

MINUTES of the Planning Commission Meeting of the City of Redlands held Tuesday, July 27, 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

ADVISORY STAFF

PRESENT: Leslie E. Murad II, Assistant City Attorney
Jeffrey L. Shaw, Director
John Jaquess, Assistant Director
Robert Dalquest, Principal Planner/Project Manager
Asher Hartel, Senior Planner
Manuel Baeza, Associate Planner
Alicia Heideman, Junior Planner
David Jump, Junior Planner

I. CALL TO ORDER AND PUBLIC COMMENT PERIOD - 3 MINUTES

Chairman Webber opened the public hearing at 2:00 p.m. All commissioners were present except Commissioner Cook.

Chairman Webber advised members of the audience that parking permits may be obtained from the Planning Commission secretary and should be placed on the vehicle dashboard to prevent receiving a parking citation, for those who are parked in the Civic Center parking lot.

Chairman Webber noted that the lawn area and trees in front of the 99¢ Store are dying and it appears that they have not been watered or the lawn mowed in several weeks. Director Jeff Shaw stated he would contact the applicant and report back to the Commission at the next meeting.

II. CONSENT ITEMS- None

III. OLD BUSINESS

- A. **CONCEPT PLAN NO. 1 (AMENDMENT NO. 2) - PUBLIC HEARING** for Planning Commission consideration of a recommendation to the City Council on a Mitigated Negative Declaration and an amendment to Concept Plan No. 1 of the East Valley Corridor Specific Plan to: a) revise the Land Use Plan and designate approximately 134 acres north of Almond Avenue as Commercial Industrial and Warehouse Distribution District; b) revise Section III(C) of the Commercial Industrial and Warehouse Distribution District by adding special design standards for industrial buildings over 250,000 square feet in size; and c) revise Figure 7F concerning the landscape design along Mountain View Avenue. Concept Plan No. 1 encompasses 306 acres and is bounded by San Bernardino Avenue to the North, Lugonia Avenue to the south, California Street to the east, and Mountain View Avenue to the west. Request submitted by WESTERN REALCO.

- B. **COMMISSION REVIEW AND APPROVAL NO. 781 - PUBLIC HEARING** for the Planning Commission to consider a recommendation to the City Council on a Mitigated Negative Declaration, Socio-Economic Cost/Benefit Study, and a Commission Review and Approval for the construction of one (1) warehouse/distribution concrete tilt-up building of 683,269 square feet on approximately 31 acres located on the south side of San Bernardino Avenue, east side of Mountain View Avenue, and north side of Almond Avenue in Concept Plan No. 1 of the East Valley Corridor Specific Plan. Request submitted by WESTERN REALCO.

Project Planner Asher Hartel stated the project was heard by the Commission on May 25, 2004 and continued a number of times to allow the applicant sufficient time to revise the building elevations and landscaping. Mr. Hartel gave a brief presentation on the proposed amendment to Concept Plan 1.

Mr. Hartel stated the applicant is proposing a limitation of 200k square feet for new buildings, with the ability to go larger with the approval of a Conditional Use Permit. Mr. Hartel distributed a sample of the applicant's proposed language. Mr. Hartel stated staff recommends that the 150k square foot limitation be maintained in the criteria.

Mr. Hartel stated that concern was expressed over additional warehouse/distribution facilities south of San Bernardino Avenue. Mr. Hartel stated that discussion was held by the Ad Hoc Zoning Committee relative to the appropriate location and maximum building sizes that should be allowed in the area. Mr. Hartel stated discussion was held on sizes ranging from 150-250k square feet for the area south of San Bernardino Avenue. Mr. Hartel stated that staff is seeking policy direction from the Commission on the issue of warehouse/distribution facilities south of San Bernardino Avenue.

Mr. Hartel identified four possible alternatives for the amendment to the Concept Plan:

3. Deny the amendment and not allow the proposed warehouse currently proposed or any future warehouses south of San Bernardino
4. Approve the amendment as proposed, and allow warehouses south of San Bernardino Avenue as far as Almond Avenue and west of the Salton building
5. Approve the amendment for buildings larger than 150k or 200k square feet in the Commercial Industrial District north of Almond, subject to approval of a Conditional Use Permit
6. Any combination of Alternatives 2 and 3.

