

MINUTES of the Planning Commission Meeting of the City of Redlands held Tuesday, September 23, 2003, at 2:00 p.m. are as follows:

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

ABSENT: George Webber, Chair

ADVISORY STAFF

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

Vice Chairman Macdonald chaired the meeting in the absence of Chairman Webber. He called the meeting to order at 2:00 p.m. All commissioners were present except Chairman Webber and Commissioner Cook.

II. CONSENT ITEMS - None

III. OLD BUSINESS

- A. **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. Jaquess stated the applicant completed actions that were requested at the August 12th Planning Commission meeting and will be delivering revised plans to staff. Mr. Jaquess stated the applicant is requesting a continuance to October 28th.

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

MOTION

It was moved by Commissioner Thompson, seconded by Commissioner Osborne, and carried on a 5-0 vote that the Planning Commission continue Conditional Use Permit No. 797 to the Planning Commission meeting of October 28th.

Commissioner Cook arrived at 2:03 p.m.

IV. NEW BUSINESS

- A. **DEVELOPMENT AGREEMENT NO. 16 - PUBLIC HEARING** for the Planning Commission to consider a recommendation to the City Council on a Negative Declaration and a Development Agreement to lock-in the approved Facilities Master Plan for the Redlands Community Hospital on approximately 15 acres located at 350 Terracina Boulevard in the M-F (Medical Facility) District. Request submitted by REDLANDS COMMUNITY HOSPITAL.

Mr. Bob Dalquest gave a brief presentation on the proposed project and reviewed changes made to the Development Agreement. Mr. Dalquest stated the Municipal Code requires an insurance and indemnity clause be inserted into the Development Agreement. Mr. Dalquest noted the indemnity clause has been added to the motion for approval.

Commissioner Miller asked Mr. Dalquest to clarify the rate that would apply for payment of development fees. Mr. Dalquest stated those development impact fees (or increases) existing at the time of the development approval would apply.

Chairman Macdonald opened the public hearing.

Mr. Pat Meyer, representing the applicant, acknowledged members of the Redlands Community Hospital Board of Directors who were seated in the audience. Mr. Meyer stated the reconstruction of major portions of the hospital will require a long term financial commitment by the hospital and the applicant is prepared to pay the appropriate fees over the next 25-30 years as the hospital is upgraded. Mr. Meyer stated the applicant reviewed the conditions of approval, including the indemnity clause, and is requesting the Planning Commission recommend approval of the project to the City Council.

Chairman Macdonald closed the public hearing.

MOTION

It was moved by Commissioner Osborne, seconded by Commissioner Thompson, and carried on a 6-0 vote that the Planning Commission recommend approval to the City Council on the Negative Declaration for Development Agreement No. 16 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 Osborne, seconded by Commissioner Thompson, and carried on a 6-0 vote that the Planning Commission approve Planning Commission Resolution No. 1002, recommending the City Council approve Development Agreement No. 16, subject to the following findings and subject to staff's recommendations:

1. The proposed Development Agreement is consistent with the objectives, policies, general land uses and programs specified in the City's general plan and any applicable specific plan;
2. The proposed Development Agreement is compatible with the uses authorized in, and the regulations prescribed for, the zoning district in which the real property is located;
3. The proposed Development Agreement is in conformity with and will promote public convenience, general welfare and good land use practice;
4. The proposed Development Agreement will not be detrimental to the public health, safety and general welfare;
5. The proposed Development Agreement will not adversely affect the orderly development of

property or the preservation of property values;

6. The proposed Development Agreement will promote and encourage the development of the proposed project by providing a greater degree of requisite certainty; and
7. That Development Agreement No. 16 therefore be recommended for approval, subject to staff's recommendation:

- a. **The Development Agreement shall be revised in the appropriate place, as determined by the City Attorney, to include an indemnity and insurance clause requiring the applicant to defend and indemnify the City against any claims arising out of the Development Agreement process pursuant to Section 18.220.070(c) of the Redlands Municipal Code.**

- B. **DEVELOPMENT AGREEMENT NO. 17 - PUBLIC HEARING** for the Planning Commission to consider a recommendation to the City Council on a Mitigated Negative Declaration and a Development Agreement to lock-in the existing development and performance standards of the land use regulations to the maximum extent allowed under the current zoning of a 4.5 acre property containing the Asistencia Villa Rehabilitation and Care Center and vacant land located at 1875 Barton Road in the A-1 (Agricultural District), A-P (Administrative and Professional Office) District, and the R-E (Residential Estate) District. Request submitted by REDLANDS HEALTH SERVICES.

