

MINUTES of the Planning Commission Meeting of the City of Redlands held Tuesday, September 9, 2003, at 2:00 p.m. are as follows:

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

ABSENT:

ADVISORY STAFF

PRESENT: Jeffrey L. Shaw, Director
John Jaquess, City Planner
Leslie E. Murad II, Assistant 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

Chairman Webber called the meeting to order at 2:13 p.m. following a joint session with the City Council.

II. CONSENT ITEMS

- A. **COMMISSION SIGN REVIEW NO. 255** - A request for Planning Commission consideration of a Commission Sign Review for a monument sign with a height of three feet nine inches (3'9") and an area of eighteen (18) square feet located at 321 Cajon Street in the A-P, Administrative Professional District. Request submitted by HEEMSTRA SIGNS.

MOTION

It was moved by Commissioner Thompson, seconded by Commissioner Macdonald, and carried on a 7-0 vote that the Planning Commission approve Commission Sign Review No. 255 subject to the Conditions of Approval.

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. John Jaquess stated the applicant requested additional time to resolve issues concerning the final design of the mobile home park expansion. Mr. Jaquess stated that staff is requesting the proposed project be continued to October 14th.

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 Miller, and carried on a 7-0 vote that the Planning Commission continue Revision No. 1 to Conditional Use Permit No. 172 and Variance No. 648 to October 14, 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. Richard Malacoff stated that staff is awaiting additional information from the applicant, and he requested the proposed project be continued to September 23rd.

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

MOTION

It was moved by Commissioner Miller, seconded by Commissioner Macdonald, and carried on a 7-0 vote that the Planning Commission continue Conditional Use Permit No. 797 to September 23rd.

- 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. Richard Malacoff gave a brief PowerPoint presentation summarizing the proposed project. Mr. Malacoff stated the Planning Commission reviewed the project in July 2003 and recommended that the project be modified, however the applicant decided to move forward with the original submittal.

Mr. Malacoff stated that the Historic and Scenic Preservation Commission (HSPC) forwarded comments stating the report compiled by the Chambers Group was adequate however, they disagreed with the conclusion that the church building had no historic significance, and determined that it (church) was eligible for local designation. Mr. Malacoff continued by saying the HSPC was concerned with the loss of such a significant structure and recommended the Planning Commission adopt a Mitigated Negative Declaration that would require the applicant advertise the building for sale, incorporate the church into the proposed project, and/or provide other measures that might accomplish these objectives.

Mr. Malacoff stated that staff recommended:

1. A 30-day waiting period after the demolition is approved
2. The applicant advertise the sale of the building and relocation to another site
3. Prior to the issuance of a Building Permit, photographs of all structures on the site are to be deposited with the Community Development Department and the Heritage Room at the A. K. Smiley Library

4. The original historic analysis compiled by the Chambers Group be deposited at the A. K. Smiley Library and the Archaeological Information Center of San Bernardino County

Chairman Webber opened the public hearing.

Mr. Malacoff stated that the applicant looked into switching the location of the playground with the parking lot, but handicap requirements would require a walkway on the City sidewalk rather than through the parking lot, making handicap access difficult.

Commissioner Laymon asked if there was any discussion on the abandonment of Clay Street or if the City could facilitate the project by way of lowering the fees. Mr. Malacoff responded by saying that option had not been examined because the abandonment of Clay Street is not included in the proposal that is before the Commission.

Chairman Webber opened the public hearing.

Mr. Monte Stuck, 2nd Vice President, Boys and Girls Club Board of Directors, recapped past events from the perspective of the Boys and Girls Club. Mr. Stuck stated the Boys and Girls Club has had a long term lease agreement to use the building that is owned by the City of Redlands. Mr. Stuck stated upon investigation into the items needed to bring the building up to Code, it was determined that most of the \$500k grant money obtained from Congressman Lewis, would be spent on rehabilitation. Mr. Stuck stated the grant is in jeopardy if the money is not spent within the next two years.

Mr. Stuck stated that faced with the prospect of a too small, two-story rehabbed building or a brand-new building functionally designed for the Boys and Girls Club, the Board of Directors chose the latter. Mr. Stuck stated that the Board sought organizations that might want the building and would be willing to move it to another site. Mr. Stuck continued by saying bids they received to move the building were between \$75k - \$100k.

Mr. Stuck stated they met with the HSPC which applauded the thoroughness of the historic evaluation study, but disagreed with study's conclusion. Mr. Stuck stated the Planning Commission considered the Conditional Use Permit application in July, and asked if they (applicant) would consider moving the proposed Boys and Girls Club building to the south end of the lot, leaving the church building in place. Mr. Stuck stated that Mr. Ron Warren, Board President, would address the Commission's request.