Mr. Hartel gave a brief presentation on the proposed Commission Review and Approval. Mr. Hartel stated staff is recommending approval of the Commission Review and Approval but are recommending improvements to the elevations.

Commissioner Macdonald questioned the numbers shown on the Socio-Economic Cost/Benefit Study. Mr. Jaquess stated the costs and revenues are typical of warehouse buildings.

Commissioner Laymon asked Mr. Hartel under what conditions a Conditional Use Permit would be granted for larger buildings outside the proposed area.

Mr. Hartel stated that final action on a Conditional Use Permit would go before the Planning Commission. Mr. Hartel deferred to Mr. Pat Meyer, the applicant's representative. Commissioner Macdonald questioned how a high employment ratio would be determined. Commissioner Macdonald stated he felt the wording on the proposed amendment was very vague. Chairman Webber concurred with Commissioner Macdonald.

Referring to the information that was distributed by Mr. Hartel, Commissioner Miller noted that the applicant would have to meet one or more of the four criteria listed in order to be conditionally permitted for a building larger than 200k square feet.

Chairman Webber stated he was chagrined to receive significant information at the last minute.

Chairman Webber opened the public hearing.

Mr. Pat Meyer, stated staff indicated they were going to recommend that the area east of Salton be changed to the yellow pattern and would replace the red pattern. Mr. Meyer stated it appears that most of the Commissioners have concern relative to the occupancy of the buildings, and would like to see significant jobs generated from the buildings. Mr. Meyer stated it was not intended that the applicant only meet one of the four criteria listed, and he suggested the wording could be changed to indicate that the buildings be high employment generators.

Mr. Meyer stated they will not construct a building on a speculative basis, without knowing whom the tenant will be. Mr. Meyer stated the buildings will be subject to the additional architectural and site plan design standards set forth in the Concept Plan and the normal Conditional Use findings. Mr. Meyer stated he felt the Conditional Use Permit process will resolve a lot of concerns.

Relative to the architecture of the buildings, Mr. Meyer stated he did not feel that wrapping the office pods around the corner, would match the paneling and the offsets. Mr. Meyer stated the two corners (Mountain View/San Bernardino and Mountain View/Almond) are the heaviest landscaped areas.

Mr. Meyer stated he concurs with the Conditions of Approval contained in the staff report.

Chairman Webber asked Mr. Meyer if there was a way to revise the language to tie in with the name of the tenant. Chairman Webber suggested revising the language so as not be vague.

Mr. Meyer stated he felt the matter could be resolved today and he proposed alternative language.

Commissioner Laymon asked if only full time employees are used when tabulating the employment numbers for the buildings. Mr. Meyer stated they were.

Chairman Webber asked for a consensus from the Commission on consideration of the amendment to the Concept Plan.

Commissioner Miller stated the characteristics of a distribution center include cross dock loading and

has to be a minimum size to function for its purpose. Commissioner Miller asked for information on the threshold for a cross dock distribution center relative to square footage.

Mr. Vance Mape, Western Realco, stated a minimum of 250k square feet is needed otherwise the building is too narrow to make the docks on either side work. Mr. Mape stated they don't want to miss out on a tenant who may employ more people.

Mr. Meyer stated that larger buildings can be built north of Almond because the size of the building isn't limited.

Commissioner Osborne stated the wording "Manufacturing/Warehouse" should be revised to specify that either use is permitted.

Commissioner Macdonald stated that he would be willing to entertain more discussion on the Conditional Use Permit, but with more input. Commissioner Macdonald stated the language, as currently written, is too subjective to deal with.

Mr. Meyer apologized for distributing the text so late, and stated he would work on the language so that it will be acceptable to the Commission. Mr. Meyer requested a consensus from the Commission on the building architecture and the landscaping.

