existing dwelling and the driveway approaches presently in place.

Mr. Jaquess stated the Public Works Department has reviewed the request and agreed to the modified street section.

Mr. Jaquess stated staff is recommending approval of the proposed revision and noted that the City Attorney suggested the use of revised findings for the project.

Commissioner Miller expressed his concern for the existing garage which is approximately two (2) feet from the property line and the driveway which is eighteen (18) feet from the curb to the property line. Commissioner Miller asked Mr. Welsh for more information on grading and he asked Mr. Mutter if he had any concerns relative to backing out of the short driveway.

Mr. Mutter stated in this particular case, the garage is located on the property line. Mr. Mutter stated it would be best to relocate the garage back onto the property, which would give the driveway a standard setback. Mr. Mutter stated that they would look at the engineering and the grading plan to ensure that there was as much visibility as possible.

Chairman Webber opened the public hearing.

Mr. Paul Welsh, project engineer, stated the grading would be improved as a result of the proposed change. Mr. Welsh stated that he concurred with the staff report with the exception of Condition of Approval 6G (Public Works) which requires the relocation of the northerly driveway on lot 5 in a southerly direction away from the proposed curb return at Olive Avenue. Mr. Welsh stated the driveway has been in that location for 75-80 years, and they would prefer to preserve the existing retaining walls and terra cotta driveway.

Commissioner Osborne referred to Condition of Approval 6G (Public Works) which does not specify the distance the northerly driveway is to be located. Mr. Mutter responded by saying their standards prohibit any encroachment of the driveway approach including wings into curb returns.

Chairman Webber closed the public hearing.

Commissioner Miller expressed his concern with the garage. Commissioner Miller stated he was agreeable to the change in street width, but he is uncomfortable with leaving the garage in its present location.

Chairman Webber stated he feels it is fair on the part of the applicant to rest on the decision made previously by the Commission. Commissioner Webber stated that there was discussion earlier, however the Commission came to the consensus to leave it alone.

MOTION

It was moved by Commissioner Macdonald, seconded by Commissioner Osborne, and carried on a 5-1 vote (Commissioner Miller voting no) to determine that no subsequent negative declaration shall be prepared for the project on the basis of substantial evidence in light of the whole record and based on the following:

1. No substantial changes are proposed in the project which will require major revisions of the previous negative declaration due to involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
2. No substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous negative declaration due to involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
3. There is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous negative declaration was adopted.

MOTION

It was moved by Commissioner Macdonald, seconded by Commissioner Osborne, and carried on a 5-1 vote (Commissioner Miller voting no) that the Planning Commission approve Revised Tentative Tract map No. 16276, Revision 1 to amend Public Works Conditions No. A. 6. a. and A. 6. c., A.6.g as noted in the attached conditions of approval. Condition A.7 shall be amended to reflect the current street name. All other conditions of approval will remain as approved by the City Council on February 19, 2002. This is based on the following findings:

1. That the proposal is consistent with the General Plan of the City of Redlands.
2. That the site is physically suitable for the proposed density of development.
3. That the design of the subdivision will not cause substantial environmental damage to any kind of wildlife.

4. The design of the subdivision will not cause serious public health problems.
5. That the design of the subdivision and proposed improvements will not conflict with the easements acquired by the public at large for access through or use of property.

Chairman Webber called a short recess of the meeting.

The meeting was reconvened by Chairman Webber.

- F. **MINOR SUBDIVISION NO. 264** - Public Hearing for Planning Commission Consideration of a Mitigated Negative Declaration, a Socio-Economic Cost/Benefit Study, and a Minor Subdivision (Tentative Parcel Map No. 15827) to subdivide approximately 6.45 acres into three (3) residential lots located on Marion Road approximately 450 feet south of Fifth Avenue and east of the eastern terminus of Pleasantview Drive in the A-2 Estate Agricultural District. Request submitted by LARRY JACINTO.

Commissioner Miller recused himself at 4:27 p.m. due to a possible conflict of interest.

Mr. Baeza gave a brief presentation on the proposed project. Mr. Baeza stated the Public Works Department prepared two sets of conditions of approval for Marion Avenue and the Planning Commission will have the choice of approving either set. Mr. Baeza stated that staff is recommending approval of the alternative that will leave the existing cut stone wall and palm trees in place, but would require a five (5) foot dedication for the eventual widening of Marion Road.

