

MINUTES of the Planning Commission Meeting of the City of Redlands held Wednesday, November 12, 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: Caroline Laymon (Day session)
Gary Miller (Day session)
Ruth Cook (Evening)
Paul Thompson (Evening)

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
Alicia Heideman, Junior Planner

I. CALL TO ORDER AND PUBLIC COMMENT PERIOD

Chairman Webber called the meeting to order at 2:00 p.m. All members were present except Commissioners Laymon and Miller.

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 10,905 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. John Jaquess stated that staff is reviewing a redesign of the project, specifically issues involving parking and landscaping. Mr. Jaquess stated staff is recommending the proposed project be continued to November 25th.

Chairman Webber opened the public hearing.

MOTION

It was moved by Commissioner Thompson, seconded by Commissioner Cook, and carried on a 5-0 vote to continue Conditional Use Permit No. 797 to the Planning Commission meeting of November 25, 2003.

IV. NEW BUSINESS

A. **COMMISSION REVIEW AND APPROVAL NO. 384 R-1** - Hearing for the Planning Commission to consider a Commission Review and Approval to install a 2,658 square foot carport with a solar electric system mounted on the roof in the existing parking lot of the Edwards Mansion located at 2064 Orange Tree Lane in Specific Plan 29. Request submitted by GORDON BLOOM/GENSELF CORPORATION.

Ms. Alicia Heideman gave a brief PowerPoint presentation on the proposed project.

Commissioner Macdonald asked if there was any consideration given to placing the carport at the entrance which is located on the west end of the property. Ms. Heideman indicated that the applicant might be best able to respond to this question.

Chairman Webber opened the public hearing.

Mr. Gordon Bloom, Genself Corporation, introduced himself.

Mr. Robert Paul, Director of Sales, Genself Corporation, stated that the placement of the carport structure where the service area and employee parking is located is not possible because of the shade that is provided by existing trees. The solar panels require direct sunlight.

Commissioner Macdonald stated he felt the carport is an inappropriate structure for the Edwards Mansion.

Mr. Paul concurred with Commissioner Macdonald and stated it was not possible to use the roof of the mansion for placement of the solar panels. Mr. Paul stated it was their intention to keep a low profile.

Commissioner Macdonald suggested the current employee parking area which is not visible to people entering the facility be considered.

Mr. Bloom stated that the five (5) parking spaces referred to by Commissioner Macdonald are in a very shaded location. He continued by saying one of the key issues to be considered in placing the solar panels is that you have to be at a distance that is at least two times the height of any object casting a shadow, i.e., you would have to be 60 feet away from a tree that is 30 feet tall. Mr. Bloom stated the oak trees along the west side of the property are approximately 30 feet tall.

Commissioner Macdonald asked Mr. Bloom if other areas were considered for placement of the panels. Mr. Bloom stated there was no other location that could provide the 3,000 square foot area that is needed for the solar system.

Commissioner Osborne stated that he would prefer to keep the solar panels away from historic elements. Chairman Webber concurred with Commissioner Osborne.

Chairman Webber opened the public hearing.

Mr. Jaquess noted an error in the motion for approval and stated the project does not have to go before the City Council. The motion was amended.

MOTION

It was moved by Commissioner Thompson, seconded by Commissioner Osborne, and carried on a 5-0 vote that the Planning Commission approve Commission Review and Approval No. 384 Revision 1 subject to the following findings:

1. The size and shape of the site are adequate for the proposed carport.

2. That the site properly relates to Orange Tree Lane which is designed and improved to carry the type and quantity of traffic to be generated by the proposed development.
 3. That the conditions of approval proposed for Commission Review and Approval No. 384 Revision 1 are necessary to protect the public health, safety and general welfare.
 4. That the use is desirable for the overall development of the community.
 5. The proposed project will be consistent with the existing Commercial Designation of the General Plan.
- B. **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.
- C. **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 stated the applicant requested the proposed project be continued in order to allow him time to revise his plans. Mr. Baeza requested a continuance to November 25th.