Mr. Ron Warren, President, Boys and Girls Club Board of Directors, stated after encountering \$3k in expenses and architect time, it was determined that the building and the parking lot could be accommodated on two of the lots, however, it would require the building be turned around to face north and not Clay Street, and the proposed outside playground area would be greatly diminished. Mr. Warren stated the Board of Directors met on July 29th and unanimously voted to continue with their original plan due to the following:

1. The building would have to be relocated to the south side of the lot
2. Over 3/4 of the green, playground area would be lost
3. The changes would unduly restrict the after-school program that would be offered to children
4. The parking would be far from the building, making it hazardous for direct access to the building
5. The closure of Clay Street, would require time and money, which the Boys and Girls Club does not have

Mr. Warren stated that he appreciates the concerns for the church, but feels the youth in the north side deserve a home where they can meet for services and recreation. Mr. Warren thanked the Commission and requested a recommendation for approval be forwarded to the City Council.

Chairman Webber asked Mr. Warren, if the proposed project was approved, how much time the proponents of saving the church would have to preserve the church.

Mr. Warren estimated the time to be approximately 60 days.

Commissioner Cook asked why the building could not be relocated on the south end of the property. Mr. Warren stated the building would have to be completely turned around, and it would abut the sidewalk with no green space between.

Mr. Ray Martinez, Ray Martinez and Associates, stated the layout was redesigned several different ways, however the project would be lessened by trying to save the church building.

Ms. Rosa Gomez, North Side Advisory Committee and A. K. Smiley Library Board of Trustees, applauded the applicant's efforts. Ms. Gomez stated she opposes the demolition of the Dutch Reform Church that is significant because many individuals from different cultural and ethnic backgrounds used the church. Ms. Gomez stated that they have looked at other uses for the building such as a cultural center or events center which would house museum-type articles, or an extension of the community center. Ms. Gomez stated that Chief of Police Bueermann was supportive of a model of the Boys and Girls Club prepared by Ms. Germaine Del Vaille depicting the preservation of the church building. Ms. Gomez read and distributed letters from the North Side Advisory Committee expressing support for preservation of the church building, and the North Side Impact Committee requesting the project be continued to an evening Planning Commission meeting to allow the surrounding community the opportunity to voice its concerns.

Mr. Leon Armantrout, Redlands Conservancy, stated he believes the construction could begin sooner if the church is left at the location and the applicant does not have to begin the process of demolition. Mr. Armantrout stated that he had a conversation with Elizabeth Cavalich from Congressman Lewis's office, who stressed the importance of proceeding. Mr. Armantrout stated that Chief of Police Jim Bueermann supports closure of Clay Street and does not support the widening of Lugonia Avenue. Mr. Armantrout distributed photos of the church taken by Mr. Bill Feenstra in the 1950's.

Pastor Chuck Eason, who pastors a Spanish-speaking congregation, is currently leasing a room at Calvary Chapel. Pastor Eason stated that they might be interested in buying or leasing the church building.

Ms. Sherli Leonard, Redlands Conservancy, urged the Commission to consider the value of an old building in the north side and stated she strongly opposes its demolition.

Ms. Germaine Caro-Del Vaille, gave a brief presentation on a model she built that depicts the Boys and Girls Club project incorporating the church building. Ms. Del Vaille stated the model was built to scale with information she received from the Planning Division.

Commissioner Osborne stated if the church is adapted for re-use, it would require parking spaces. Commissioner Osborne asked Ms. Del Vaille where the additional 13 spaces would be located. Ms. Del Vaille stated one idea was to take an adjacent property that could be used for parking. Commissioner Osborne noted that Ms. Del Vaille did not point out that her plan would require the adjacent property be taken so that it could be used for parking.

Commissioner Thompson asked Ms. Del Vaille how much her plan would cost, as he felt the Boys and Girls Club could not be afford it. Ms. Del Vaille stated she was not sure of the cost.

Commissioner Thompson stated that he was bothered by the fact that everyone has "pie in the sky" dreams however, no one has stepped forward to be responsible for payment.

Commissioner Laymon stated there was some discussion concerning the length of time the funds would be available and she asked Mr. Armantrout if, in his discussion with Congressman Lewis, they came up with a plan in which they might be given more time.

Mr. Armantrout stated it was his personal feeling, after his conservation with Elizabeth Cavalich, that she was supportive of his plan.

Commissioner Osborne stated that vacating Clay Street, creating park-like improvements, and acquiring the

property to the south for a parking lot are funds that the Boys and Girls Club would need right away. He asked Mr. Armantrout if he could estimate what the costs might be. Mr. Armantrout stated he did not know but he felt confident that there would be grants available to recreate Washington Park and close Clay Street.

Commissioner Osborne stated that he did not think it was fair to lock the Boys and Girls into a plan for which they do not have funds.

Mr. Armantrout stated that a good situation can exist with the Boys and Girls Club building all three phases of their project as shown on the model, and Clay and Lugonia Streets remaining as is. Mr. Armantrout stated that the Community Center parking could be used at alternative times and shared with the Boys and Girls Club.

Commissioner Laymon asked staff for an approximation on what is involved in the closure of Clay Street.

Ms. Lauren Bricker, Professor of Architecture, Cal Poly Pomona, distributed a section of the State Historic Building Code that deals with rehabilitation of historic buildings. Ms. Bricker stated the State Historic Building Code has the ability to save a property owner money because the building would not have to be brought up to new building standards and instead they would use standards that are equivalent from a health and safety point of view. Ms. Bricker stated the HSPC felt the property could potentially be designated as a historic resource.