Mr. Baeza stated that the Public Works Department has prepared two (2) sets of conditions of approval for Marion Avenue. One set would require full improvement of Marion Avenue, which is currently a "paper street. The alternative would require the vacation of Marion Avenue. Mr. Baeza stated during processing of the proposed project, staff was contacted by an adjoining property owner who requested that Marion Avenue not be vacated.

Chairman Webber opened the public hearing.

Mr. Pat Meyer, representing the applicant, stated he concurs with the staff recommendation with the exception of Marion Avenue, which is a paper street. Mr. Meyer requested that the alternate Condition of Approval 4 (Public Works) requirements be approved.

Mr. Meyer requested that Condition of Approval 5 (Public Works) be modified to read "no requirements on Marion Avenue". Mr. Meyer requested the deletion of Condition of Approval 21 (Planning Division).

Mr. Mutter stated that he would support the applicant's recommendation if the applicant can come up with an adequate circulation plan. Mr. Mutter stated he would support the alternate recommendation for Condition of Approval 4 (Public Works) and the modification requested by Mr. Meyer for Condition of Approval 5 (Public Works).

Mr. Shaw stated Dr. Godfrey contacted staff at the Environmental Review Committee meeting and indicated that he wanted to preserve access to his property through Marion Avenue. Mr. Shaw stated the deletion of Condition of Approval 21 proposed by Mr. Meyer is acceptable from a legal standpoint, however it imposes future improvements on the City or a future developer.

Chairman Webber closed the public hearing.

Mr. Baeza noted the initial study should be modified to state that the project is located in an agricultural preserve and the last sentence in Finding # 7 should be deleted.

MOTION

It was moved by Commissioner Laymon, seconded by Commissioner Macdonald, and carried on a 5-0 vote (Commissioner Miller excused) that the Planning Commission approve the Mitigated Negative Declaration for Minor Subdivision 264, 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 5-0 vote (Commissioner Miller excused) that the Planning Commission approve the Socio-Economic Cost Benefit Study for Minor Subdivision No. 264 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 Laymon, seconded by Commissioner Macdonald, and carried on a 5-0 vote (Commissioner Miller excused) that the Planning Commission approve Minor Subdivision No. 264 subject to conditions of approval, and based upon the following findings:

- E. The proposed map is consistent with the City's General Plan and Municipal Code. The project has a General Plan land use designation of Very-Low Density Residential and a zoning of A-2, Estate Agricultural and is consistent with both the General Plan and Municipal Code;
- F. The site is physically suitable for the type of development. The site is large enough to subdivide into four (4) lots;
- G. The site is physically suitable for the density of development of a three (3) unit subdivision;
- H. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The subject site is not identified as being within an area containing biological resources or within a wildlife corridor;
- I. The design of the subdivision or type of improvements is not likely to cause serious public health problems. This is a residential project and is not likely to cause any serious public health problems, aside from temporary air quality and noise impacts during construction addressed in Mitigation Measures one (1) and four (4);
- J. The design of the subdivision or 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;

- K. That pursuant to California Government Code Section 66474.4, of the Subdivision Map Act the land is not subject to a contract entered into pursuant to the California Land Conservation Act of 1965.
- L. Deletion of Condition of Approval 21 (Planning Division)
- M. Deletion of Condition of Approval 5 (Public Works)
- N. Section 2 of the Initial Study be revised to state **The subdivision is in an agricultural preserve.**
- O. Deletion of the first half section of Condition of Approval 4 (Public Works).

Commissioner Miller returned to the meeting.

- G. **MINOR SUBDIVISION NO. 265** - Public Hearing for Planning Commission Consideration of a Mitigated Negative Declaration, a Socio-Economic Cost/Benefit Study, and a Minor Subdivision (Tentative Parcel Map No. 16021) to subdivide approximately one acre into two residential lots located on the southwest corner of Citrus Avenue and La Salle Street in the R-S, Suburban Residential District. Request submitted by ARTURO E. LUNA.

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

Chairman Webber opened the public hearing.

