

MINUTES of the Planning Commission Meeting of the City of Redlands held Tuesday, January 13, 2004, 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 Attorney
Robert Dalquest, Principal Planner/Project Manager
Asher Hartel, Senior Planner
Richard Malacoff, Associate Planner
Manuel Baeza, Associate Planner
Alicia Heidemann, Junior Planner

I. CALL TO ORDER AND PUBLIC COMMENT PERIOD

Chairman Webber called the meeting to order at 2:00 p.m. All commissioners were present except Commissioners Cook (who advised that she would be arriving later due to a previous commitment) and Commissioner Miller.

II. ELECTION OF OFFICERS

MOTION

It was moved by Commissioner Macdonald, seconded by Commissioner Thompson, and carried on a 5-0 vote to elect George Webber to serve as Planning Commission Chairman for the year 2004.

MOTION

It was moved by Chairman Webber, seconded by Commissioner Thompson, and carried on a 5-0 vote to elect Jim Macdonald to serve as Planning Commission Vice-Chairman for the year 2004.

III. CONSENT ITEMS - NONE

IV. OLD BUSINESS - NONE

V. NEW BUSINESS

- A. **COMMISSION REVIEW AND APPROVAL NO. 770** - PUBLIC HEARING for the Planning Commission to consider a Mitigated Negative Declaration, Socio-Economic Cost/Benefit Study, and a Commission Review and Approval for the construction of a 34,482 square foot building for offices, a showroom and automotive service center and remodel of approximately 31,000 square feet of outdoor display area for Metro Nissan on approximately 4.68 acres located at 1655 Industrial Park Avenue in the General Commercial District of the East Valley Corridor Specific Plan. Request submitted by DAVID A. MARVIN.

Chairman Webber advised the audience that the proposed project requires a minimum of six Commissioners be present to take final action. Chairman Webber suggested the proposed project be heard later during the meeting, when six commissioners are present.

- B. **SPECIFIC PLAN NO. 40, AMENDMENT NO. 28 - PUBLIC HEARING** for Planning Commission consideration of a recommendation to the City Council on an amendment to the East Valley Corridor Specific Plan to modify Sections EV1.0615, EV1.0625, EV3.0714, EV3.0720, EV3.0814, and EV3.0914 by removing certain provisions that allow for the temporary sale of new and/or used motor vehicles. Request submitted by the CITY OF REDLANDS.

Mr. Bob Dalquest stated that Amendment No. 28 repeals the provisions added to the East Valley Corridor Specific Plan in 2001 that allowed for the temporary sale of new/used automobiles. The provisions were added at the request of Redlands Auto Center and Pharaoh's Lost Kingdom to provide the City's auto dealers an opportunity to have special off-site sales and give their businesses more exposure. In the interim, none of the City auto dealers have taken advantage of the provision. Mr. Dalquest stated that several out-of-town auto dealers and rental car agencies have routinely conducted special automobile sales. Mr. Dalquest stated that the Chamber of Commerce was approached by two of the City's automobile dealers, who stated their sales were impacted by out-of-town automobile dealer sales.

Mr. Dalquest stated this issue was reviewed by the Business and Economic Development Advisory Committee (BEDAC) in November, which recommended that staff process an amendment to repeal the provision.

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 adopt Planning Commission Resolution No. 1022, recommending that the City Council adopt Amendment No. 28 to Specific Plan No. 40.

Chairman Miller returned to the meeting.

Commissioner Miller advised that he would have to recuse himself during the hearing for Commission Review and Approval No. 770 due to a possible conflict of interest. Chairman Webber advised that the Commission would await the arrival of Commissioner Cook to take action on the project.

- C. **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.
- D. **VARIANCE NO. 671 - 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 side yard setback from five (5) feet to two (2) feet for an office located at 224-226 Nordina Street in the A-P, Administrative and Professional Office District. Request submitted by JAMES BALLARD.
- E. **COMMISSION REVIEW AND 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.

- F. **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 stated that staff is requesting a continuance to February 10th to work out architectural details. Mr. Malacoff stated that staff requested a letter from the applicant requesting a ninety (90) day extension subject to the Permit Streamlining Act.

Mr. Les Murad, Assistant City Attorney, questioned the extension request and asked that the project be tabled to later in the meeting.

- G. **VARIANCE NO. 653** - PUBLIC HEARING for Planning Commission consideration of a Variance from Section 18.156.370 of the Redlands Municipal Code to allow a reduction from five (5) feet to two (2) feet in the side yard landscape setback for a 2,400 square foot drive-through restaurant on 0.36 acres located on State Street, west of 10th Street and south of Central Avenue in the C-4, Highway Commercial District. Request submitted by REFUGIO JOHNSON.
- H. **VARIANCE NO. 654** - PUBLIC HEARING for Planning Commission consideration of a Variance from Section 18.156.370 of the Redlands Municipal Code to allow a reduction of the minimum lot size requirement from 20,000 square feet to 15,753 square feet and the minimum width from one-hundred twenty (120) feet to fifty-four (54) feet for a 2,400 square foot drive-through restaurant on 0.36 acres located on State Street, west of 10th Street and south of Central Avenue in the C-4, Highway Commercial District. Request submitted by REFUGIO JOHNSON.
- I. **CONDITIONAL USE PERMIT NO. 796** - PUBLIC HEARING for the Planning Commission to consider a Mitigated Negative Declaration and a Conditional Use Permit to construct a 2,400 square foot drive-through restaurant on 0.36 acres located on State Street, west of 10th Street and south of Central Avenue in the C-4, Highway Commercial District. Request submitted by REFUGIO JOHNSON.