Commissioner Miller asked Ms. Bricker if the building would have to qualify for a state designation or a local designation. Ms. Bricker responded by saying local designation. Commissioner Thompson stated it was his understanding that the building did not qualify under the City's standards for local designation. Ms. Bricker stated that the HSPC felt the building was eligible for local designation and did not agree with the Chambers Group findings that stated it did not qualify for local designation.

Commenting on Ms. Gomez's report on the meeting with Chief Bueermann and the North side Impact Committee, Mr. Warren stated that Chief Bueermann asked three questions:

1. How much funding is available?
2. From whom is it going to come?
3. When?

Mr. Warren stated he did not feel these issues had been properly explored. Relative to Ms. Gomez's comment that they would have a fund-raising drive, Mr. Warren stated that fund raisers can go on forever and they are limited on time.

Chairman Webber asked the Commission for a consensus.

Chairman Macdonald stated there was an earlier discussion relative to separating the Boys and Girls Club property from the church property and he asked if that were still a possibility. Mr. Shaw stated that the Boys and Girls Club did not feel there was adequate space to accommodate the church and their use. Commissioner Macdonald stated with concessions on both sides, it could be worked out so that the Boys and Girls Club could move forward and the church could be retained. Commissioner Macdonald stated he felt turning Clay Street into a cul-de-sac was an excellent idea.

Commissioner Osborne stated the Boys and Girls Club does not have the funds to pay for vacating Clay Street. He continued by saying that an adaptive re-use would require parking which would further erode the Boys and Girls Club space. Commissioner Osborne stated he supports the project as proposed.

Commissioner Laymon stated that she felt the options of the Boys and Girls Club will be limited by not looking into vacating Clay Street.

Commissioner Osborne stated that the project is being proposed by the Boys and Girls Club, and he did not believe it was the City's responsibility to bear the cost of vacating Clay Street.

Mr. Shaw stated that a street vacation is typically initiated by the City or an applicant and on a rare occasion, by

the City Council. Mr. Shaw stated the overall processing time associated with a street vacation is approximately 90 days. Mr. Shaw stated that staff would require a few weeks to adequately review a preliminary design and estimate the costs associated with a street vacation if it is the direction of the City council.

Commissioner Thompson stated he supports the project as it is proposed.

Commissioner Cook stated the project would be much better if the church is retained. Commissioner Cook stated she concurred with Commissioner Macdonald regarding the separating the church from the Boys and Girls Club.

Commissioner Miller stated if the church is going to be retained, they should be sure that the widening of Lugonia Avenue does not occur. Commissioner Miller stated there is not much left that is historically significant on the north side. Commissioner Miller stated he does not support imposing additional conditions such as a street vacation that would hold the project from moving forward and the grant would be lost. Commissioner Miller stated he does not support imposing additional costs, such as those required with a street vacation, on the applicant. Commissioner Miller stated he cannot support the project now as proposed.

Chairman Webber stated the project cannot move forward without a redesign and he asked Mr. Shaw if the Commission could take it upon themselves to redesign the project so that it can move forward.

Mr. Shaw stated the applicant looked at a redesign and decided not to submit a redesign of the project. Mr. Shaw asked the Commission to make a decision on the project as submitted. Chairman Webber concurred with Mr. Shaw. Mr. Shaw there is an appeal process to the City Council, if the project is denied.

Commissioner Miller asked that consideration be given to the applicant to decide if they would prefer the project be continued or a vote of denial be given so that an appeal could be filed with the City Council.

Chairman Webber reopened the public hearing.

Mr. Warren stated they would prefer their request be denied so they could appeal to the City Council.

Chairman Webber closed the public hearing.

MOTION

It was moved by Commissioner Macdonald, seconded by Commissioner Cook, and carried on a 4-3 vote (Commissioners Osborne, Thompson, and Webber voting no) to deny Conditional Use Permit No. 800 based on the following findings:

1. The Boys and Girls Club applied for a Conditional Use Permit at 1251 Clay Street and the location is not appropriate for a Conditional Use Permit since it will adversely impact an existing church which the Historic and Scenic Preservation Commission has determined was a potential historic resource;
2. The Boys and Girls Club as proposed is a project that is not beneficial to the public welfare as well as the development of the community since it will remove a structure which is considered historically significant;
3. The Boys and Girls Club will be detrimental to the existing church which is a conditionally permitted use in the O, Open Land District where it would be located since the proposal will demolish a historical structure which is a prominent feature in the neighborhood;
4. The site does not properly relate to Lugonia Avenue since it will remove a historic structure that makes a significant contribution to the street frontage.

5. The Conditional Use Permit is not deemed necessary and reasonable to protect the public health, safety and general welfare; the best interests of the neighborhood since it will remove a historic structure which has a commanding presence and has the potential to be a designated historic resource;
6. The proposed project is not consistent with the existing Public Institutional land use designation of the City's General Plan since it fails to provide for an adaptive reuse for the structure and provides a demolition for a structure which has a significant history and architecture.

Chairman Webber requested a brief recess at 4:03 p.m.

Chairman Webber reconvened the meeting at 4:10 p.m.