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

MOTION

It was moved by Commissioner Macdonald, seconded by Commissioner Thompson, and carried on a 5-0 vote that the Planning Commission continue Specific Plan No. 58 and Tentative Tract Map No. 16548 to November 25, 2003.

- D. **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.
- E. **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 FOUNTAINS MOBILE HOME ESTATES.

Mr. Baeza stated the applicant requested the proposed project be continued to November 25th so that the project can be redesigned.

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 5-0 vote that the Planning Commission continue Revision No. 1 to Conditional Use Permit No. 172 to November 25, 2003.

MOTION

It was moved by Commissioner Thompson, seconded by Commissioner Macdonald, and carried on a 5-0 vote that the Planning Commission continue Variance No. 648 to November 25, 2003.

- F. **COMMISSION REVIEW AND APPROVAL NO. 765 - PUBLIC HEARING** for the Planning Commission to consider a Mitigated Negative Declaration and Socio-Economic Cost /Benefit Study and a Commission Review and Approval to construct a 15,665 square foot office and warehouse building and a 10,605 square foot day care building on a vacant 3.2 gross acre property located at the southeast corner of Lugonia Avenue and Nevada Street in the Office Industrial District of Specific Plan No. 25. Request submitted by AKS AND BEK PARTNERSHIP.
- G. **CONDITIONAL USE PERMIT NO. 820 - PUBLIC HEARING** for the Planning Commission to consider a Mitigated Negative Declaration and Socio-Economic Cost /Benefit Study and a Conditional Use Permit to construct a 10,524 square foot day care building on a vacant 3.2 gross acre property located at the southeast corner of Lugonia Avenue and Nevada Street in the Office Industrial District of Specific Plan No. 25. Request submitted by AKS AND BEK PARTNERSHIP.

Mr. Baeza gave a brief presentation on the proposed project. Mr. Baeza stated that the project would require a 4/5 vote of approval by City Council. Mr. Baeza stated an additional Condition of Approval was added that would require that approval of the Commission Review and Approval and the Conditional Use Permit would be contingent upon City Council approval of the Street Vacation.

Chairman Webber opened the public hearing.

Mr. George Theodoro, GMID Group, stated the building will partially replace an existing facility that is located at Lugonia Avenue and Orange. Mr. Theodoro stated the traffic study was based on a worst case scenario in which all students would be brought to school by their parents. Mr. Theodoro noted that the students will be brought to and taken from school by County bus service.

Discussion was held relative to the color purple that is proposed on the building. Commissioner Osborne stated he felt purple was fine on the daycare building, however he suggested the color be changed on the other building.

Commissioner Cook commented that she felt purple is a very bold color and she felt there was a lot of it.

Commissioner Macdonald stated he liked the color as he felt it was unique and exciting.

Chairman Webber suggested the applicant add Canary Island Pines that are spaced at thirty (30) foot intervals along the eastern boundary of the playground.

Ms. Sharon Nevilles, San Bernardino County Pre School Services, stated they have to be cognizant of the type of vegetation that is placed inside a playground. Ms. Nevilles stated as long as the pines are not toxic and they do not obstruct the play equipment located in the playground area there will not be a problem.

Chairman Webber closed the public hearing.

MOTION

It was moved by Commissioner Macdonald, seconded by Commissioner Thompson, and carried on a 5-0 vote that the Planning Commission recommend approval to the City Council on the Mitigated Negative Declaration for Commission Review and Approval No. 765 and Conditional Use Permit No. 820, 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 Macdonald, seconded by Commissioner Cook, and carried on a 5-0 vote that the Planning Commission recommend approval to the City Council on the Socio-Economic Cost Benefit Study for Commission Review and Approval No. 765 and Conditional Use Permit No. 820. It is recommended 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 Cook, and carried on a 5-0 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 5.20c.