Mr. Richard Malacoff stated that staff is recommending approval of the project subject to the conditions of approval.

Chairman Webber complimented staff on making the determination that the two (2) tree species, the crepe myrtle and the weeping bottle brush, are not suitable for the parking area and should be replaced with trees from the Planning Commission Approved List of Shade Trees.

Chairman Webber opened the public hearing.

Mr. Darrell Cartozian, Higginson & Cartozian Architects, thanked staff for working with them. Mr. Cartozian stated there are problems with the existing facility relative to parking, lighting, landscaping, and refuse. Mr. Cartozian gave a brief presentation on the proposed project.

Commissioner Macdonald complimented Mr. Cartozian on the design of the project and updating the street corner that he stated will be an asset to the City.

Ms. Sandy Sears, 609 E. State Street, expressed her concern relative to traffic and noise created currently by the patrons of the business. Ms. Sears shared photos she took of 10th Street stating the street width is inadequate for the number of cars coming into the business. Ms. Sears requested a traffic study be completed on the proposed project before approval is granted.

Commissioner Osborne noted if the variance is denied, the business will continue to operate as it is. Commissioner Osborne stated there would be less street traffic with the proposed project because of the drive-through and improved parking.

Ms. Sears agreed and stated she is concerned with the traffic flow problem. Ms. Sears suggested putting a red curb on both sides of the street, that would help with the traffic and noise problems.

Mr. Shaw stated that a traffic study was completed on the proposed project. Mr. Malacoff stated the traffic study concluded that there would not be significant traffic flow problems caused by the drive-through. Mr. Malacoff stated the Traffic Commission would have jurisdiction over red curbing the street.

Mr. Cartozian stated the applicant has been asked to widen 10th Street and Central Avenue. Mr. Cartozian stated both streets will increase in size from twenty-eight (28) to thirty-six (36) feet. Mr. Cartozian noted that the addition of the ten (10) parking stalls will help with current traffic problems.

Commissioner Osborne noted that the proposed drive-through, which will be located on the west side of the facility, will serve as a noise buffer to the residential area.

Chairman Webber closed the public hearing.

Mr. Shaw stated that the thirty-six (36) foot width will allow parking on both sides of the street along with traffic going both ways. Mr. Shaw stated that the situation can be monitored and if it remains an issue, it can be referred to the Traffic Commission.

Commissioner Miller noted that it is a well-designed and exuberant project with great materials.

MOTION

It was moved by Commissioner Macdonald, seconded by Commissioner Miller, and carried on a 6-0 vote that the Planning Commission approve the Mitigated Negative Declaration for Conditional Use Permit No. 796, and Variance Nos. 653 and 654 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 6-0 vote that the Planning Commission approve Variance No. 653 subject to the following findings and attached Conditions of Approval:

1. There are exceptional circumstances to this proposal because the side yard setback is landscaped, faces another commercial business and that the request for reduction to two (2) feet only occurs for a small proportion of the total side-yard of the property.
2. There are other instances of properties with reduced lot size and width for a drive through restaurant which have been granted for facilities located at 1124 North Orange Street and 653 East Redlands Boulevard.
3. The applicant's request to reduce the side-yard setback from five (5) feet to two (2) feet 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 policies of the City's General Plan.

MOTION

It was moved by Commission Macdonald, seconded by Commissioner Miller, and carried on a 6-0 vote that the Planning Commission approve Variance No. 654 subject to the following findings and attached conditions of approval:

1. There are exceptional circumstances to this proposal to allow a drive-through facility that does not satisfy the size and dimension requirements because the restaurant currently exists, the addition of the drive-through will not increase the intensity of use, and that the proposal will solve problems with parking, on site circulation, and reduce the potential for crime on the site.
2. There are other instances of properties with reduced lot size and lot dimensions which have been granted for facilities located at 1124 North Orange Street and 653 East Redlands Boulevard.
3. The applicant's request to allow a drive through with a reduced minimum size and depth requirement 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 policies of the City's General Plan.

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moved by Commissioner Macdonald, seconded by Commissioner Miller, and carried on a 6-0 vote that the Planning Commission approve Conditional Use Permit No. 796 based on the following findings:

1. The drive-through facility applied for on 10th Street between Central Avenue and East State Street is proper for a Conditional Use Permit;
2. The drive-through facility 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 drive-through facility is not detrimental to existing or permitted uses in the C-4, Highway Commercial District, where it would be located;
4. The size and shape of the site are adequate for the proposed drive-through facility
5. The site properly relates to 10th Street, Central Avenue, and East State Street which are designed and improved to carry the type and quantity of traffic to be generated by the proposed drive-through facility;
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 general plan designation of Commercial; with revisions to Conditions of Approval 13(n) and 27 to read:

The applicant shall replace the Crepe Myrtle tree and the Weeping Bottle Brush with the appropriate species of trees to be approved by the Community Development Director; **trees shall be on the Planning Commission List of Approved trees.**

The applicant shall have decorative pavers to be approved by The Community Development Director at all **ingress/egress points.**

aw requested that item IV. C-F, which was tabled earlier in the meeting, be continued to a later date, based on his conversation with Assistant City Attorney Les Murad.