Mr. Dalquest gave a brief presentation on the proposed project. Mr. Dalquest stated the intent of the Development Agreement was to provide assurance for the long term commitment required to expand the hospital's existing off-site facilities. Mr. Dalquest stated presently the site contains the Asistencia Villa rehabilitation and care center which augments the hospital's facilities by providing off-site transitional care and rehabilitation for certain patients. Mr. Dalquest reviewed minor changes made to Development Agreement No. 17. Mr. Dalquest stated two issues need to be addressed:

1. inclusion of an indemnity insurance clause,
2. the agreement should be modified so that it identifies the existing use of the site and the subsequent expansion of this use onto the remaining vacant land.

Chairman Macdonald opened the public hearing.

Mr. Pat Meyer, representing the applicant, concurred with the language recommended by the City Attorney, and requested the Commission recommend approval to the City Council.

Chairman Macdonald closed the public hearing.

MOTION

It was moved by Commissioner Laymon, seconded by Commissioner Thompson, and carried on a 6-0 vote that the Planning Commission recommend approval to the City Council on the Mitigated Negative Declaration for Development Agreement No. 17 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 Laymon, seconded by Commissioner Cook, and carried on a 6-0 vote that the Planning Commission approve Planning Commission Resolution No.1003, recommending that the City Council approve Development Agreement No. 17, subject to the following findings and subject to staff's recommendations:

1. The proposed Development Agreement is consistent with the objectives, policies, general land uses and programs specified in the City's general plan and any applicable

- specific plan;
 2. The proposed Development Agreement is compatible with the uses authorized in, and the regulations prescribed for, the zoning district in which the real property is located;
 3. The proposed Development Agreement is in conformity with and will promote public convenience, general welfare and good land use practice;
 4. The proposed Development Agreement will not be detrimental to the public health, safety and general welfare;
 5. The proposed Development Agreement will not adversely affect the orderly development of property or the preservation of property values;
 6. The proposed Development Agreement will promote and encourage the development of the proposed project by providing a greater degree of requisite certainty; and
 7. That Development Agreement No. 17 therefore be recommended for approval, subject to staff's recommendations:
 - a. The Development Agreement shall be revised in the appropriate place, as determined by the City Attorney, to include an indemnity and insurance clause requiring the applicant to defend and indemnify the City against any claims arising out of the Development Agreement process pursuant to Section 18.220.070(c) of the Redlands Municipal Code; and
 - b. The Development Agreement shall be revised to the satisfaction of the City Attorney by tying-down the existing use of the site and the subsequent expansion of this use onto the remaining 1.46 acres of vacant land in accordance with Section 18.220.050(4) and 18.220(B) of the RMC.
- C. **SPECIFIC PLAN NO. 58** - PUBLIC HEARING for the Planning Commission to consider a recommendation to the City Council on a Mitigated Negative Declaration and a Specific Plan to develop 5.01 gross acres into a seventy-two (72) unit condominium development located at the southwest corner of Orange Avenue and Kansas Street. Request submitted by ABCO REALTY AND INVESTMENTS.
- D. **TENTATIVE TRACT NO. 16548** - 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 5.01 gross acres into a seventy-two (72) unit condominium development in the 2500 RM Multiple Family Residential District of the East Valley Corridor Specific Plan (proposed Specific Plan No. 58) located at the southwest corner of Orange Avenue and Kansas Street. Request submitted by ABCO REALTY AND INVESTMENTS.

Mr. Manuel Baeza distributed a letter received from the applicant which requested continuing the project until the October 28th Planning Commission meeting. Mr. Baeza stated that he was contacted by a Planning Commissioner who indicated that he would like the proposed project to be discussed at the Planning Commission meeting.

Commissioner Laymon asked Mr. Baeza if the Socio Economic Cost Benefit Study model takes into account the rising costs taken out of the general fund for services. Mr. Baeza stated the model is based on current revenue levels and does not take into account increases in the cost of providing services.

Commissioner Miller stated that staff did a good job of raising concerns and he concurred with the concerns

raised by staff. Commissioner Miller stated that he did not recognize "Monterey" architecture as depicted in the rendering.