MOTION

It was moved by Commissioner Macdonald, seconded by Commissioner Thompson, and carried on a 5-0 vote that the Planning Commission recommend approval to the City Council on Commission Review and Approval No. 765, subject to the following findings and subject to the attached Conditions of Approval:

1. That the site for the proposed use is adequate in size and shape to accommodate the use;
2. That the site properly relates to Lugonia Avenue and Nevada Street which are designed and improved to carry the type and quantity of traffic to be generated by the proposed development;
3. That the conditions of approval proposed for Commission Review and Approval No. 765 are necessary to protect the public health, safety and general welfare;
4. That the use is desirable for the overall development of the community;
5. The proposed project will be consistent with the existing Commercial Designation of the General Plan, and the addition of Condition of Approval No. 27 to read:

Approval of Commission Review and Approval No. 765 shall be contingent upon City Council approval of Street Vacation No. 126.

MOTION

It was moved by Commissioner Macdonald, seconded by Commissioner Thompson, and carried on a 5-0 vote that the Planning Commission recommend approval to the City Council on Conditional Use Permit No. 820, subject to the following findings and subject to the attached Conditions of Approval:

1. The daycare center/preschool applied for at this location is proper for a Conditional Use Permit; the project meets all requirements of Specific Plan No. 25;
2. The daycare center/preschool as proposed is a project that is necessary, essential or desirable for the public welfare as well as the development of the community; the project will provide child care for City residents;
3. The daycare center/preschool is not detrimental to existing or permitted uses in Specific Plan No. 25 where it would be located;
4. The size and shape of the site are adequate for the proposed daycare center/preschool; the site is large enough to accommodate the new use;
5. The site properly relates to Lugonia Avenue which will be designed and improved to carry the type and quantity of traffic to be generated by the proposed daycare center/preschool;
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 General Plan Designation, and the addition of Condition of Approval No. 32 to read:

Canary Island Pines shall be provided along the east property line at thirty (30) foot intervals within the play area of the daycare center,

and Condition of Approval No. 33 to read:

Approval of the Conditional Use Permit shall be contingent upon City Council approval of Street Vacation No. 126.

Commissioner Macdonald recused himself due to a possible conflict of interest with the following projects.

- H. **COMMISSION REVIEW AND APPROVAL NO. 763 - PUBLIC HEARING** for the Planning Commission to consider a Mitigated Negative Declaration and Socio-Economic Cost /Benefit Study for a Commission Review and Approval to construct a 14,000 square foot retail store and donation center for Goodwill Industries located on the south side of Colton Avenue between Ohio and Clay Streets, north of Interstate 10 in the C-4, Highway Commercial District. Request submitted by AXIOM REAL ESTATE SERVICES.
- I. **VARIANCE NO. 660 - PUBLIC HEARING** for Planning Commission consideration of a Variance from Section 18.168.220 of the Redlands Municipal Code to reduce the requirement for a twenty-five (25) foot landscape setback from freeway right-of-way to six (6) feet for a planned retail store and donation center for Goodwill Industries to be located on the south side of Colton Avenue between Ohio and Clay Streets, north of Interstate 10 in the C-4, Highway Commercial District. Request submitted by AXIOM REAL ESTATE SERVICES.

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

Commissioner Osborne noted that there was discussion held for a previous project on Colton Avenue in which a representative from the North side Action Group stated that they would like to see development on Colton Avenue similar to the professional services that are located on Brookside Avenue.

Commissioner Osborne asked if there was a possibility of changing the zoning on Colton Avenue to AP, Administrative Professional. Mr. Shaw stated there are no plans for amendment at this time. Mr. Shaw stated that City Council requested that staff expand its evaluation of the Downtown Specific Plan to include both sides of Colton Avenue from Orange Street to Texas.

Chairman Webber opened the public hearing.

Mr. Bud Thatcher, Thatcher Engineering, stated the project architect was available to answer questions. Mr. Thatcher stated he concurred with staff's recommendations.

Chairman Webber stated he felt the landscape plan was a good plan. Chairman Webber asked Mr. Thatcher if he would agree to replace four (4) of the seven (7) weeping bottle brush trees which are located at the south end of the building with eucalyptus red bark trees.

Mr. Thatcher agreed to Chairman Webber's request.

Commissioner Cook asked Mr. Thatcher if he read the letter sent by the owner of the automotive business which is located west of the proposed project.

Mr. Thatcher stated that the proposed project is bordered on the east by single family residential which is the reason the two story building was placed on the west side of the project.