Mr. Baeza advised the Commission that the applicant representative had to leave the meeting and was not available to answer questions.

MOTION

It was moved by Commissioner Macdonald, seconded by Commissioner Osborne, and carried on a 6-0 vote that the Planning Commission approve the Mitigated Negative Declaration for Minor Subdivision No. 265 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 Macdonald, seconded by Commissioner Osborne, and carried on a 6-0 vote that the Planning Commission approve the Socio-Economic Cost Benefit Study for Minor Subdivision No. 265 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 Macdonald, seconded by Commissioner Thompson and carried on a 6-0 vote that the Planning Commission approve Minor Subdivision No. 265 subject to conditions of approval, and based upon the following findings:

- P. The proposed map is consistent with the City's General Plan and Municipal Code. The project has a General Plan land use designation of Low Density Residential and a zoning of R-S, Suburban Residential and is consistent with both the General Plan and Municipal Code;

- Q. The site is physically suitable for the type of development. The site is large enough to subdivide into two (2) lots;
- R. The site is physically suitable for the density of development of a two (2) unit subdivision. The General Plan Land Use Designation of Low Density Residential and R-S, Suburban Residential Zoning allow for up to six (6) and four (4) dwelling units respectively;
- S. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The subject site is not identified as being within an area containing biological resources or within a wildlife corridor;
- T. The design of the subdivision or type of improvements is not likely to cause serious public health problems. This is a residential project and is not likely to cause any serious public health problems, aside from temporary air quality and noise impacts during construction addressed in Mitigation Measures one (1) and four (4);
- U. The design of the subdivision or 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;
- V. That pursuant to California Government Code Section 66474.4, of the Subdivision Map Act the land is not subject to a contract entered into pursuant to the California Land Conservation Act of 1965. The property is not in an agricultural preserve.
- H. **COMMISSION REVIEW AND APPROVAL NO. 757** - 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 to construct a 10,242 square foot commercial building on a 0.9 acre out-parcel within the Lowe's Home Improvement Warehouse site located on the southwest corner of Redlands Boulevard and Iowa Street in the EV/IC (Commercial Industrial) District of the East Valley Corridor Specific Plan. Request submitted by A. BERLIN STEWARD.

Mr. Richard Malacoff gave a brief PowerPoint presentation on the proposed project.

Chairman Webber stated the African sumac tree is not acceptable in a parking lot and he requested that it be replaced by a canary island pine or another tree on the Recommended Shade Tree List for Parking Lots.

Chairman Webber opened the public hearing.

Mr. John DiFrenza, project architect, stated that he would be willing to replace the tree as requested. Mr. DiFrenza stated they were unable to obtain a reciprocal parking agreement and he asked to be allowed to have 40 spaces. Mr. DiFrenza stated that reciprocal access has been provided, but not reciprocal parking.

Mr. Shaw asked the applicant if he was short one whole space or one half parking space. Mr. DiFrenza stated that it was one half space. Mr. Shaw stated that staff would work with the applicant on that issue.

Commissioner Miller asked Mr. DiFrenza if the awning was made of metal or vinyl material.

Mr. DiFrenza stated that the awning would be made of metal. Commissioner Miller commented that he was

uncomfortable with awnings that wrap-around corners. Commissioner Miller asked Mr. DiFrenza if he would consider having two (2) awnings. Mr. DiFrenza stated the awning would be divided into two awnings and the corner wrap-around could be removed.

Discussion was held on the concrete tile roof elements. Mr. Shaw stated the intent of staff's comment and condition of approval was to have tiled roof elements at either corner facing Redlands Boulevard. Mr. Shaw stated they want to see the roof element wrapped around each of the corners.

Chairman Webber closed the public hearing.

Commissioner Macdonald commented that it was a very nice project that would fit in very well, however it is one more project that will cause traffic problems in the intersection of Redlands Boulevard and Alabama Street. Commissioner Macdonald stated that they failed to address that the 99¢ Store will be opening soon and will add a measurable amount of traffic to that intersection. Commissioner Macdonald questioned how long the Commission can keep approving development without upgrading the intersection.