- C. **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.

- D. **VARIANCE NO. 671** - 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 side yard setback from five (5) feet to two (2) feet for an office located at 224-226 Nordina Street in the A-P, Administrative and Professional Office District. Request submitted by JAMES BALLARD.

- E. **COMMISSION REVIEW AND 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.

- F. **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.

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

N

oved by Commissioner Thompson, seconded by Commissioner Osborne, and carried on a 5-0 vote that the Planning Commission continue Variance No. 668, Variance No. 671, Commission Review and Approval No. 764, and Conditional Use Permit No. 811 to January 27, 2004.

- J. **MINOR SUBDIVISION NO. 268** - PUBLIC HEARING for the Planning Commission to consider a Socio-Economic Cost /Benefit Study and a Minor Subdivision application to subdivide 1.43 acres into two (2) commercial lots with area of 1.09 and 0.34 acres located at 1149 West Redlands Boulevard in the General Commercial District of the East Valley Corridor Specific Plan. Request submitted by REDLANDS IMPERIAL GROUP.

ia Heidemann, gave a brief presentation on the proposed project.

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

N

oved by Commissioner Osborne, seconded by Commissioner Thompson, and carried on a 6-0 vote
Planning Commission approve the Socio-Economic Cost Benefit Study for Minor Subdivision No. 268 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.

N

oved by Commissioner Osborne, seconded by Commissioner Thompson, and carried on a 6-0 vote
Planning Commission approve Minor Subdivision No. 268 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.
2. The design or improvement of the Minor Subdivision No. 268 is consistent with the applicable general plan.
3. The site is located at 1449 W. Redlands Blvd. and is physically suitable for the type of development.
4. The site is physically suitable for the development of a two-lot subdivision.
5. 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.
6. The design of the subdivision or type of improvements is not likely to cause serious public health problems.
7. 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
8. That pursuant to California Government Code Section 66474.6, the discharge of waste from this subdivision 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.

K. **GENERAL PLAN AMENDMENT NO. 96** - PUBLIC HEARING for the Planning Commission to consider a recommendation to the City Council on a Mitigated Negative Declaration and a General Plan Amendment to change the designation from Low Density Residential/ Public Institutional to Office on a .92 acre parcel located on the northeast corner of Cypress Avenue at Interstate 10. Request submitted by CITY OF REDLANDS.

L. **ZONE CHANGE NO. 398** - PUBLIC HEARING for the Planning Commission to consider a recommendation to the City Council on a Mitigated Negative Declaration to change the zoning from R-S, Suburban Residential to A-P, Administrative and Professional Office on a .92 acre parcel located on the northeast corner of Cypress Avenue at Interstate 10. Request submitted by GARDNER CONSTRUCTION AND DEVELOPMENT.

M. COMMISSION REVIEW AND APPROVAL NO. 768 - PUBLIC HEARING for the Planning Commission to consider a recommendation to the City Council for a Socio-Economic Cost /Benefit Study and a Mitigated Negative Declaration on a Commission Review and Approval to construct a two-story office building with an area of 8,550 square feet on a .92 acre parcel in the R-S, Suburban Residential District which is being proposed for a zone change to A-P, Administrative and Professional Office located on the northeast corner of Cypress Avenue at Interstate 10. Request submitted by GARDNER CONSTRUCTION AND DEVELOPMENT.

N. VARIANCE NO. 663 - PUBLIC HEARING for the Planning Commission to consider a recommendation to the City Council for a Variance from Section 18.168.220 of the Redlands Municipal Code to allow a fifteen (15) foot landscape setback rather than the required twenty-five (25) foot setback to construct a two-story office building with an area of 8,550 square feet on a .92 acre parcel in the R-S, Suburban Residential district which is being proposed for a zone change to A-P, Administrative and Professional Office located on the northeast corner of Cypress Avenue at the Interstate 10. Request submitted by GARDNER CONSTRUCTION AND DEVELOPMENT.

er Hartel stated the site was originally intended for a City fire station, however the City decided that it did not want a fire station at the site, therefore the property was offered for sale.