Mr. Fernando Ramirez, Excel Automotive, stated he was concerned with the layout of the proposed plan. Mr. Ramirez stated his business is visible from the 10 Freeway and the proposed project will completely block his visibility from the freeway. Mr. Ramirez requested the two story building be relocated.

Chairman Webber noted that eucalyptus trees are required as one of the Conditions of Approval for the proposed project and if the building is switched to the opposite side, as requested by Mr. Ramirez, the eucalyptus trees are going to block freeway visibility of his business.

Mr. Ramirez stated the trees may restrict his freeway visibility, but they won't block it.

Mr. Thatcher stated that his staff met with Mr. Ramirez during design review and to move the structure would require a complete redesign of the project.

Mr. Ramirez stated he did not discuss the matter with Mr. Thatcher's staff. Mr. Ramirez continued by saying he recognized a representative from Thatcher Engineering at a meeting he attended regarding another project and they had a brief conversation.

Commissioner Thompson stated he would like to continue the project. Commissioner Cook concurred with Commissioner Thompson.

Commissioner Osborne asked if there is anything in the Municipal Code that covers view protection. Assistant City Attorney Murad stated there is not. Mr. Shaw stated that staff has never considered view protection as part of a project's evaluation. Mr. Shaw stated that staff was concerned with the visibility of the project's loading dock area from the freeway however this matter was mitigated by the low site elevation and project landscaping.

Chairman Webber suggested the windows on the front elevation be changed to match the doorway arches. Commissioner Osborne stated that the windows are tall and he did not feel they need to be arched.

Ms. Vicky Barbierri, Heritage Group, stated that she tried to separate the fascia with arches because the building is massive. Ms. Barbierri stated that the windows were purposely designed to be tall.

Chairman Webber closed the public hearing.

MOTION

It was moved by Commissioner Osborne, seconded by Commissioner Thompson, and carried on a 4-0 vote (Commissioner Macdonald excused) that the Planning Commission approve the Mitigated Negative Declaration for Commission Review and Approval No. 763 and Variance 660, 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 4-0 vote (Commissioner Macdonald excused) that the Planning Commission approve the Socio-Economic Cost Benefit Study for Commission Review and Approval No. 763 and Variance No. 660. It is recommended that this project will not create unmitigable physical blight or overburden public services in the community, and no additional information or evaluation is needed.

MOTION

It was moved by Commissioner Osborne, seconded by Commissioner Thompson, and carried on a 4-0 vote (Commissioner Macdonald excused) that the Planning Commission approve Variance No. 660 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. There is a significant grade difference between the property and the I-10 freeway.
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. There are a number of properties in the City which have been able to develop within twenty-five feet of the freeway right-of-way.
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. The reduced setback would be consistent with existing neighboring development.
4. That the granting of the variance will not adversely affect the General Plan of the City of Redlands. The project is consistent with the General Plan Land Use designation of Commercial.

MOTION

It was moved by Commissioner Osborne, seconded by Commissioner Thompson, and carried on a 4-0 vote (Commissioner Macdonald excused) that the Planning Commission approve Commission Review and Approval No. 763, subject to the following findings and subject to the attached Conditions of Approval:

1. That the site for the proposed use is adequate in size and shape to accommodate the use.
2. That the site properly relates to Colton Avenue which is designed and improved to carry the type and quantity of traffic to be generated by the proposed development.
3. That the conditions of approval proposed for Commission Review and Approval No. 763 are necessary to protect the public health, safety and general welfare.
4. That the use is desirable for the overall development of the community.
5. The proposed project will be consistent with the existing Commercial Designation of the General Plan and addition of Condition of Approval No. 31 to read:

Four (4) of the weeping bottlebrush trees located at the southwest corner of the site shall be replaced with red ironbark trees. The three (3) remaining bottlebrush trees shall be located between the red ironbark trees.

Chairman Webber noted for the record that he is retaining the landscape plan so that it can be compared with the placement of trees after construction.