- E. **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.
- F. **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. Bob Dalquest stated the applicant is proposing to revamp Specific Plan 39 which was approved for an 85-unit condominium project with three (3) common lots.

Mr. Dalquest stated that the Commission has several options to consider.

1. Whether Specific Plan 39 should be revised in favor of another high density single family development, or should the approved condominium project be built on the property?
2. Whether the proposed project is too dense for the site and should be reduced in order to provide more open space.
3. Whether the project is the optimum design for the site.

Mr. Dalquest stated there are many issues associated with the property:

1. The project is too dense for the site and does not provide enough open space.

(Mr. Dalquest distributed information received from the applicant's engineer prior to the meeting.)

2. The design shows crowding at the corners of the subdivision; three or four lots are using the single drive approach resulting in excessive driveways.
3. There is no landscape buffer around the perimeter of the site. Mr. Dalquest stated at a minimum, there should be a landscape buffer along the west property line to buffer the project from the single family residences.
4. Many two-story homes along the perimeter are five (5) feet from the rear property line.
5. Spacing between driveways does not appear to be adequate to accommodate the 32 guest spaces shown on the plan.

6. The subdivision's design provides fifty-two (52) lots as Z-lots, which accentuates overcrowding.
7. Fifty-four (54)% of the site is covered by buildings.
8. The side yard areas are three (3) feet in width which may pose a problem with the Z-lots in conjunction with trash containers and air conditioning units.

Mr. Dalquest stated that staff met with the applicant in March to discuss the issues and again on August 25th, however the applicant decided to go forward with the design as submitted.

Mr. Dalquest stated a requirement for installation of a traffic signal at the corner of Orange and Alabama has been deleted because it was determined that the LOS would not change with the project's traffic. Mr. Dalquest stated a noise study determined that there should be a seven (7) foot tall barrier along Orange Street.

Mr. Dalquest stated staff is recommending the project be denied and Specific Plan 39 be maintained as approved, or the proposed project be continued with a request that the applicant come back with a design that addresses the issues that were raised by staff and reduces the density to provide more open space.

Chairman Webber opened the public hearing.

Mr. Bud Thatcher, Thatcher Engineering, stated the applicant is proposing to downsize from an 85 unit condominium project to 64 single family units. Mr. Thatcher asked for direction from the City on a redesign of the project. Mr. Thatcher stated the applicant would like to work with the City however, they have reached a point where they have to agree to disagree. Mr. Thatcher addressed staff's concerns:

1. Relative to overcrowding and insufficient open space, Mr. Thatcher stated that private open space has increased.
2. The applicant thought the use of stubbed streets was less desirable than to trying to combine access through the use of joint driveways. Mr. Thatcher introduced option "C" which nets a larger number of units for the developer.
3. The original Specific Plan showed a five (5) foot buffer setback zone around the perimeter. Mr. Thatcher stated they have honored the buffer and have not encroached in it.
4. The houses were designed to step back on the two story units. Mr. Thatcher agreed that there will be residences within five (5) feet of parking and office uses.
5. They have provided 43 guest parking spaces in the street along with two additional spaces in the driveways located in front of the units.
6. The proposed project has 26.9% building coverage on site and the existing condominium project had 23.9 %. Mr. Thatcher stated the original specific plan allowed up to 45% coverage.
7. The original project had no side yards. Mr. Thatcher stated he believes there is adequate room for air conditioning units and trash cans in the private rear yards.

Relative to the Z-lot design, Mr. Thatcher stated he felt it was a creative way to bring the density to where it needs to be. Mr. Thatcher stated the project architect was available to answer questions. Mr. Thatcher asked the Commission for direction on how to bring a project back that would be more acceptable.

Chairman Webber stated he agreed with staff and did not feel there was sufficient open space.

Mr. Thatcher stated it was the goal of the builder to have private open space and wants to provide a rear yard.

Chairman Webber stated the open space element is one of the key features of this type of project. Chairman Webber stated they (Commission) are against all the concrete involved in this project.

Commissioner Macdonald stated driveways that run up alongside houses on the Z-lots are very noisy. Chairman Webber concurred with Commissioner Macdonald.

Commissioner Cook asked Mr. Thatcher for information on the width on the houses.

Mr. Mitchell Gardner, project architect, stated the minimum width is twenty-one feet.

Commissioner Miller stated the three-foot side yards would not provide adequate space for trash cans. Mr. Thatcher stated he did not have a response, and he would look into that matter. Commissioner Miller concurred with staff's concern relative to street parking and the limited opportunity for planting of trees and landscaping. Commissioner Miller expressed his concern on someone having to back out of a shared driveway with two other driveways merging onto it.

Chairman Webber closed the public hearing.

Commissioner Macdonald stated that he felt the project almost needs a complete redesign and he agreed with staff on their issues of concern. Chairman Webber concurred.

Chairman Webber opened the public hearing.

Mr. Thatcher stated the applicant is willing to return with a redesigned project and he asked if the Commission would be willing to support a single family project instead of the condominium project.

Commissioner Cook stated she appreciated the fact the applicant is willing to offset the garages so that it doesn't appear to be one massive garage.