Commissioner Miller expressed concern about the private open space depicted on the rendering. Mr. Baeza stated that the applicant is not planning on landscaping or maintaining the private open space. Commissioner Miller expressed his concern on the tandem parking space for the two bedroom units.

Commissioner Osborne expressed his concern that the front of building which is a small internal courtyard has no room for landscaping and the garages present a continuous concrete row. Commissioner Osborne suggested there should be landscaping along the private street corridors in front of the units. Discussion was held relative to the side yards and it was determined the distance between the garage and fence is too narrow to allow trash cans to pass.

Commissioner Miller concurred with Commissioner Osborne and stated within the courtyard the distance from the occupied portion and the garage is less than ten (10) feet. Commissioner Miller stated there is a pilaster proposed on exhibit 5.7 that he could not quite figure out and he expressed his concern that the single garage is 10 feet by 20 feet. Discussion was held with respect to the narrowness of the side yards. It was determined that the side yards are too narrow to take a trash can from the back yard to the front yard.

Chairman Macdonald asked if it were normal for a specific plan to supersede the Municipal Code. Mr. Shaw stated typically that is the role of the specific plan. Chairman Macdonald stated he felt the project was too dense, had inadequate guest parking, the tandem parking is incorrect, and he questioned the glass security walls and wrought iron fences compared with the block walls. Chairman Macdonald questioned the street setbacks, landscape, dead end streets, inadequate covered parking, and the issues concerning solid waste services.

Commissioner Laymon stated she felt the project was too dense although the project is consistent with the City's General Plan.

Chairman Macdonald closed the public hearing.

MOTION

It was moved by Commissioner Osborne, seconded by Commissioner Thompson, and carried on a 6-0 vote that the Planning Commission continue Specific Plan No. 58 and Tentative Tract Map No. 16548 to October 28, 2003.

- E. **CONDITIONAL USE PERMIT NO. 810** - PUBLIC HEARING for the Planning Commission to consider a Conditional Use Permit to establish a Bed and Breakfast Facility containing five (5) guest rooms located at 256 Cajon Street in the A-P, Administrative Professional District. Request submitted by DEBORAH HARMON.

Mr. Richard Malacoff stated the applicant is requesting a continuance to the October 14th Planning Commission meeting.

Chairman Macdonald opened the public hearing. Seeing no comments forthcoming, Chairman Macdonald 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 continue Conditional Use Permit No. 810 to the Planning Commission meeting of October 14, 2003.

- F. **MINOR COMMISSION APPROVAL NO. 32** - PUBLIC HEARING for the Planning Commission to consider a Minor Commission Approval to allow a two (2) foot reduction in the required side

yard setback from the required ten (10) foot setback for an addition to a single family residence located at 1705 Shirley in R-S, Residential District. Request submitted by ROGELIO GARCIA. Mr. Malacoff gave a brief presentation on the proposed project. Mr. Malacoff asked the applicant if he would be willing to build another block wall to obscure the proposed addition. The applicant stated he would.

Chairman Macdonald opened the public hearing.

Mr. Rogelio Garcia (applicant) stated he wanted to add onto his house to accommodate his three teenage children.

Chairman Macdonald 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 Minor Commission Approval No. 32 for the reduction of the ten (10) foot side yard setback by two (2) feet resulting in a total setback of eight (8) feet for the property located at 1705 Shirley Lane subject to the attached Conditions of Approval.

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

Mr. Malacoff stated the original application was withdrawn and resubmitted and currently staff is evaluating the application for completeness. No action was necessary since the application was withdrawn.

Assistant City Attorney Les Murad left the meeting 2:53 p.m.

- J. **RDA 2003-III-1** - A recommendation to the City Council for the approval of Planning Commission points on a Residential Development Allocation request for one (1) lot within Tentative Tract No. 16360, an approved seventy-six (76) lot subdivision on approximately 8.86 acres in Specific Plan No. 57 located at the southeast corner of Orange Avenue and Iowa Street. Request submitted by ALEXANDER COMMUNITIES.

Mr. Jaquess stated this is the third time the applicant has come before the Commission requesting a Residential Development Allocation; the project was awarded 40 allocations in March 2003, and 35 allocations in June 2003.