Mr. Shaw stated the City Council is concerned about this issue and recognizes that any future projects will contribute to the intersection traffic. Mr. Shaw stated the City Council took an action to discuss capitol improvement projects and asked the Public Works Department to re-prioritize projects relative to the Capitol Improvement Plan. Mr. Shaw stated it will require a time frame of approximately five (5) years to complete the improvements. Mr. Shaw stated the project has now been identified in the Capitol Improvement Plan, whereas before it was not.

MOTION

It was moved by Commissioner Miller, 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 Commission Review and Approval No. 757 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 Miller, seconded by Commissioner Thompson, and carried on a 6-0 vote that the Planning Commission recommend that the City Council approve the Socio-Economic Cost Benefit Study for Commission Review and Approval No. 757 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 Miller, seconded by Commissioner Macdonald, and carried on a 6-0 vote that the Planning Commission recommend to the City Council that a reduced LOS be approved at the intersection of Alabama Street/Redlands Boulevard during the peak hours as permitted in General Plan Policy 5.20b and 5.20 c.

MOTION

It was moved by Commissioner Miller, seconded by Commissioner Macdonald, and carried on a 6-0 vote that the Planning Commission recommend that the City Council approve Commission Review and Approval No. 757 subject to the following findings:

1. The size and shape of the site are adequate for the proposed retail buildings.
2. The site properly relates to Redlands Boulevard and Iowa Street which have been designed and improved to carry the type and quantity of traffic to be generated by the proposed retail buildings.

3. The conditions proposed for Commission Review and Approval No. 757 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 Industrial Commercial Designation of the General Plan, and the addition of,
6. Condition of Approval 25 to read:

All the African sumac trees shall be replaced by a species of trees to be approved by Community Development Director and shall be from the list of Planning Commission's Recommended Trees.
7. Condition of Approval 26 to read:

The awnings shall not wrap around the corner of the buildings and shall be shed awnings.
8. Condition of Approval 27 to read:

The applicant shall provide a step in the building corresponding to the termination point of the tile on Redlands Boulevard.
- I. **SPECIFIC PLAN NO. 39 (REVISION NO. 1)** - PUBLIC HEARING for the Planning Commission to consider a recommendation to the City Council on a Mitigated Negative Declaration and a revised Specific Plan to develop 7.21 acres into a single family residential development containing sixty-four (64) residential lots located on the south side of Orange Avenue approximately 200 feet east of Alabama Street. Request submitted by QUANTUM STRUCTURES, LLC.
- J. **TENTATIVE TRACT NO. 16444** - 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 Tentative Tract Map to subdivide 7.21 acres into sixty-four (64) residential lots in Specific Plan No. 39 located on the south side of Orange Avenue approximately 200 feet east of Alabama Street. Request submitted by QUANTUM STRUCTURES, LLC.

Mr. Robert Dalquest stated that staff received a letter from the applicant requesting a continuance to September 9, 2003.

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 Macdonald and carried on a 6-0 vote to continue Specific Plan No. 39 (Revision 1) and Tentative Tract No. 16444 to September 9, 2003.

Commissioner Macdonald stated there have been a number of neo-classical development approvals coming to the Planning Commission and he questioned if guidelines should be set as to where this type of development, if appropriate, should be. Mr. Shaw stated that staff expressed a number of concerns in the staff report.

Chairman Webber stated that the Commission has dealt with three of these developments before. Mr. Shaw stated that this type of project uses up multiple-family land.

Commissioner Macdonald asked if discussion of these issues warrants a Planning Commission workshop. Mr. Dalquest stated that this type of project requires a Specific Plan and the Commission has the discretionary ability to recommend denial based on the location. Mr. Shaw stated it may be a good discussion for the Ad Hoc Zoning Committee.

- K. **ORDINANCE TEXT AMENDMENT NO. 295** - PUBLIC HEARING for the Planning Commission to consider a recommendation to the City Council on an Ordinance Text Amendment to delete Section 18.12.200 of the Redlands Municipal Code relating to review of socio-economic cost/benefit studies. Request submitted by the CITY OF REDLANDS.

Mr. Dalquest stated that the City Attorney recommends that this section of the Code be deleted in order to restore Planning Commission authority on Commission Review and Approvals.