- J. **MINOR SUBDIVISION NO. 267** - Public Hearing for the Planning Commission to consideration a Mitigated Negative Declaration and Socio-Economic Cost/Benefit Study for a Minor Subdivision of 0.85 acres into four residential lots located between Judson and Emily Streets north of Brockton Avenue in the R-1, Single Family Residential District. Request submitted by PANDA HOMES OF CALIFORNIA.

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

Chairman Webber opened the public hearing.

Mr. Louis Flores stated that he was available to answer questions.

MOTION

It was moved by Commissioner Macdonald, seconded by Commissioner Osborne, and carried on a 5-0 vote that the Planning Commission approve the Mitigated Negative Declaration for Minor Subdivision No. 267 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 Thompson, and carried on a 5-0 vote that the Planning Commission approve the Socio-Economic Cost Benefit Study for Minor Subdivision No. 267 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 that the Planning Commission approve Minor Subdivision No.267 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-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 four (4) lots;
3. The site is physically suitable for the density of development of a four (4) unit subdivision. The General Plan Land Use Designation of Low Density Residential and R-1, Single Family Residential Zoning both allow for up to four (4) 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 the project's Mitigation Measures;
 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.
- K. **GENERAL PLAN AMENDMENT NO. 95** - 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 with a Housing Conservation Overlay to Office on two parcels located at 224-226 Nordina Street. Request submitted by JAMES BALLARD AND RUSS HUSTON.
- L. **COMMISSION REVIEW APPROVAL NO. 764** - PUBLIC HEARING for Planning Commission consideration of a recommendation to the City Council on a Mitigated Negative Declaration and a Commission Review Approval for the construction of a 1,748 square foot office building on a 8,250 square foot parcel located at 224 Nordina Street in the A-P, Administrative and Professional Office District. Request submitted by RUSS HUSTON.
- M. **VARIANCE NO. 668** - PUBLIC HEARING for Planning Commission consideration of a Variance from Section 18.164 of the Redlands Municipal Code to allow a decrease in the required width of a driveway from twenty-six (26) feet to fourteen (14) feet for two proposed offices located at 224-226 Nordina Street in the A-P, Administrative and Professional Office District. Request submitted by RUSS HUSTON AND JAMES BALLARD.
- N. **CONDITIONAL USE PERMIT NO. 811** - PUBLIC HEARING for Planning Commission consideration of a recommendation to the City Council on a Mitigated Negative Declaration and a Conditional Use Permit to convert an existing house to an office building located at 226 Nordina Street on a 8,250 square foot parcel in the A-P, Administrative and Professional Office District. Request submitted by JAMES BALLARD.

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

Chairman Webber opened the public hearing.

Mr. Richard Hickey, John Zane Architecture, stated he was available to answer questions. Mr. Hickey stated that the applicant wanted to keep his building simple with low maintenance.

MOTION

It was moved by Commissioner Thompson, seconded by Commissioner Macdonald, and carried on a 5-0 vote that the Planning Commission recommend that the City Council approve the Mitigated Negative Declaration for General Plan Amendment No. 95, Conditional Use Permit No. 811, Commission Review and Approval No. 764, and Variance No. 668 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 Thompson, seconded by Commissioner Macdonald, and carried on a 5-0 vote

that the Planning Commission approve RPC No. 1011 and recommend that the City Council approve General Plan Amendment No. 95.

MOTION

It was moved by Commissioner Thompson, seconded by Commissioner Macdonald, and carried on a 5-0 vote that the Planning Commission continue Commission Review and Approval No. 764, Conditional Use Permit No. 811, and Variance No. 668 to January 13, 2004.

Chairman Webber recessed the meeting at 4:02 p.m.

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

- O. **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 7.5 acres into a single family residential development containing fifty-seven (57) residential lots located on the south side of Orange Avenue approximately 200 feet east of Alabama Street. Request submitted by QUANTUM STRUCTURES, LLC.
- P. **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 7.5 acres into fifty-seven (57) 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 gave a brief presentation on the proposed project. Mr. Dalquest stated originally the project was designed with 64 residential lots but it has been reduced to 57 lots. Mr. Dalquest stated the project would affect traffic through the intersection of Redlands Boulevard and Alabama thus requiring a 4/5 vote of the City Council. Mr. Dalquest noted that a final map of the property was approved for 85 condominium units in 1988.