Mr. Jaquess stated that the applicant is before the Commission requesting one unit that has not been allocated. Mr. Jaquess reviewed the Residential Development Allocation categories for the proposed project and the Planning Commission recommended to the City Council a total of 91 Residential Development Allocation points for this project.

- K. **RDA 2003-III-04** - A recommendation to the City Council for the approval of Planning Commission points on a Residential Development Allocation request for twenty-nine (29) units within Tentative Tract No. 16408 an approved residential subdivision consisting of sixty-four (64) lots on 40.06 acres located at the southwest corner of Fifth Avenue and Wabash Avenue in the R-E, Residential Estate District. Request submitted by CENTEX HOMES.

Mr. Jaquess stated the project was awarded 35 residential allocations in June 2003, with 29 lots remaining that require allocation. Mr. Jaquess stated the applicant is before the Commission to request the 29 remaining allocations. Mr. Jaquess reviewed the Residential Development Allocation categories for the proposed project and the Planning Commission recommended to the City Council a total of 97 Residential Development Allocation points for the project.

- L. **RDA 2003-III-05** - A recommendation to the City Council for the approval of Planning Commission points on a Residential Development Allocation request for thirty-five (35) lots within Tentative Tract No. 16174 an approved planned residential subdivision consisting of sixty-nine (69) lots on 29.2 acres located on the north side of Pioneer Avenue approximately 440 feet east of the terminus of Occidental Drive. Request submitted by CENTEX HOMES.

Mr. Manuel Baeza stated the project received an allocation for 16 units during the last quarter, with 52 units remaining that require allocation. Mr. Baeza reviewed the Residential Development Allocation categories for the proposed project and the Planning Commission recommended to the City Council a total of 89 Residential Development Allocation points for the project.

- M. **RDA 2003-III-06** - A recommendation to the City Council for the approval of Planning Commission points on a Residential Development Allocation request for thirty-five (35) lots within Tentative Tract No. 16359 an approved planned residential subdivision consisting of forty-three (43) lots on 13.8 acres located on the north side of Pioneer Avenue approximately 300 feet east of Texas Street in the R-E, Residential Estate District and the R-S, Suburban Residential. Request submitted by SHEA HOMES.

Mr. Baeza reviewed the Residential Development Allocation categories for the proposed project and the Planning Commission recommended to the City Council a total of 78 Residential Development Allocation points for the project.

- N. **RDA 2003-III-07** - A recommendation to the City Council for the approval of Planning Commission points on a Residential Development Allocation request for Tentative Tract No. 16139 an approved residential subdivision consisting of nineteen (19) lots on 7.20 acres located north of Cypress Avenue, east of Heather Lane and west of Linda Vista Avenue in the R-S, Suburban Residential District. Request submitted by JOSEPH F. O'BRIEN.

Mr. Joseph O'Brien (applicant) stated he was shocked when he read the staff report to find that his project was rated the lowest of seven projects by a considerable margin. Mr. O'Brien stated previously the project was before the Commission and it received 79 points; this time it received 82 points. Mr. O'Brien stated when the project was awarded the 79 points, there was no landscape plan nor site plan included in the packet. Mr. O'Brien stated the landscape and site plans were turned in the following day after the deadline and were disallowed as part of the submittal by the City Council.

Mr. O'Brien continued by stating he changed the architect and the landscape firm prior to this second submittal. Mr. O'Brien stated he was stunned to find that he received only three additional points after:

1. adding a complete landscape plan
2. submitting a site plan showing that all the lots are different
3. and preserving the views throughout the project.

He stated he received comments that more trees are needed in the front yard. Mr. O'Brien stated that one oak tree was removed from a swamp area and another tree was set aside to be used again. Mr. O'Brien introduced Mr. Paul Majos, the project architect

Mr. Paul Majos, architect, stated Mr. O'Brien requested that he review the project. Mr. Majos stated when designing a project, preserving the views is very important. Mr. Majos stated Mr. O'Brien's project is an excellent design with clustered homes and cul-de-sac. Mr. Majos asked the Commission to reconsider the points for the project relative to its site, architecture, and design.

Mr. Joe Verska, grading contractor, stated he was available to answer questions. Mr. Verska commented that the project was nicely laid out for the neighborhood.

Mr. Dusty Shenski, Project Superintendent, stated that only one (1) oak tree was removed.