Thatcher, Thatcher Engineering, concurred with all conditions of approval except Condition of Approval 2 listed under the Sewer Section (Municipal Utilities Department) and Condition of Approval 4 (Fire Department).

tcher stated that Condition of Approval 2 (M.U.D.) requires the applicant to install an 8-inch diameter sewer main 150 feet east of University Place. Mr. Thatcher stated that they are working on an alternative alignment for the sewer.

ly, Mr. Thatcher stated that Condition of Approval 4 (Fire Department) requires the applicant install a fire hydrant at the driveway. Mr. Thatcher stated currently there is a fire hydrant located at the driveway and the Fire Department indicated they would allow the existing fire hydrant to serve as fire protection.

tcher stated there was an error on the landscape plan and he concurs with staff's recommendation to up size the trees, to reduce the parking area by one foot, and to use split faced block on both sides of the wall.

ssioner Laymon asked Mr. Thatcher if the existing chain link fence on the west side of the proposed project would remain. Mr. Thatcher stated that the chain link fence, which is owned by Cal Trans, will remain.

ion was held relative to the lighting for the proposed project.

ssioner Miller asked Mr. Thatcher if he would agree to move the trash enclosure so that the front of the enclosure aligns with the back of the parking stalls located along the south property line. Mr. Thatcher stated that he would move the trash enclosure.

an Webber stated that the parking area located to the rear of the building is not adequately shaded. Chairman Webber requested diamond cuts with trees on the eastern side of the property.

tcher stated they were attempting to create interest at that location, however he suggested coming in one parking space and putting in a diamond cut.

an Webber requested information on the colors used for the building.

h Gardener, architect, stated that color could be added to the building.

ssioner Miller stated that the two (2) lower colors are cool tones, and he requested that warmer tones be used.

Commissioner Laymon requested some type of landscaping be added to buffer the chain link fence.

A discussion was held relative to restricting hours of operation. Mr. Shaw stated typically A/P zones do not have restrictions on office hours.

Chairman Webber asked Mr. Thatcher if he had any ideas on screening the chain link fence owned by Cal Trans. Mr. Thatcher responded by saying he would prefer to use a series of shrubs to screen the fence.

Mr. Alborn, 1241 Morrison Drive, President of Avignon Homeowners Association, expressed his concern the proposed building will affect the property values of the residents. Mr. Alborn stated that strangers coming in/out of the parking area will be able to look into the resident's homes and yards. Mr. Alborn stated he had concerns relative to increased traffic, hours of operation, lighting, and noise. Mr. Alborn stated the homeowners offered to meet with the builder, but their request was rejected. Mr. Alborn requested the proposed project be denied.

Chairman Webber stated that there would be a block wall, in addition to Canary Island Pines planted every twenty (20) feet, separating the building from the residences. Chairman Webber stated the background noise of the freeway would be louder than noises coming from the parking lot.

Commissioner Thompson stated that he did not agree with Mr. Alborn's concern that strangers will be looking into the resident's backyards.

Mr. Alborn stated that he would like to see homes built on the lot.

Mr. Fisher, 1233 Morrison Drive, thanked the Commission for the opportunity to speak before them, and stated he appreciated the helpfulness of Mr. Malacoff and Mr. Hartel. Mr. Fisher read a letter signed by residents in the area. Mr. Fisher agreed to a change of zoning if the following stipulations are met:

1. The building be single story.
2. A gate system be installed to prevent outsiders from coming onto the property.
3. Hours of operation be limited to 7:00 p.m. for the general public.
4. The Conditional Use Permit for the project be denied.

Commissioner Laymon suggested a security gate might be good for the project.

Chairman Webber closed the public hearing.

Chairman Webber asked the Commission for a consensus on restricting the hours of operation. The Commission determined there was no need to restrict the hours of operation.

Chairman Webber asked for a consensus on the addition of a gate at the front of the property. It was determined that a gate was not needed. Commissioner Miller stated he would expect the property owner to install a gate if there was a problem.

N

oved by Commissioner Miller, seconded by Commissioner Thompson, and carried on a 6-0 vote move that the Planning Commission approve Planning Commission Resolution No. 1020 recommending to the City Council approval of General Plan Amendment No. 96, changing the designation of the property from Low-Density Residential/ Public Institutional to Office.

N

moved by Commissioner Miller, seconded by Commissioner Thompson, and carried on a 6-0 vote that the Planning Commission approve Planning Commission Resolution No. 1021 recommending to the City Council approval of Zone Change No. 398, changing the designation of the property from R-S (Suburban Residential) District to A-P (Administrative and Professional Office) District.

N

moved by Commissioner Miller, seconded by Commissioner Thompson, and carried on a 6-0 vote that the Planning Commission recommend approval to the City Council of the Mitigated Negative Declaration for General Plan Amendment No. 96, Zone Change No. 398, Variance No. 663, and Commission Review and Approval No. 768 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.

N

moved by Commissioner Miller, seconded by Commissioner Thompson, and carried on a 6-0 vote that the Planning Commission recommend approval to the City Council of the Socio-Economic Cost Benefit Study for Commission Review and Approval No. 768 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.

N

moved by Commissioner Miller, seconded by Commissioner Thompson, and carried on a 6-0 vote that the Planning Commission recommend approval to the City Council of Variance No. 663 subject to the following findings:

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, therefore the area will not be seen from the 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 the twenty-five foot setback area 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 not affect existing neighboring development as it will provide more distance from adjacent houses.
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 Office.