Assistant City Attorney Murad returned to the meeting at 4:15 p.m.

Mr. Dalquest reviewed three issues of concern:

- 1. Lot 25 has a six (6) foot setback which can be mitigated by reducing Lot 20 and sliding the lots over to one side.
- 2. Lot 20 has a fourteen (14) foot setback, instead of the standard twenty (20) foot setback. Mr. Dalquest stated Lot 19 can be reduced by six (6) feet, resulting in a twenty (20) foot setback for Lot 25.
- 3. Lot 17 has an eight (8) foot setback along the south property line. Mr. Dalquest suggested deleting this lot.

Mr. Dalquest noted a land use issue relative to the site. Mr. Dalquest stated there are a number of sites designated for medium and high density multi-family usage that have been "used" by detached single family projects such as this. Mr. Dalquest stated that staff believes the City should closely scrutinize projects that reduce the inventory of multi-family designated land.

Chairman Webber stated there have been at least three instances in which single family projects have been approved for property that has been designated for multi-family. Chairman Webber stated the property had been approved for a condominium project with a fair amount of open space. Chairman Webber stated that staff is correct; the City is moving in a direction in which land is being "eaten up". Chairman Webber stated he is not in favor of changing the specific plan to accommodate the proposed use.

Commissioner Thompson stated that Measure U requires a balance between single family residential and multi family and he asked how that can be achieved.

Mr. Shaw stated that condominium/town home development is counted as single family under the "75-25" mix, although it is viewed as multiple family by the state.

Commissioner Macdonald stated he concurred with Chairman Webber. He continued by saying the project does not fit the area and it uses up medium high density property. Commissioner Macdonald stated he felt the Commission needs to make a decision as to whether they want to continue with this type of development.

Assistant City Attorney noted that four affirmative votes are needed to approve the specific plan.

Chairman Webber stated that Abco Realty is coming back to the Commission with a condominium project.

Commissioner Osborne stated that discussion held at the workshop indicated the City is gearing up for those types of projects. Commissioner Thompson questioned why the issue wasn't brought up before redesign of the project.

Chairman Webber asked Mr. Shaw why this concern was not brought forward earlier. Mr. Shaw responded by saying staff had raised this issue in the first staff report but felt a need to expand on the issue in more detail. Mr. Shaw stated staff felt there was a policy issue involved, after reviewing the second or third project of this type.

Commissioner Macdonald questioned having two-story homes on lots of 2,480 square feet.

Chairman Webber stated that they do not have four (4) votes of support for the specific plan at this time.

Chairman Webber opened the public hearing.

Mr. Bud Thatcher, Thatcher Engineering, stated when the first project came before the Commission, they heard high praises and were told that it was the type of project that was good for the City. Mr. Thatcher stated they brought up the issue of converting property from condominiums to single family usage, and they were directed by the Commission to come back with a redesign of their project. Mr. Thatcher stated his project meets and exceeds the specifications of other high density projects that have been approved up to this time.

Chairman Webber stated he felt the open space for the project is insufficient as he does not consider front yards to be common open space.

Mr. Thatcher stated the front yards of the previous Quantum project were counted toward the open space. Commissioner Cook noted that the other Quantum project had an alley in the rear and the look of the project was entirely different from this project. Mr. Thatcher stated that the approved Quantum project had open space that was not divided by driveways and it did not have garages in front of the houses.

Chairman Webber stated the two (2) projects are not the same as this project does not have continuous open space.

Chairman Webber apologized to Mr. Thatcher saying he has a responsibility to do the right thing and make the right decisions for the future of the City.

Chairman Webber closed the public hearing.

Commissioner Osborne stated he supports not changing the specific plan, however he feels the Commission should look at areas in which the zoning is 0-27 units per acre and try to work with applicants who submit applications for high density projects.

Mr. Shaw stated if there are four (4) votes for denial, he would suggest continuing the item for two weeks so that staff can prepare a motion for denial. If not, Mr. Shaw suggested the project be continued so that it could be heard before a full Commission.