Mr. Larry Lesser, Total Concept Landscape Architecture, stated there are seven (7) large mature, canary island palm trees that have been preserved as part of the project. Mr. Lesser stated all the street trees are 24 inch box trees and the palm trees on Cypress are 15 inch round trunk. Mr. Lesser stated the views from the project look down into a large orange grove and onto the mountains. Mr. Lesser noted that the front yard plants are five (5) gallon plants which are different from most developments that almost exclusively use one (1) gallon plants for the front yard.

Mr. Bernie Mayer, Sitetech Engineering, stated that he was available to answer questions. Mr. Mayer confirmed that one (1) oak tree was removed.

Commissioner Miller asked Mr. Mayer for information on the height and location of the retaining walls.

Commissioner Miller stated he was struggling with the fact that a great deal of effort has been made with regard to grading to get as many houses on the property as possible.

Mr. Mayer stated that some units were given up during the tentative map process. Mr. Mayer stated that the project requires some grading to have the lots fit properly and have adequate yard area.

Commissioner Laymon stated she was contacted by a member of the Street Tree Committee who commented on the oak that was removed. Commissioner Laymon stated that the Committee member wanted to know if that particular oak tree had been conditioned to remain during the processing of the original Novak tract.

Mr. Shaw stated that a complaint was logged with the Department regarding the oak tree. Mr. Shaw stated that staff reviewed the original Conditions of Approval and there was no Condition of Approval requiring the maintenance of the oak tree. Mr. Shaw stated that Mr. Novak commented that he would try to incorporate the oak tree into the project.

Mr. Baeza reviewed the Residential Development Allocation categories for the proposed project.

Commissioner Osborne asked why the project was given -2 points, when a similar project with the same staff comments was given zero points. Commissioners Thompson and Cook concurred with Commissioner Osborne's statement.

Mr. Shaw stated the comments indicated that no ecologically sensitive areas exist on or near the project site, which was incorrect. Mr. Shaw stated that staff recognized there was a drainage channel with wildlife and vegetation, as well as oak trees on site which are being removed and this accounted for staff's recommendation of -2 points.

Commissioner Miller asked that the comment for Section 2-C be reworded to reflect the additional information provided by Mr. Shaw.

There was a question whether there is a garden wall on the site. Mr. O'Brien stated there are retaining walls at the rear of the property that are split-faced block walls.

The Planning Commission recommended to the City Council a total of 86 Residential Development Allocation points for the project.

- O. **RDA 2003-III-02** - A recommendation to the City Council for the approval of Planning Commission points on a Residential Development Allocation request for thirty-five (35) lots within Tentative Tract No. 16390 an approved planned residential subdivision consisting of 139 residential lots on 46.45 acres located along the south bank of the Santa Ana River west of Orange Street and north of Pioneer Avenue in the R-E, Residential Estate District and R-1, Single Family Residential District. Request submitted by BEAZER HOMES.

Mr. Malacoff stated that 75 units have been allocated with 64 units remaining to be allocated. Mr. Malacoff reviewed the Residential Development Allocation categories for the project and the Planning Commission recommended to the City Council a total of 93 Residential Development Allocation points for the project.

- P. **RDA 2003-III-3** - A recommendation to the City Council for the approval of Planning Commission points for a Residential Development Allocation application for Tentative Tract No. 12382 an approved thirty-one (31) lot subdivision on approximately 37.26 in the acres in the R-A-A, Residential Estate District located on the south side of Sunset Drive and east of Wabash Street. Request submitted by GRIFFIN INDUSTRIES.

Mr. Malacoff stated the project had not been evaluated previously. Mr. Malacoff reviewed the Residential Development Allocation categories for the project and the Planning Commission recommended to the City Council a total of 97 Residential Development Allocation points for the project.

Chairman Macdonald recessed the meeting at 4:39 p.m.

Chairman Macdonald reconvened the meeting at 4:44 p.m.

Mr. Shaw stated that four of the projects reviewed exceeded the minimum point score of 90, for a total of 96 Residential development Allocations. Mr. Shaw stated there is a possible 117 Residential Development Allocations that could be granted this quarter. For that reason Mr. Shaw stated the Commission might want to consider re-evaluating the projects that did not meet the minimum score to decide if they want to modify their recommendation to the City Council. Mr. Shaw stated that the projects that did not meet the minimum score are Centex Homes at Pioneer Avenue with 89 points, Shea Homes at Pioneer Avenue/Texas with 78 points, and Meadow Wood Homes at Cypress Avenue with 86 points.