Commissioner Laymon requested that the applicant return with a rendering that is closer to the project.

MOTION

It was moved by Commissioner Macdonald, seconded by Commissioner Miller, and carried on a 7-0 vote to table Specific Plan 39 (Revision 1) and Tentative Tract No. 16444 and direct the applicant to redesign the project addressing the issues raised by staff in the staff report and by reducing the density to obtain more open space that meets the Planned Residential Development standard as follows: Twenty (20%) percent of the site shall be devoted to open space that is a minimum dimension of fifty (50) feet and accessible to each lot by a pedestrian walkway system. Said open space area should include a swimming pool, putting greens, court games, or other recreational facility.

IV. NEW BUSINESS

- A. **COMMISSION REVIEW AND APPROVAL NO. 761** - PUBLIC HEARING for the Planning Commission to consider a recommendation to the City Council for a Mitigated Negative Declaration and Socio-Economic Cost /Benefit Study for a Commission Review and Approval to construct a two-story warehouse and office building with an area of 6,750 square feet located on Stuart Avenue approximately one-hundred feet (100') east of Ninth Street in the Service Commercial District of the Downtown Specific Plan No. 45. Request submitted by JOHN AND BETH KIMM.

Mr. Asher Hartel gave a brief presentation on the proposed project. Mr. Hartel stated the building architecture is not consistent with the Downtown Specific Plan guidelines, which discourage the use of metal panels. Mr. Hartel stated that staff is recommending the corrugated metals be modified to be consistent with the front portion of the building. For that reason, Mr. Hartel requested the proposed project be continued to October 14, 2003.

Mr. Hartel stated that staff has a concern relative to the landscape plan and is recommending the use of shade trees from the List of Planning Commission Shade Trees.

Commissioner Miller stated the applicant would require 2-hour construction such as concrete block on the west side because of the zero lot line. Commissioner Miller stated the west side of the building was visible from 9th Street and it should have an architectural interest added as well.

Chairman Webber opened the public hearing.

Mr. Bud Thatcher, Thatcher Engineering, concurred with staff's recommendation and stated that he did not believe the project should be continued. He suggested the addition of a condition of approval requiring the project meet shade tree requirements. Mr. Thatcher stated the building is not visible from 9th Street.

Mr. John Kimm, 929 College Avenue, stated that he would agree to add a wraparound on the west side. Mr. Kimm stated his greatest concern was the cost.

Commissioner Osborne advised Mr. Kimm that the Downtown Specific Plan discourages the use of metal siding. Mr. Kimm responded by saying he would add split-faced block if he could, but it would add \$100k to the cost of his project.

Mr. Shaw stated that metal siding has not been approved for new construction since adoption of the Downtown Specific Plan. Mr. Shaw stated that staff felt the Downtown standards should be adhered to, as it sets the criteria and standards for the area.

Commissioner Thompson asked if the project was located in the redevelopment area, and if so, would the applicant be eligible for financial assistance. Mr. Shaw stated that it was possible and he recommended the applicant speak with him or Bob Dalquest.

Commissioner Miller stated the City developed architectural standards because of the historic district, and he did not think the applicant would have to spend a lot of money to make the building look historical. He continued by saying the octagonal windows on the building, which are a residential feature, are disproportionately small compared to the size of the building.

Mr. Thatcher stated he would be happy to continue the project in order to bring back alternatives to the Commission. Chairman Webber suggested the applicant use the Holly Oak tree throughout the development.

MOTION

It was moved by Commissioner Osborne, seconded by Commissioner Thompson, and carried on a 7-0 vote to continue Commission Review and Approval No. 761 to October 14, 2003.

Commissioner Miller left the meeting at 5:20 p.m. due to a prior appointment.

- B. CONDITIONAL USE PERMIT NO. 485 (Revision 2)-** PUBLIC HEARING for the Planning Commission to consider a Socio-Economic Cost /Benefit Study and a Conditional Use Permit for an expansion to an existing shopping center to include the construction of two (2) new buildings with an area of two-thousand (2000) square feet each and a storage area expansion of three-thousand five hundred (3,500) square feet to an existing grocery store located on Orange Street south of Pearl Street in the Town Center District of Specific Plan No. 45. Request submitted by RAYMOND

ARJMAND.

Mr. Hartel gave a brief presentation on the proposed project. Mr. Hartel stated that staff is unable to determine if the project meets all development standards due to a lack of detail on the site plans and he recommended the project be continued to October 14th. Mr. Hartel stated staff is in need of a more detailed plan, more information on project parking, a landscape plan, and information on signage, roof screening, and walls.

Chairman Webber opened the public hearing.

Mr. Raymond Arjmand, stated he is proposing to build two (2) pads in the shopping center. Mr. Arjmand stated his proposed project will not require additional parking based on a conversation he had with City staff.

Chairman Webber stated the trees that are currently located on the site can either be left there or transplanted somewhere else on site.

Commissioner Macdonald asked Mr. Arjmand if the block wall located on 6th street would be eliminated. Mr. Arjmand responded by saying a portion of it would be eliminated.

Chairman Webber closed the public hearing.