Mr. Dalquest suggested that the Commission keep its materials so that they can be reviewed should the meeting

be continued.

Chairman Webber reopened the public hearing as Mr. Thatcher indicated that he would like to speak.

Mr. Thatcher stated that the applicant requested the item be denied rather than continued so that it could be appealed to City Council. Mr. Shaw stated that he did not have a motion for denial prepared.

Discussion was held relative to continuing the item to the evening session. Commissioners Cook and Thompson indicated that they would not be in attendance at the evening session.

Assistant City Attorney Murad suggested the Commission recess so that staff could prepare a motion for denial.

Chairman Webber noted that if the item is continued to the evening session, it will have to be discussed again in its entirety because two of the commissioners (Laymon and Cook) were absent during the day session.

Chairman Webber recessed the meeting at 4:55 p.m.

Chairman Webber reconvened the meeting at 5:10 p.m.

MOTION

It was moved by Commissioner Macdonald, seconded by Commissioner Cook, and carried on a 4-1 vote (Commissioner Thompson voting no) that:

- A. It is deemed advisable and in the interest of the public health, safety, and general welfare to recommend denial of the proposed Revised Specific Plan No. 39 which is a proposed single family development of fifty-seven (57) lots on 7.21 acres located on the south side of Orange Avenue approximately 200 feet east of Alabama Street.
- B. That the adoption of revised Specific Plan No. 39 would be inconsistent with the General Plan and provide a subdivision on a site that is not physically suitable for the type and density of development, and would be incompatible with the surrounding land uses.
- C. That all provisions of the California Government Code relating to the adoption of a Specific Plan have been complied with, including publication of a notice on the 31st day of October 2003, and the holding of a public hearing on November 12th, 2003.
- D. That the revised Specific Plan would be in conflict with the principles, objectives, and standards of the Redlands General Plan.
- E. That the proposed Specific Plan as proposed will reduce the available high density residential land availability to develop attached medium high density residential development which negatively impacts the City's ability to meet its housing requirements.
- F. That the subject site is surrounded by apartments on two (2) sides and an office land use designation and attached multi family, attached condominium, or attached townhouse project would be more appropriate for this site, therefore I move to deny the proposed revision to Specific Plan No. 39.

MOTION

It was moved by Commissioner Macdonald, seconded by Commissioner Cook, and carried on a 4-1 vote (Commissioner Thompson voting no) that the Planning Commission deny Tentative Tract No. 16444 based on the following findings:

1. That the proposed map is inconsistent with the policies and land use designation

prescribed by the General Plan and existing Specific Plan No. 39;

2. That the site is not physically suitable for the type of development;
3. That the site is not physically suitable for the proposed density of development;
4. That the design of the subdivision or the proposed improvements may cause environmental damage but will not substantially and avoidably injure fish or wildlife or their habitat;
5. That the design of the subdivision or type of improvements will not cause any serious public health problems;
6. That 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; and,
7. That pursuant to California Government Code Section 66474.6, the discharge of waste from this subdivision apparently will not result in violation of existing requirements prescribed by the Santa Ana Regional Water Quality Control Board pursuant to Division 7 of the California Water Code.

- Q. **ORDINANCE TEXT AMENDMENT NO. 297** - PUBLIC HEARING for the Planning Commission to consider a recommendation to the City Council on an Ordinance Text Amendment to delete Section 18.92.080(H) of the Redlands Municipal Code relating to the manufacturing, processing, or treatment of products that are incidental to retail businesses conducted on a premise in the C-3 (General Commercial) District. Request submitted by the CITY OF REDLANDS.

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

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 5-0 vote that the Planning Commission approve Planning Commission Resolution No.1010, recommending that the City Council adopt Ordinance Text Amendment No. 297.

- R. **ORDINANCE TEXT AMENDMENT NO. 299** - PUBLIC HEARING for the Planning Commission to consider a recommendation to the City Council on a Negative Declaration and an Ordinance Text Amendment to amend Chapter 15.36 of the Redlands Municipal Code relating to the regulation of signs. Request submitted by the CITY OF REDLANDS.