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

MOTION

It was moved by Chairman Webber, seconded by Commissioner Thompson, and carried unanimously that the Planning Commission approve Planning Commission Resolution No. 997 recommending that the City Council adopt Ordinance Text Amendment No. 295.

- L. **PLANNING COMMISSION RESOLUTION NO. 996** - Consideration of a resolution of the Planning Commission finding that the Fourth Amendment to the Redlands Redevelopment Project Area Plan is in conformance with the Redlands General Plan, and recommending to the City Council and Redevelopment Agency that said Redevelopment Plan Amendment be approved. Request submitted by the REDEVELOPMENT AGENCY OF THE CITY OF REDLANDS.

Mr. Dalquest stated the Redevelopment Plan established the Redevelopment Agency's authority relative to eminent domain on non-residential properties in December 2000. Mr. Dalquest stated the proposed amendment will allow eminent domain authority on residential properties as well. Mr. Dalquest stated that the amendment is consistent with the General Plan and asked the Commission to forward a recommendation for General Plan conformity. Mr. Dalquest introduced Mr. Ernie Glover, GRC Consultants, who was seated in the audience.

Chairman Webber opened the public hearing.

Commissioner Thompson asked Mr. Glover for a brief explanation of the process of eminent domain.

Mr. Ernie Glover, GRC Consultants, gave a brief explanation of the eminent domain process. Mr. Glover stated that the appraisal on property under the eminent domain process has to be based on highest and best use. Mr. Glover stated if an agreement is reached between the Agency and the property owner, eminent domain does not commence. Mr. Glover stated if a decision cannot be reached, the Agency adopts a Resolution of Necessity by a 4/5 vote which states that it is necessary for the public benefit to acquire the land. Mr. Glover stated that eminent domain is adopted on a parcel by parcel basis at a public hearing.

MOTION

It was moved by Commissioner Osborne, seconded by Commissioner Laymon, and carried on a 6-0 vote to adopt Planning Commission Resolution No. 996, finding that the proposed Fourth Amendment to the Redland Redevelopment Project Area Plan, as amended, conforms to the City of Redlands General Plan, and recommends approval of the proposed Fourth Amendment to the City Council and Redevelopment Agency.

M. **COMMISSION REVIEW AND APPROVAL NO. 722** - Hearing to consider a revision to Conditions of Approval for a Commission Review and Approval on approximately 6.64 acres located at the northeast corner of Parkford Road and Marshall Street in the C-4, Highway Commercial District. Request submitted by CITICOM DEVELOPMENT.

Mr. Jaquess stated the project was approved by the City Council in November 2001. Mr. Jaquess stated one of the conditions of approval for the project required the retention of trees located around the perimeter of the site. Mr. Jaquess stated in late July the Planning Commissioners noticed that the trees had been removed and a stop work order was placed on the demolition work being done on the site. At the July 22nd Planning Commission meeting, the developer, Mr. Allan Steward, admitted that they had erred and stated that they were willing to do whatever was necessary to correct the situation. A subcommittee comprised of Chairman Webber and Commissioner Macdonald was appointed to meet with Mr. Steward to discuss corrective actions. Staff met with Mr. Steward on July 24th, at which time Mr. Steward agreed to submit an application amending his previous application, submit a landscape plan to be approved by the Commission, and to pay for a review by landscape architect Sean Burch who was to be hired by the City.

Mr. Jaquess stated Mr. Burch raised concerns relative to how big a tree would be in a 60 inch and 84 inch box. Mr. Jaquess stated that the landscape plan submitted proposed to revise the previously approved tree and plant palette for the inside of the parking lot. Mr. Jaquess recommends continuing the project to September 9th to enable staff to come back with a landscape plan they can recommend.

Chairman Webber opened the public hearing.

Mr. Allan Steward stated he was unsure why the landscape architect modified the landscape plan. Mr. Steward stated that he asked the architect to take the landscape plan that was previously approved and move forward. Relative to Marshall Street and Parkford Road elevations, Mr. Steward asked the Commission be allowed to replace the total number of trees that were removed with like number of mature trees as determined and administratively approved by the Planning Commission subcommittee and the Community Development Department. Mr. Steward continued by saying the total number of trees existing and proposed should be equal to a ratio of 1 tree per twenty (20) feet of street frontage and there should be a solid shrub row.