N

oved by Commissioner Miller, seconded by Commissioner Thompson, and carried on a 6-0 vote move that the Planning Commission recommend approval to the City Council of Commission Review and Approval No. 768 subject to the following findings and attached Conditions of Approval:

1. The size and shape of the site are adequate for the proposed office buildings.
2. The site properly relates to Cypress Avenue, which has been designed and improved to carry the type and quantity of traffic to be generated by the proposed office building.
3. The conditions proposed for Commission Review and Approval No. 768 shown on the site plan are necessary to protect the public health, safety and general welfare of the neighborhood and the City of Redlands.
4. When completed, the project will contribute to the overall development of the neighborhood.
5. The proposed project will be consistent with the Office Designation of the General Plan and the Administrative and Professional Office District of the Zoning Ordinance with the revision of Condition of Approval 26 to read:

Provide two (2) additional trees along the edge of the parking lot at the rear of the building (as shown on the red-lined Conceptual Landscape Plan).

Provide bushes or hedges along the wall on the easterly and southerly property lines, and along the fence on the westerly property line adjacent to the freeway off-ramp;

addition of Conditions of Approval 30 and 31 to read:

Prior to issuance of building permits, the applicant shall submit revised colors for the building exterior consisting of warm earthtones for the precast concrete on the color and material board for review and approval by the Community Development Director;

Prior to issuance of building permits, submit a revised site plan showing the trash enclosure relocated 6 to 8 feet to the north with additional landscaping at the rear.

an Webber requested a short recess.

an Webber reconvened the meeting at 4:25 p.m. Chairman Webber stated that Commission Review and Approval No. 770 would be heard at this time. Chairman Webber advised the audience that Commissioner Cook was present.

an Miller recused himself due to a possible conflict of interest at 4:26 p.m.

MISSION REVIEW AND APPROVAL NO. 770 - PUBLIC HEARING for the Planning Commission to consider a Mitigated Negative Declaration, Socio-Economic Cost/Benefit Study, and a Commission Review and Approval for the construction of a 34,482 square foot building for offices, a showroom and automotive service center and remodel of approximately 31,000 square feet of outdoor display area for Metro Nissan on approximately 4.68 acres located at 1655 Industrial Park Avenue in the General Commercial District of the East Valley Corridor Specific Plan. Request submitted by DAVID A. MARVIN.

quest gave a brief presentation on the proposed project. Mr. Dalquest indicated that the proposed project will generate some traffic through the intersection of Redlands Boulevard and Alabama Street. Mr. Dalquest stated that staff is recommending approval of the Socio-Economic Cost Benefit Study, the overriding findings of reduced LOS at Redlands Boulevard and Alabama Street, and Commission Review and Approval No. 770.

an Webber opened the public hearing.

id Marvin, applicant, stated he was available to answer questions.

N

oved by Commissioner Laymon, seconded by Commissioner Macdonald, and carried on a 6-0 vote that the Planning Commission approve the Mitigated Negative Declaration for Commission Review and Approval No. 770 and direct staff to file and post a "Notice of Determination" in accordance with City guidelines. It has been determined that this project will no individually or cumulatively affect wildlife resources as defined in Section 711.2 of the California Fish and Game Code."

N

oved by Commissioner Laymon, seconded by Commissioner Macdonald, and carried on a 6-0 vote that the Planning Commission approve the Socio-Economic Cost Benefit Study for Commission Review and Approval No. 770. It has been determined that the project will not create unmitigable physical blight or overburden public services in the community, and no additional information or evaluation is needed.

N

oved by Commissioner Laymon, seconded by Commissioner Macdonald, and carried on a 6-0 vote that the Planning Commission approve a reduced LOS at the intersection of Alabama Street/Redlands Boulevard during the PM peak hour, as permitted in General Plan Policy 5.20c.

N

oved by Commissioner Laymon, seconded by Commissioner Macdonald, and carried on a 6-0 vote that the Planning Commission approve Commission Review and Approval No. 770, subject to the following findings and subject to the attached Conditions of Approval:

That the site for the intended use is adequate in size and shape to accommodate the use, and all of the required yards, setbacks, walls or fences, landscaping and other features to adjust the use to those existing or permitted future uses of land in the area;

That the site properly relates to streets and highways which are properly designed and improved to carry the type and quantity of traffic to be generated by the proposed development;

That the use is desirable for the overall development of the community, is consistent with the policies, programs, and objectives of the Redlands General Plan;

That the conditions set forth in the approval and those shown on the approved site plan are deemed necessary to protect the public health, safety and general welfare;

That Commission Review and Approval No. 770, therefore, be approved subject to all departmental recommendations.

ADDENDA

A. Application for the transfer of an off-site beer and wine license for Annette's Market located at 1600 East Citrus Avenue, Suite M.

n Jaquess stated that the Police Department has no objections to the application for the off-site beer and wine license transfer and staff is recommending approval.

N

oved by Commissioner Thompson, seconded by Commissioner Osborne, and carried on a 7-0 vote that the Planning Commission approve the Off-Sale Beer and Wine Alcoholic Beverage License transfer for Annette's Market and no conditions are recommended as there are no problems associated with this site.