Commissioner Laymon questioned whether the new parking lot landscape standards would be applied to the project since it is not a new project. Mr. Shaw stated since the parking lot and pads were approved sixteen (16) years ago, it would not have to be brought up to current Code requirements, however staff will verify that there is adequate parking on site.

MOTION

It was moved by Commissioner Osborne, seconded by Commissioner Thompson, and carried on a 6-0 vote to continue Conditional Use Permit No. 485 (Revision 2) to the October 14, 2003 Planning Commission meeting.

The Commission decided to continue with the items listed on the agenda in order to accommodate interested parties who were seated in the audience.

- C. **CONDITIONAL USE PERMIT NO. 808** - PUBLIC HEARING for the Planning Commission to consider a Conditional Use Permit to establish an aerobic center at 482 North Orange Street in the TC, Town Center District of the Downtown Specific Plan. Request submitted by NORMA BROKAW.

Mr. Richard Malacoff stated the applicant requested a continuance to September 23rd in order to confirm her Municipal Utilities Department fees.

Chairman Webber opened the public hearing.

It was determined that the Commission would hear the Conditional Use Permit since the matter in question would not affect approval of the Conditional Use Permit.

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

Ms. Norma Brokaw, applicant, stated the quote of estimated fees she was given did not match the numbers listed in the Municipal Utilities Department Conditions of Approval that are listed in the staff report.

Chairman Webber closed the public hearing.

MOTION

It was moved by Commissioner Thompson, seconded by Commissioner Laymon, and carried on a 6-0 vote to approve Conditional Use Permit No. 808 based on the following findings:

1. The Aerobics Studio applied for at 482 Orange Street is proper for a Conditional Use Permit;
 2. The Aerobics Studio 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 Aerobics Studio is not detrimental to existing or permitted uses in the Town Center District of Specific Plan No. 45 where it would be located;
 4. The size and shape of the site are adequate for the proposed Aerobics Studio;
 5. The site properly relates to Orange Street which is designed and improved to carry the type and quantity of traffic to be generated by the proposed Aerobics Studio;
 6. The conditions set forth on this Conditional Use Permit are deemed necessary and reasonable to protect the public health, safety and general welfare; the best interests of the neighborhood;
 7. The proposed project will be consistent with the existing Commercial Designation.
- D. **VARIANCE NO. 661** - PUBLIC HEARING for Planning Commission consideration of a Variance from Section 18.40.120 of the Redlands Municipal Code to reduce the requirement for a front-yard setback for a residential building from twenty-five (25) feet to thirteen (13) on the Cypress Avenue frontage located at 540 Alvarado Street in the R-S, Suburban Residential District . Request submitted by BRETT PEARL.

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

Chairman Webber opened the public hearing.

Mr. Brett Pearl, applicant, stated he will not encroach into his front yard which is located on Cypress Avenue.

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 approve Variance No. 661 subject to the attached Conditions of Approval:

1. There are exceptional circumstances to this proposal because the lot was subdivided prior to the current regulations which makes it impossible to make any additions which meet the code requirements since the building is already in the front-yard setback and this factor is mitigated by the fact that the setback will not increase beyond what currently exists.
 2. There are many instances on Cypress Avenue, Buena Vista Street, and Fern Avenue, that already have the setbacks requested and a variance for the front yard setback has been recently granted under Variance Nos. 617 and 658.
 3. The applicant's request for reduced front yard setbacks will not have a negative impact on the City, neighborhood, or any specific property owner.
 4. The granting of the requested variance will not have any conflict with the City's General Plan.
- E. **COMMISSION REVIEW AND APPROVAL NO. 754** - Public Hearing for Planning Commission consideration of a recommendation to the City Council for a Mitigated Negative Declaration, Socio-Economic Cost Benefit Study and a Commission Review and Approval to construct a one-

story, 9,000 square foot office and warehouse building on a 1.93 (approximate) acre vacant property located at 11018 Iowa Street in the EV/IC Commercial Industrial District of the East Valley Corridor Specific Plan. Request submitted by TOM HODGIN.

Mr. Manuel Baeza stated there are two (2) historic structures located on the project site. For that reason, the Historic and Scenic Preservation Commission will review the project on October 9th. Mr. Baeza requested the proposed project be continue to October 14th 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 Thompson, seconded by Commissioner Macdonald, and carried on a 6-0 vote to continue Commission Review and Approval No. 754 to the October 14, 2003.

- F. **VARIANCE NO. 662-** Public Hearing for the Planning Commission to consider a Variance from Section 18.36.100 of the Municipal Code to allow a five (5) foot reduction in the required side yard setback from the required ten (10) foot side yard setback for an existing single family residence located at 511 Marilyn Lane in the R-E, Residential Estate District. Request submitted by H. DAVID McCUISTION.

Mr. Baeza gave a brief presentation on the proposed project. Mr. Baeza stated that staff is recommending approval of the variance with a six (6) foot four (4) inch sideyard setback.

Chairman Webber opened the public hearing.

Mr. H. David McCuiston stated he appreciated the work of the Planning Division and he concurred with staff's recommendations. Mr. McCuiston stated he had two letters signed by the two neighbors located immediately to the west of the proposed project stating they have no objections to the proposed project.