Commissioner Osborne recommended that Centex homes with a score of 89 points be awarded the additional point. Commissioner Thompson stated that he contemplated giving Centex an extra point under Section 4A-Landscape because the proposed project preserves a bluff and a trail. Commissioners Macdonald, Cook, Osborne, Laymon, and Miller unanimously decided to revise the Landscape subtotal to nine (9) points, for an overall total of 90 points for the project.

Discussion was held relative to points awarded to Meadow Wood Homes. Commissioner Cook stated she felt the Commission awarded Mr. O'Brien's project the maximum points possible and she indicated that Mr. O'Brien may have to look at other departments for more points. Mr. Shaw stated Mr. O'Brien could redesign or come back with a different architectural style or improved landscaping. Commissioner Osborne stated he felt there was a lot in the landscaping section that was not depicted, including a garden wall and the installation of front yard landscaping rather than leaving it up to the residents.

V. ADDENDA

- A. **CONDITIONAL USE PERMIT NO. 710 (Revision No. 1) - Final Landscape Plan.** Request submitted by PROJECT HOME AGAIN.

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

Chairman Macdonald opened the public hearing.

Mr. John Melcher, Project Architect, requested that the sycamore and sweet gum trees be planted as indicated on the landscape plan instead of replacing them with the canary island pine as recommended by staff. Mr. Melcher stated that the canary island pine is a poor choice due to the sap and needles it drops during the hot months.

Commissioner Thompson concurred with Mr. Melcher. Commissioner Thompson suggested the project be approved subject to review by Chairman Webber and the Community Development Director.

Commissioner Osborne suggested the trees be selected from the approved Parking Lot Tree list. Mr. Malacoff noted that Condition of Approval 8 would be added to read:

The applicant shall have the choice of the Parking Lot Trees to be approved by the Community Development Director and one Planning Commissioner.

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 plan for Revision One to Conditional Use Permit No. 710 subject to the recommended changes contained in the staff report:

1. These Conditions shall supplement the previous Conditions that were approved as part of Revision One to Conditional use Permit No. 710.
2. The plan shall clearly show the location of the concrete mow strips used between turf and other surfaces.
3. Clear indication where landscaping will be used to screen mechanical, electrical, or irrigation equipment.
4. Ground mounted equipment such as mechanical, electrical, or irrigation equipment (Backflow preventers) shall be placed within a landscape planter with shrubbery and enclosed by a concrete mow strip. This type of equipment shall not be placed in a turf area.
5. The applicant shall clearly state on the plans the total area of parking and the percentage in landscaping which is twelve (12) percent of the parking area.
6. Landscape and Irrigation Plans must be attached to the Building Plans submitted to the Building and Safety Division of the Community Development Department.
7. Submit one copy of the Landscape and Irrigation Plans directly to the Planning Division of the Community Development Department.
8. **The applicant shall have the choice of parking lot trees to be approved by the Community Development Director and one Planning Commissioner.**
- B. Alcoholic Beverage Control license for Eastern Classic Thai Restaurant at 461 Tennessee Street, Ste. H.

Mr. Jaquess stated the request is for the transfer of a person-to-person alcoholic beverage license to a new business. Mr. Jaquess stated staff is unaware of any problems at the location.

MOTION

It was moved by Commissioner Laymon, seconded by Commissioner Thompson, and carried on a 6-0 vote to

approve the On-Sale Beer and Wine Alcoholic Beverage license for Eastern Classic Thai Restaurant. No conditions are recommended to be added as there are no problems associated with this facility.

VI. APPROVAL OF MINUTES

A. September 9, 2003

MOTION

It was moved by Commissioner Osborne, seconded by Commissioner Cook, and carried on a 6-0 vote to approve the Planning Commission minutes of September 9th.

VII. CORRESPONDENCE/COMMUNICATIONS

A. City Council Report

Mr. Shaw gave a brief presentation on the City Council actions of September 16th.

VII. ADJOURNMENT TO OCTOBER 14, 2003

Chairman Macdonald adjourned the meeting to October 14th at 5:03 p.m.

Respectfully submitted,

Patricia Ortiz, Senior Admin. Assistant
Community Development Department

Jeffrey L. Shaw, Director
Community Development Department