B. Discussion on Residential "Street Calming" and "Traffic/Pedestrian Safety"

ise Whisler stated she brought forward information to the City Council and was advised to appear before the Planning Commission. Dr. Whisler discussed street calming guidelines that are currently being utilized by the City of Sacramento.

isler asked the Planning Commission to consider her recommendations which would be implemented on new development only.

an Webber advised Dr. Whisler that the changes would involve a long process. Mr. Shaw stated that the changes would involve Public Works and Planning concepts. Mr. Shaw noted that he was familiar with the traffic calming measures utilized by Sacramento, as he drove through the residential streets during a trip to Sacramento.

an Webber suggested that Dr. Whisler's recommendation be forwarded to the Ad Hoc Zoning Committee as he felt it would fall under their jurisdiction. Chairman Webber advised Dr. Whisler that it is long term issue that would require a lot of study and he thanked Dr. Whisler for her input.

C. Appointment of two Commissioners to the Fence Committee

etermined that Commissioner Osborne, as the senior appointee, and Commissioner Cook would serve as Fence Committee members for the year 2004.

D. Finding of General Plan Consistency for sale of City-owned property to San Bernardino County Superintendent of Schools

uess stated that the County Superintendent of Schools is proposing to purchase a five acre parcel of land that was originally acquired by the City, for the purpose of building a park. The County proposes to develop a medical therapy unit on the parcel of land.

uess stated that the zoning designation for the parcel is shown on the General Plan as Parks/Golf Course. Mr. Jaquess stated if the land is going to be used as a school related facility, it should be shown on the General Plan as a public facility use. Mr. Jaquess stated that staff is recommending that the proposed use and sale of the property is not consistent with the General Plan, as it is currently written.

N

oved by Commissioner Macdonald, seconded by Commissioner Miller, and carried on a 7-0 vote to determine that Assessor's Parcel Number 0168 121 04 as shown as Parks/Golf Course is not consistent with the proposed use as Public School related facility.

E. Report on Maintenance of Eureka Street Median

aw stated at the last Planning Commission meeting, several Commissioners expressed their concern relative to the maintenance of the median on Eureka Street. Mr. Shaw stated he contacted the Public Works Department, which indicated problems with staffing. Mr. Ron Mutter, Public Works Department Director, stated he would attempt to contact Glen Helen Camp workers to assist with the maintenance, which primarily involves weeding.

APPROVAL OF MINUTES

A. October 28, 2003

N

moved by Commissioner Osborne, seconded by Commissioner Laymon, and carried on a 7-0 vote that the Planning Commission approve the Planning Commission minutes of October 28th, with a correction noted.

B. December 9, 2003

N

oved by Commissioner Osborne, seconded by Commissioner Thompson, and carried on a 7-0 vote that the Planning Commission approve the Planning Commission minutes of December 9th, with a correction noted. (Commissioner Miller indicated that he was absent during the evening session)

C. December 23, 2003

N

oved by Commissioner Osborne, seconded by Commissioner Thompson, and carried on a 6-0 vote (Commissioner Miller excused) that the Planning Commission approve the Planning Commission minutes of December 23rd.

CORRESPONDENCE/COMMUNICATIONS

A. City Council Report

w gave a brief presentation on the City Council actions of January 6th.

B. Status of Major Projects

of the updated Status of Major Projects List was included in the Planning Commission packets. Mr. Shaw stated that 391 dwelling units (out of the 400 allowed) were built in 2003. Mr. Shaw stated the majority of the dwelling units were single family; in addition to 42 apartments, 8 duplexes, and 5 mobile homes. Mr. Shaw continued by saying 2003 was a significant year relative to overall permits. Mr. Shaw stated there were approximately \$144 million in assessed valuation of permits that were issued, which is almost double what has historically been issued by the department.

ADJOURNMENT TO EVENING SESSION

an Webber recessed the meeting to the evening session.

7:00 P.M.

MEETING RECONVENED

an Webber reconvened the meeting at 7:00 p.m. All commissioners were present. Chairman Webber reminded the audience that they would have three (3) minutes to speak, and would be given a time reminder by the secretary at 2½ minutes.

an Webber advised the audience that the two Commissioners who were absent at the last evening session (Commissioners Miller and Thompson) had the benefit of reviewing a tape of the meeting that was provided by staff.

- 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.

Malacoff, gave a brief presentation on the proposed project. Mr. Malacoff stated the meeting was continued to this date so that the full commission could participate in a recommendation to City Council. Mr. Malacoff stated the total correspondence received by staff has been 53 letters in support of the proposed project and 51 letters in opposition to the proposed project.

an Webber opened the public hearing.

Mr. Meyer, representing the applicant, requested that the Planning Commission forward a recommendation to the City Council relative to the General Plan Amendment. Mr. Meyer stated that he met with staff over the holidays relative to changes requested on the Specific Plan. Mr. Meyer stated the applicant would prefer to have the convenience of a drive-thru for the proposed pharmacy. Mr. Meyer stated he concurred with staff's recommendation to notify property owners within a 1,000 foot radius of the proposed project. With regard to the sign program, Mr. Meyer concurred with staff's recommendations.

Mr. Meyer stated he concurred with staff's recommendation relative to store hours, however Ralph's specifically requested that delivery hours be extended from 6 p.m. to 8 p.m.