Chairman Webber closed the public hearing.

MOTION

It was moved by Commissioner Osborne, seconded by Commissioner Cook, and carried on a 6-0 vote to approve Variance No. 662 subject to the following findings and attached conditions of approval:

1. There are exceptional or extraordinary circumstances or conditions applicable to the property or the intended use that do not apply generally to other properties or uses in the same vicinity and zone.
2. That the variance is necessary for the preservation and enjoyment of a substantial property right possessed by other properties in the same vicinity and zone district, but which is denied to the property in question.
3. That the granting of the variance will not be detrimental to the public welfare or injurious to the property or improvements of others in the vicinity.
4. That the granting of the variance will not adversely affect the General Plan of the City of Redlands.

Commissioner Macdonald requested the meeting be adjourned to the evening session to allow the Commissioners an opportunity for a meal break.

Chairman Webber adjourned the meeting at 5:55 p.m.

7:00 P.M.

Chairman Webber reconvened the meeting at 7:00 p.m. All commissioners were present with the exception of Commissioners Cook and Miller.

- G. **TENTATIVE TRACT NO. 16402** -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 8.93 gross acres into twenty-seven (27) residential lots located south of Madeira Avenue, north of Mentone Boulevard, west of Sapphire Avenue and east of Plumwood Lane in the R-1, Single Family Residential and R-E, Residential Estate Districts. Request submitted by A.K.S. and BEK PARTNERS.
- H. **ZONE CHANGE NO. 391** - PUBLIC HEARING for a recommendation to the Planning Commission and City Council on a Negative Declaration for a Zone Change from unincorporated county property to R-1 Single Family Residential District and RE, Residential Estate District on two (2) contiguous parcels totaling 8.93 gross acres located south of Madeira Avenue, north of Mentone Boulevard, west of Sapphire Avenue and east of Plumwood Lane. Request submitted by A.K.S. and BEK PARTNERS.

Commissioner Miller arrived at 7:03 p.m.

Mr. Baeza gave a brief presentation on the proposed project. Mr. Baeza stated that staff is recommending approval of Tentative Tract No. 16402 with the addition of Condition of Approval No. 24 that would require that the approval of the tentative tract map be contingent upon annexation of the property into the City.

Commissioner Miller interrupted the discussion, noting a possible conflict of interest, and recused himself at 7:08 p.m.

Chairman Webber opened the public hearing.

Mr. Bud Thatcher, Thatcher Engineering, stated he concurs with staff's recommendation. Mr. Thatcher stated they tried to make the lots extra deep. Mr. Thatcher stated he would be willing to except a Condition of Approval that would require a minimum 100 foot flat lot depth.

Chairman Webber closed the public hearing.

Mr. Baeza stated noted the addition of Condition of Approval 24 to read:

The approval of the Tentative Tract Map is contingent upon the annexation of the property into the City;

and the addition of Condition of Approval 25 to read:

The Tentative Tract map shall provide a minimum one-hundred (100) foot level lot from the street right-of-way to the toe top or the rear slope.

MOTION

It was moved by Commissioner Laymon, seconded by Commissioner Macdonald, and carried on a 5-0 vote that the Planning Commission recommend approval to the City Council for the Socio-Economic Cost Benefit Study for Zone Change No. 391 and Tentative Tract Map No. 16402 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 Thompson, and carried on a 5-0 vote that the Planning Commission approve Planning Commission Resolution No. 1000 recommending to the City Council approval of Zone Change No. 391.

MOTION

It was moved by Commissioner Laymon, seconded by Commissioner Macdonald, and carried on a 5-0 vote that the Planning Commission recommend approval to the City Council of Tentative Tract Map No.16402 subject to 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-E, Residential Estate and R-1, Single Family 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 (27) lots;
3. The site is physically suitable for the density of development of a twenty seven (27) lot subdivision. The General Plan Land Use Designation of Low Density allows (27) 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 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 seven (7);
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; the project will accommodate existing easements and all streets will be public;
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,

the addition of Condition of Approval 24 to read:

The approval of the Tentative Tract Map is contingent upon the annexation of the property into the City;

and the addition of Condition of Approval 25 to read:

The Tentative Tract map shall provide a minimum one-hundred (100) foot level lot from the street right-of-way to the toe top or the rear slope.

MOTION

It was moved by Commissioner Laymon, seconded by Commissioner Osborne, and carried on a 5-0 vote (Commissioner Miller excused) that the Planning Commission recommend approval to the City Council for the Mitigated Negative Declaration for Zone Change No. 391 and Tentative Tract Map No. 16402, 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.

Mr. Jaquess suggested the Commission hear agenda items IX-A, B, and C out of order to accommodate the large group of people seated in the audience who were interested in the outcome of the project.

Commissioner Miller returned to the meeting at 7:20 p.m.

Commissioner Cook arrived at the meeting at 7:20 p.m.

- 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. Shaw stated that he wanted to explain the development review process as there seemed to be confusion regarding how development projects are processed.