Mr. Jaquess stated that Mr. Steward is asking the Commission to approve an amended condition that authorizes the subcommittee and staff to approve a revised landscape plan, rather than returning before the Commission on September 9th.

Chairman Webber closed the public hearing.

Commissioner Webber indicated that he and Commissioner Macdonald would like to look at 84 inch box trees and speak with someone who would know how to plant that size tree. Chairman Webber asked if the Commission is comfortable with the subcommittee and staff making a final decision.

Commissioner Thompson cautioned the Commission that just because a tree is bigger, it doesn't make it better.

Chairman Webber stated that he would like to consult with the Dangermonds for more information.

Commissioner Miller stated he is comfortable putting the decision in the hands of the subcommittee and suggested the wording be changed to **"replace the total number of trees that were removed with at least the same number of mature trees as determined and administratively approved by the Planning Commission subcommittee and the Community Development Department."**

MOTION

It was moved by Commissioner Osborne, seconded by Commissioner Macdonald, and carried on a 6-0 vote that

the Planning Commission approve Condition of Approval 12 of Commission Review and Approval No. 722 (Revision 1) to read:

On the Marshall Street and Parkford Road elevations of the building, the developer shall replace the total number of trees that were removed with a number of mature trees as determined by the Planning Commission subcommittee and the Community Development Department. The total number of trees (existing and proposed) shall be equal to a ratio of one (1) tree per twenty (20) feet of street frontage and there shall be a solid shrub row. The Planning Commission subcommittee shall approve the final landscape plan.

Commissioner Macdonald stated that Council Member Jon Harrison gave him a copy of *Tree Guidelines for the Inland Empire Communities* which is an excellent resource for determining the value of trees and it discusses the need for cities to properly maintain and preserve trees. Commissioner Macdonald noted that Council Member Harrison is going to give copies of the book to the Commissioners.

V. ADDENDA

Chairman Webber advised the Commission that he would prefer to hear item V-A (Commission Review and Approval No. 753) and adjourn the meeting to the evening session for items V-B through V-F.

A. **COMMISSION REVIEW AND APPROVAL NO. 753 - Final Landscape Plan. Request Submitted by REDLANDS JUNIOR ACADEMY.**

Mr. Malacoff stated the Planning Commission approved Commission Review and Approval No. 753 earlier and the Final Landscape Plan is before the Commission today.

Chairman Webber requested that the two (2) palm trees overlooking the parking lot be replaced by mondel pine trees.

Chairman Webber opened the public hearing.

Ms. Vicky Valenzuela, Thatcher Engineering, stated that she is not a landscape architect and she cannot address Chairman Webber's request. Ms. Valenzuela stated she was advised the previous night that the item would come before the Planning Commission and she requested the project be continued for their architect to be allowed to work directly with staff regarding this request.

Chairman Webber advised Ms. Valenzuela that the parking lot should be shaded by shade trees not palm trees. Ms. Valenzuela agreed.

Chairman Webber closed the public hearing.

MOTION

It was moved by Commissioner Thompson, seconded by Commissioner Miller, and carried on a 6-0 vote that the Planning Commission approve the landscape plans for Commission Review and Approval No. 753 subject to the recommended changes contained in the staff report and the replacement of the two (2) palm trees with mondel pines.

Chairman Webber adjourned the meeting to the evening session.

7:00 P.M.

Chairman Webber reconvened the evening session at 7:00 p.m. and stated that items IX-A through IX-C would be heard out of order in order to accommodate the members of the public who were seated in the audience.

Commissioner Miller arrived at 7:03 p.m.