Commissioner Macdonald asked Mr. Meyer why there was reluctance to have an entrance to the back of Ralph's Supermarket off Patricia Street, so that deliveries could be made there. Mr. Meyer stated that this issue was discussed with the residents of Chantclair early on in the planning stages, however, the residents specifically requested that no access be permitted on Patricia Street.

an Webber opened the public hearing.

Mr. Eickman, 387 Cynthia Crest, expressed his opposition to the proposed project and stated that there is no compelling need

for a zone change or another supermarket. Mr. Eickman cited issues of traffic, noise, crime, and unwanted intrusions into the residential neighborhood.

n Jensen, 313 Marcia Street, read a letter from her neighbor Mr. Dick Carlson, who could not attend the meeting. Mr. Carlson expressed his opposition to the proposed project stating he was concerned with safety issues.

ert Macey, 387 Los Robles Crest, expressed his opposition to the proposed project citing traffic issues. Mr. Macey requested the applicant resubmit his application in accordance with the existing zoning designation. Mr. Macey stated he is against the zone change and he supports any development that meets code.

et Ward, 121 E. South, expressed her opposition to the zone change. Ms. Ward focused her comments on a statement made by Commissioner Osborne, "Rooftops create traffic". Ms. Ward disagreed with the statement stating "Rooftops do not create additional traffic, but commercial development does." Ms. Ward stated that Food 4 Less, Von's, Stater Bros. and Albertsons generate tremendous traffic and each of their commercial centers require a traffic signal.

ron Joiner, 30812 Miradero Drive, expressed her support of the proposed center. Ms. Joiner stated the tax revenue from the development would help the City. Ms. Joiner stated she has not seen increased crime in the neighborhoods surrounding Gerard's Market and Albertsons.

her Ringer, 610 11th Street, stated that the \$75k annual revenue from the proposed project would help the City of Redlands with its tax base, in addition to the property taxes that would be paid.

cy DiMaggio, 232 Grandview Drive, expressed her support of the proposed project stating that Ralph's is an upscale, high-end supermarket. Ms. DiMaggio stated that she would shop at the Ralph's if it is built.

bbie Stobaugh, 227 Gabrielle Way, stated she supports the proposed center, which is needed in the southeast side of Redlands. Ms. Stobaugh stated she is concerned with the type of development that could be built if the project is denied. Ms. Stobaugh stated that the neighborhood center would provide dining facilities in an area in which it is lacking.

k Sheppard, 633 Elise Drive, representing the City of Redlands Business and Economic Development Advisory Commission (BEDAC), submitted a recent report from their meeting of November 5th, 2003. Mr. Shepard stated that BEDAC unanimously voted to endorse the proposed Ralph's project based on the additional job opportunities and economic benefits to the City.

in Morningstar, 625 Golden West Drive, expressed his opposition to the proposed project and questioned the need for a grocery store. Mr. Morningstar stated this issue is about respecting the existing neighborhood and proposing a project that is compatible with the residential neighborhood.

нна Sullivan, 382 Cynthia Crest, expressed her opposition to the proposed project stating she felt her property would be impacted by a greater traffic flow trying to enter/exit the area. Ms. Sullivan stated when purchasing her property, she was assured by her realtor that the property was zoned for Administrative/Professional development. Ms. Sullivan stated she went to the Planning Division office to review the log of the previous 89 General Plan amendments and there was no other request, either granted or denied, to change the zoning from Administrative/Professional to Commercial.

id Gusseck, 361 Franklin Avenue, expressed his support of the proposed project. Mr. Gusseck stated that he believed most people would come to and exit the center by way of the freeway.

rairie Boatman, 1425 Patricia Drive, stated that the grocery workers' strike has been going on for some time and she discovered that other markets and specialty stores in the area have more than met her needs. Ms. Boatman stated they purchased their home with the knowledge of what might be built on the vacant land in question. Ms. Boatman stated that zoning laws should not be arbitrarily changed or adjusted in a "willy nilly" fashion to suit certain interested parties.

DeWitt, 812 La Solana Drive, expressed his support of the proposed project stating he felt the developer put together a thoughtful commercial development that is needed in the area. Mr. DeWitt stated that the Commission has an opportunity to control a high quality development that is really needed in the neighborhood.

ven Mohr, 532 Golden West Drive, expressed his concern about the proposed project, stating there is no compelling need to change the General Plan. Mr. Mohr stated there has not been significant residential growth within the Sunset Ford area that would require an additional store at the location.

Gourley, stated that 350 support cards were submitted at the previous meeting. Mr. Gourley stated that hundreds of supporters of the project hope a decision is made and the project is forwarded to the City Council.

h Moreland, 5 Bow C, expressed his concern of the traffic issues, and stated he lives at the corner of Bow C and Elm Street. Mr. Moreland stated if Oak Street is impacted by the proposed development, than Elm Street, which is a very narrow street (18-21 feet) would be utilized by drivers exiting Summit and Campbell. Mr. Moreland submitted photos he took of the two streets.

er Schwarz, 364 Los Robles Crest, stated he is opposed to the project as he feels there needs to be nt reasons to change the General Plan. Mr. Schwarz questioned the effectiveness of the signalized intersections that are proposed for the project. Mr. Schwarz stated that it will be difficult to let his children play in the front yard with the new traffic generated by the proposed project.