Mr. Shaw stated applications are divided into two (2) categories, legislative and development. Currently, there are two legislative applications, a General Plan Amendment and a Specific Plan Amendment, and a development application, associated with this project that are pending before the Planning Commission.

Mr. Shaw stated that submitted applications are reviewed by staff, first at the Environmental Review Committee, a technical committee made up of members of City staff. The project is then reviewed by staff which makes recommendations to the Planning Commission. Mr. Shaw stated the project has been continued a number of times at the request of the applicant. Mr. Shaw stated there was another recommendation for continuance of the proposed project. Mr. Shaw stated the Commission has the opportunity to approve or to deny a project if they feel that requests for continuances are unwarranted.

Mr. Shaw stated there was an issue raised at the last Planning Commission meeting with regard to time extensions and a concern that the project might be approved as a result of lack of action, or continuances being granted on a regular basis. Mr. Shaw stated that there are several time frames that are regularly monitored by staff.

Mr. Malacoff stated the project has a time line with the final extension date of October 27th, so an action will need to be taken before that time. Mr. Malacoff stated the City and the applicant will enter into an agreement that the applicant will waive all claims to automatic approvals so there is no end date relative to approval of this project. Mr. Malacoff stated staff is recommending a continuance to the October 14th Planning Commission meeting.

Mr. Shaw stated that staff received a draft of an alternative plan and they will be providing feedback to the

applicant.

Chairman Webber opened the public hearing.

Ms. Leslie Levine, 1368 Oak Street, stated last month she sent a letter to the Commissioners and the City Planner voicing her concern over the possible change of zoning at the southeast corner of Ford Street and Redlands Boulevard. Ms. Levine urged the Commission to take a trip to the site before making a decision that will affect the many residents who use Ford Street as their gateway to home. Ms. Levine expressed her concern on the added noise and dangerous traffic conditions that will be generated by Ralph's Market.

Mrs. Joan Macey, 387 Los Robles Crest, cited a recent article in the L. A. Times that mentions Redlands' good schools, beautiful restored homes, pedestrian friendly downtown, University of Redlands, and the Smiley Library. Mrs. Macey stated she is concerned about the added noise and air pollution, light pollution, and crime and she is opposed to the zone change.

Mr. Robert Macey, 387 Los Robles Crest, expressed his concern about egress into the shopping center. Mr. Macey stated there is only one way to get in and out of the development. Mr. Macey expressed his concern of the developer and stated that he (developer) has not been very responsive to the community.

Chairman Webber closed the public hearing.

Commissioner Thompson noted that he wants to make sure that they receive a new traffic study with the alternative proposal.

MOTION

It was moved by Commissioner Macdonald, seconded by Commissioner Laymon, and carried on a 7-0 vote that the Planning Commission continue General Plan Amendment No. 90, Amendment No. 4 to Specific Plan No. 23, and Conditional Use Permit No. 793 to the October 14th Planning Commission meeting.

V. ADDENDA

- A. Citrus tree removal for Tract No. 16408 (Centex Homes) located at the southwest corner of Wabash Avenue and Fifth Avenue.

Mr. Jaquess stated the developer of the Centex Homes site (Wabash and Fifth Street) has identified the need to remove some of the orange trees that were shown on their plans at the time of approval. Mr. Jaquess stated there are rows of trees along Wabash, Sixth Street, and La Salle, where the road is at a different grade than the trees and it is not practical to retain the trees. Mr. Jaquess stated the developer is proposing to maintain the row of trees that is farthest from the street, remove the row of trees adjacent to the street, and plant new trees in their place. Mr. Jaquess indicated that Mr. Meyer would explain what is being proposed by the developer.

Chairman Webber opened the public hearing.

Mr. Pat Meyer, Urban Environs, circulated a site plan of the lots where the citrus was going to be preserved and explained proposed plan. Mr. Meyer stated that he did not think it was a good idea to have a 2:1 slope immediately behind the back of the sidewalk. Mr. Meyer stated they are proposing a 5:1 gradual slope.

Commissioner Cook asked Mr. Meyer what size trees were going to be planted. Mr. Meyer responded by saying they would prefer new trees that come wrapped in a burlap sack.

Chairman Webber closed the public hearing.

Chairman Webber asked for a consensus on the type of slope. It was determined that the preference of the

Planning Commission was a 5:1 slope, rather than the 2:1 slope.

VI. APPROVAL OF MINUTES

MOTION

It was moved by Commissioner Osborne, seconded by Commissioner Miller, and carried on a 7-0 vote to approve the Planning Commission minutes of August 12, 2003, with corrections noted.

VII. CORRESPONDENCE/COMMUNICATIONS

A. City Council Report

Mr. Shaw gave a brief presentation on the City Council actions of September 2nd.

B. Status of Major Projects

Mr. Shaw reviewed the Status of Major Projects list that was included in the Planning Commission packet.

X. ADJOURNMENT TO SEPTEMBER 23, 2003

Chairman Webber adjourned the meeting to September 23rd at 8:06 p.m.

Respectfully submitted,

Patricia Ortiz, Senior Admin. Assistant
Community Development Department

Jeffrey L. Shaw, Director
Community Development Department