IX. RECONVENE OLD BUSINESS

- A. **GENERAL PLAN AMENDMENT NO. 90** - 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 Medium Density Residential and Office to Commercial on 13.89 acres located west of Patricia Drive, east of Ford Street, and south of the Interstate 10 Freeway. Request submitted by FORDRED DEVELOPMENT, LLC.
- B. **AMENDMENT NO. 4 TO SPECIFIC PLAN NO. 23** - PUBLIC HEARING for Planning Commission consideration of a recommendation to the City Council on a Mitigated Negative Declaration and an Amendment to Specific Plan No. 23 to change the land use designation from Administrative and Professional Office and Residential District to Commercial District with new development standards on 13.89 acres located west of Patricia Drive, east of Ford Street, and south of the Interstate 10 Freeway. Request submitted by FORDRED DEVELOPMENT, LLC.
- C. **CONDITIONAL USE PERMIT NO. 793** - 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 85,369 square foot shopping center on 13.89 acres in the Residential and Administrative Professional District of Specific Plan No. 23 which is proposed for a change in land use to Commercial located west of Patricia Drive, east of Ford Street, and south of the Interstate 10 Freeway. Request submitted by FORDRED DEVELOPMENT, LLC.

Mr. Malacoff stated the applicant requested a continuance to September 9th, subject to the Permit Streamlining Act.

Chairman Webber opened the public hearing.

Mr. Bob Macey (387 Los Robles Crest) asked the Commission how many continuations would be allowed.

Chairman Webber stated the Commission requested extensive information from the developer relative to traffic issues and project design. Chairman Webber stated the applicant is requesting additional time in order to address the Commission's request.

Mr. Shaw stated there is a time frame relative to the length of time the project can be continued. Mr. Malacoff stated the applicant and City agreed to a continuance which extends the date to October 27th.

Mr. Macey requested that the Commission make a motion that this be the last continuance allowed. Chairman Webber advised Mr. Macey that the Commission could not. Mr. Macey asked if there is a remedy against the extensive continuances. Chairman Webber stated they are processing the project in the manner as required by law.

Mr. Macey continued by stating the Commission made recommendations that the applicant can satisfy the use of the property for which the application was made. Chairman Webber stated that no recommendations have been made; the Commission listened to the project as presented by staff, public input, and the developer's input.

Mr. Macey asked if he could receive a copy of the Planning Commission minutes so that they could be published

in a local newspaper, such as the San Bernardino Sun or the Redlands Daily Facts. Chairman Webber stated the minutes are available for the public to review. Mr. Shaw stated the public may have access to the minutes. Mr. Macey asked if he could receive a copy of the minutes. Mr. Shaw stated that Mr. Macey would be given a copy of all approved minutes.

Mr. Macey asked if the application for the project involves both sides of Ford Street. Chairman Webber stated the project is for the southeast corner of Ford Street and I-10 freeway.

Ms. Lorraine Boatman (1425 Patricia Drive) expressed her concern that if the application is not acted upon within a specific time frame, it is deemed approved. Ms. Boatman asked the Commission if that was correct.

Mr. Shaw stated that staff monitors time frames so that an action is taken within the legal limits of the law. Mr. Shaw stated the Commission would be advised of any actions they have to take and the timing needed.

Chairman Webber closed the public hearing.

MOTION

It was moved by Commissioner Macdonald, seconded by Commissioner Osborne, and carried on a 6-0 vote to continue General Plan Amendment No. 90, Specific Plan No. 23 (Amendment 4), and Conditional Use Permit No. 793 to the Planning Commission meeting of September 9, 2003.

- B. Off-Sale Beer and Wine Alcoholic Beverage Control license for Carnierria (Carniceria) Los Vasquez at 1562 Orange Street.

Mr. Jaquess stated that the 30 day review period for this transfer has lapsed. Mr. Jaquess stated that staff is not aware of any complaints, and it is presumed there are no concerns relative to the transfer.

MOTION

It was moved by Commissioner Macdonald, seconded by Commissioner Thompson and carried on a 6-0 vote to approve the person to person transfer related to the Off-Sale Beer and Wine License for Carniceria Los Vasquez, no conditions are recommended to be added as there are no problems associated with this facility.

- C. Off-Sale General Alcoholic Beverage Control license for M & C Liquor located at 1560 N. Orange Street.

Mr. Jaquess stated that the 30 day review period for this transfer has lapsed and staff is unaware of any complaints. Mr. Jaquess stated the business is located in the same shopping center as the previous request.

MOTION

It was moved by Commissioner Thompson, seconded by Commissioner Osborne, and carried on a 6-0 vote to approve the person to person transfer of the Off-Sale General License for M & C Liquor, no conditions are recommended to be added as there are no problems associated with this facility.