ela Schwarz, 364 Los Robles Crest, stated she opposed to the project. Ms. Schwarz stated she is a home school family and currently they are able to go out and take walks, which is something they will not be able to do if the project is approved.

an Webber closed the public hearing.

an Webber requested that the commissioners who were absent at the last meeting begin discussion on the proposed project.

ssioner Thompson stated he viewed the tape from the last meeting, and noted that there were as many people in favor of the project as opposed to the project. Commissioner Thompson stated a residential development within 300 feet of the freeway is not appropriate for that area. Commissioner Thompson stated traffic was a major concern for many residents, however, they did not speak of projected traffic impacts of the existing General Plan and zoning. Commissioner Thompson stated he is in favor of the project.

ssioner Miller stated that he wanted to become a member of the Planning Commission for two reasons:

1. He wanted to see consistency in how the City's policy is applied
2. He wanted to use his expertise to help guide the policy

ssioner Miller stated he felt it was important that the Commission consider policies that are in place.

ssioner Miller stated that he supports Commissioner Thompson's position that regardless if it is this development or a development that is consistent with the General Plan, the problems do not go away.

ssioner Miller stated that a project that brings in a significant amount of people from off the freeway probably will increase crime a little bit.

ssioner Miller stated he felt the noise and activity would be more intense with a retail center, rather than with Administrative/Professional development and he could not support the proposed project.

ssioner Laymon stated she was one of the Commissioners who approved the Chanteclair development and she felt that the development was in a location that was not the most advantageous, because of its close proximity to the freeway. Commissioner Laymon stated that the residents of Chanteclair paid a considerable sum for their homes with the expectation the zoning would remain what it was at the time of their purchase. Commissioner Laymon stated the zoning across the street and the freeway is designated Administrative/Professional and she

questioned whether they are setting a precedent. Commissioner Laymon he would not support the project.

Commissioner Cook stated this was a difficult project for her. Commissioner Cook stated that the General Plan is a fluid document that is meant to be changed with a lot of public input, discussion, and thought. Commissioner Cook stated she felt the project is a good project that is shielded from the neighbors and passers by. Commissioner Cook stated she felt the project is an upscale development next to an upscale neighborhood and she would vote in favor of it.

Commissioner Osborne concurred with Commissioners Miller and Cook, that the parcel was improperly zoned, and should have been zoned commercial. Commissioner Osborne stated the proposed project is exterior to the residential neighborhood, not in it Commissioner Osborne stated he would support the project.

Commissioner Macdonald stated that change and growth is inevitable. Commissioner Macdonald concurred with Commissioner Cook that the General Plan is a living document that is constantly being revised and updated. Commissioner Macdonald stated that our community must attract quality development to help pay the cost of maintaining the quality of life that everyone has spoken of for the past 6 months. Commissioner Macdonald stated the property has been vacant for the past 5-10 years, and there is an opportunity to put in a good center that will generate in his estimate, \$200k per year in sales tax and provide up to 150 jobs. Commissioner Macdonald stated that he would support the project.

Chairman Webber stated he has not changed his position; he is still against the project. Chairman Webber stated he has an added concern of the impact on traffic patterns south of Highland Avenue. Chairman Webber stated the parcel seems to be a fairly small area in which to put in high intensity use combined with the steepness of Ford Street. Chairman Webber stated he did not feel the area was a "typical" area for grocery store development. Chairman Webber stated he would not support the proposed project.

N

Motion carried by Commissioner Macdonald, seconded by Commissioner Thompson, and carried on a 4-3 vote (Commissioners Laymon, Miller, and Webber voting no) that the Planning Commission approve RPC No. 1015 and recommend that the City Council approve General Plan Amendment No. 90.

Commissioner Macdonald stated the Commission should decide if they want to evaluate the project as a whole, or if they are going to forward a recommendation on the legislative items.

The Commission reached a consensus that they would like to forward a recommendation on the General Plan Amendment before opening discussion on the Specific Plan and Conditional Use Permit.

N

Motion carried by Commissioner Macdonald, seconded by Commissioner Osborne, and carried on a 4-3 vote (Commissioners Laymon, Miller, and Webber voting no) that the Planning Commission recommend to the City Council approval of the Mitigated Negative Declaration for General Plan Amendment No. 90, Amendment 4 to Specific Plan No. 23, and Conditional Use Permit No. 793 and direct staff to file and post a Notice of Determination in accordance with City guidelines. It has been determined that this project will not individually or cumulatively affect wildlife resources as defined in Section 711.2 of the California Fish and Game Code.

City Attorney Les Murad suggested the Commission make a motion to table the Amendment to Specific Plan No. 23 and

Conditional Use Permit No. 793.

N

oved by Commissioner Macdonald, seconded by Commissioner Thompson, and carried on a 7-0 vote that the Planning Commission table RPC No. 1014, Amendment No. 4 to Specific Plan No. 23, and Conditional Use Permit No. 793.

ADJOURNMENT TO JANUARY 27, 2004

an Webber adjourned the meeting to January 27, 2004.

tfully submitted,

Ortiz, Senior Admin. Assistant
nity Development Department

Jeffrey L. Shaw, Director
Community Development Department