Mr. Dalquest distributed copies of the legislative version of the City of Redlands Sign Code and reviewed revisions made to the Sign Code page by page. Mr. Dalquest stated a revision was made to the Sign Code since the last review by Planning Commission relative to restrictions that limit sign content. Mr. Dalquest stated this is due to recent court cases preventing local jurisdictions from regulating the content of signs.

Chairman Webber opened the public hearing.

Ms. Lisa Foss, Cummings Signs, requested clarification on signage for the Tri-City Shopping Center. Ms. Foss asked if the allowed signage for the center is being reduced to three (3) tenants.

Mr. Shaw stated that four (4) tenant panels are allowed for hidden centers, and the proposed amendment would allow three (3) tenant panels for all other multi tenant centers. Discussion was held regarding a revision to Section

15.36.490(E) Regional Shopping Center Signs to read:

The Planning Commission may allow up to four (4) multi-tenant signs within a regional shopping center when it is determined by the Planning Commission that the consolidation of tenants on the same freestanding signs is architecturally and aesthetically superior to allowing a freestanding sign for each tenant otherwise permitted such a sign within this code. **In no case no more than four (4) tenant panels would be allowed.**

Mr. Joe Meraj, Tri City Shopping Center, speaking on behalf of Mr. William Kaymaz of Queen's Jewelers, stated that quite a few people drive by the shopping center without noticing that it is there.

Mr. Bill Dingfelder, Association Manager, Tri City Shopping Center, thanked the Commission stating the four (4) tenant panels are very important to the center.

Chairman Webber closed the public hearing.

MOTION

It was moved by Commissioner Macdonald, seconded by Commissioner Osborne and carried on a 5-0 vote that the Planning Commission recommend approval to the City Council on the Negative Declaration for Ordinance Text Amendment No. 299 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 Macdonald, seconded by Commissioner Thompson, and carried on a 5-0 vote that the Planning Commission approve Planning Commission Resolution No. 1012, recommending that the City Council adopt Ordinance Text Amendment No. 299.

Commissioner Macdonald requested the meeting be adjourned and the remaining items on the agenda be carried over to the evening session.

VIII. ADJOURNMENT TO 7:00 P.M.

Chairman Webber adjourned the meeting at 6:03 p.m. to the evening session.

7:00 P.M.

IX. MEETING RECONVENED

Chairman Webber reconvened the meeting at 7:02 p.m. All members were present except Commissioners Cook, Osborne, and Thompson.

V. ADDENDA - None

VI. APPROVAL OF MINUTES - None

VII. CORRESPONDENCE/COMMUNICATIONS

A. City Council Report

Mr. Shaw reviewed City Council actions from the November 4th City Council meeting.

B. Status of Major Projects

Mr. Shaw reviewed projects currently being processed by staff.

Commissioner Osborne arrived at 7:05 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. Malacoff stated the applicant and staff requested a continuance to December 9th to allow staff sufficient time to prepare a staff report.

Chairman Webber opened the public hearing.

Mr. Merrill Paxman, 1443 Patricia Drive, stated the zoning changes requested by the applicant are not sound planning. Mr. Paxman continued by stating there was a promise that there would be no entrance/exit on Patricia Drive but the promise could be jeopardized if it is determined that several more exits are necessary. Mr. Paxman stated there was a promise that the business would be closed by 10 p.m. however, the L. A. Fitness across the street will be open 24 hours, and Mr. Paxman stated he was certain that Ralph's Market would return to the Commission for approval of a 24 hour business. Mr. Paxman stated there are problems with signage.

MOTION

It was moved by Commissioner Macdonald, seconded by Commissioner Laymon, and carried on a 5-0 vote that the Planning Commission continue General Plan Amendment No. 95, Amendment No. 4 to Specific Plan No. 23, and Conditional Use Permit No. 793 to December 9, 2003.

X. **ADJOURNMENT TO NOVEMBER 25, 2003**

Chairman Webber adjourned the meeting to November 25th.

Respectfully submitted,

Patricia Ortiz, Senior Admin. Assistant
Community Development Department

Jeffrey L. Shaw, Director
Community Development Department