Chairman Webber stated for the sake of continuity, item V-E would be heard out of order.

- E. Off-Sale General Alcoholic Beverage Control License for Redlands Ranch Market located at 800 E. Lugonia Avenue.

Mr. Jaquess stated that the request is within the required 30 day review period and staff is unaware of any complaints. Mr. Jaquess stated that staff was unable to coordinate with the Police Department on this request.

MOTION

It was moved by Commissioner Osborne, seconded by Commissioner Macdonald, and carried on a 6-0 vote to approve the person to person transfer of Off-Sale General Alcoholic Beverage License for Redlands Ranch Market, no conditions are recommended to be added as there are no problems associated with this facility.

D. Rural Development Standards

Mr. Shaw stated the Commission made a recommendation on Rural Development Standards in April 2003. Mr. Shaw stated the Ad Hoc Zoning Committee reviewed the document, made revisions, and forwarded it to the Planning Commission for review and consideration. Mr. Shaw reviewed some of the key modifications made by the Committee.

Commissioner Osborne suggested the wording "ADA " be added into Section C. Pedestrian Path (Page 3). Mr. Shaw stated that he had taken out references to ADA that were there in the past.

Commissioner Osborne suggested the wording under Section G. Rural Character (Page 6) be changed from **Large distances between homes** to **Maximum distance possible between homes**.

Commissioner Miller commented that it was job well done.

MOTION

It was moved by Commissioner Miller, seconded by Commissioner Macdonald, and carried on a 6-0 vote that the Planning Commission recommend approval of Planning Commission Resolution No. 999 accepting these Rural Development Standards as guidelines to be incorporated into City Ordinance.

F. Definition of Recreational Vehicle

Mr. Jaquess stated that this item came about as the result of a Code Enforcement complaint. Mr. Jaquess stated that the property owner against whom the complaint was filed researched the City Municipal Code and stated that they believe the parking ordinance exempts recreational vehicles.

Mr. Jaquess stated that staff researched the Code and determined that there are some conflicting issues. Mr. Jaquess stated that a section in the Code added in 1967 prohibited parking or storing in a driveway or front yard area, and a section added in November 1973 stated that a legally parked recreational vehicle is exempt from the regulation.

Mr. Jaquess stated that they discussed this matter with the City Attorney who concluded that the most recent amendment overrules the earlier one.

Mr. Jaquess stated he felt it would be appropriate to refer this matter to the Ad Hoc Zoning Committee, after discussion by the Planning Commission. Mr. Jaquess stated that the Ad Hoc Zoning Committee could then come back with a recommendation for a Code amendment.

Commissioner Osborne stated he felt City streets look better when all recreational vehicles are prohibited from parking in the front yard setback.

Commissioner Miller stated the real issue is vehicles of any kind that over stay their welcome in the front yard, which could be true for automobiles as well.

Discussion was held relative to the definition of a recreational vehicle.

MOTION

It was moved by Commissioner Osborne, seconded by Commissioner Thompson, and carried on a 5-1 vote (Commissioner Macdonald voting no) that staff forward a recommendation to the Ad Hoc Zoning Committee that the City prepare a definition of a recreational vehicle for inclusion in the Zoning Code and bring it back as an Ordinance Text Amendment.

VI. APPROVAL OF MINUTES

MOTION

It was moved by Commissioner Osborne, seconded by Commissioner Macdonald, and carried on a 4-0 vote (Commissioners Laymon and Thompson abstaining) that the Planning Commission approve the minutes of August 12th with a correction noted on page 5.

VII. CORRESPONDENCE/COMMUNICATIONS

A. City Council Report

Mr. Shaw gave a brief summary of City Council actions at the August 5th City Council meeting.

B. Status of Major Projects

An updated Status of Major Projects report was included in the Planning Commission packet. Mr. Shaw gave a brief summary on new projects that were filed and will come before the Commission in the near future.

X. ADJOURNMENT TO SEPTEMBER 9, 2003

Chairman Webber adjourned the meeting to September 9th at 8:02 p.m.

Respectfully submitted,

Patricia Ortiz, Senior Admin. Assistant
Community Development Department

Jeffrey L. Shaw, Director
Community Development Department