Commissioner Miller stated the spano glass detail is located at two places that are not entrances. Commissioner Miller confirmed that staff wants to see the same detail on the north elevation facing San Bernardino Avenue and south elevation facing Almond Avenue.

Chairman Webber asked Commissioner Laymon for a consensus on the architecture, and whether to continue the project so that the language can be revised.

Commissioner Laymon stated she did not want to comment on the architecture of the building and stated she was supportive of continuing the project.

Commissioner Osborne stated he assumed the Commission is willing to consider buildings larger than 200k square feet, east of the Salton building and north of Almond.

Commissioner Macdonald stated he concurred with staff's recommendation relative to the architectural treatments. Commissioner Macdonald stated he concurred with staff on the 150k square foot building, and if the developer should decide to construct a bigger building, it would have to come back to the Commission as an amendment to the Concept Plan.

Commissioner Miller stated he is open to giving the developer flexibility to respond to whatever the market may demand. Simply stated, Commissioner Miller stated he felt manufacturing is good and warehouses are bad.

Commissioner Thompson concurred with Commissioner Miller but stated that he does not think that manufacturing is good and warehouses are bad, because you might have a warehouse or distribution center that might provide a lot of jobs. Commissioner Thompson stated he is in favor of continuing the proposed project.

Commissioner Miller stated, generally speaking, the warehouse sector does not bring highly compensated jobs, whereas manufacturing can, if it involves a skilled labor manufacturing process.

Chairman Webber stated he is supportive of developing language to consider companies that will bring jobs into the City. Chairman Webber stated the landscaping on the two corners is significant, and he is supportive of the architecture of the buildings.

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 6-0 vote to continue Concept Plan No. 1 (Amendment No. 2) and Commission Review and Approval No. 781 to the August 10th Planning Commission meeting.

Director Shaw recused himself at 3:00 p.m. due to a possible conflict of interest.

- C. **ZONE CHANGE NO. 404 - PUBLIC HEARING** for the Planning Commission to consider a recommendation to the City Council on a Mitigated Negative Declaration, a Socio-Economic Cost/Benefit Study and a Zone Change from A-1, Agricultural District to proposed zoning of R-E, Residential Estate District for property with an area of approximately 5.5 acres located on the northeast corner of Fifth Avenue and Dearborn Street. Request submitted by PANDA HOMES OF CALIFORNIA, INC.
- D. **VARIANCE NO. 679 - PUBLIC HEARING** for the Planning Commission to consider a recommendation to the City Council on a Mitigated Negative Declaration, a Socio-Economic Cost/Benefit Study and a Variance from Section 18.36.050 A. of the Municipal Code to allow a fifteen (15) foot reduction in the required lot width from a one hundred (100) foot width to an eighty-five (85) foot width for two proposed single family residential lots both to be located on the east side of Dearborn Street approximately 170 feet north of Fifth Avenue. Request submitted by PANDA HOMES OF CALIFORNIA, INC.
- E. **VARIANCE NO. 680 - PUBLIC HEARING** for the Planning Commission to consider a recommendation to the City Council on a Mitigated Negative Declaration, a Socio-Economic Cost/Benefit Study and a Variance from Section 18.36.050 B. of the Municipal Code to allow a reduced lot depth, from the required one hundred twenty (120) feet for a proposed single family residential lot to be located on the north side Fifth Avenue approximately one hundred and seventy-five (175) feet east of Dearborn Street. Request submitted by PANDA HOMES OF CALIFORNIA,

INC.

- F. **TENTATIVE TRACT NO. 16907 -PUBLIC HEARING** for the Planning Commission to consider a recommendation to the City Council on a Mitigated Negative Declaration, a Socio-Economic Cost/Benefit Study, and a Tentative Tract Map to subdivide approximately 5.5 acres into ten (10) residential lots for property located on the northeast corner of Fifth Avenue and Dearborn Street. In the A-1, Agricultural District (proposed R-E, Residential Estate District). Request submitted by PANDA HOMES OF CALIFORNIA, INC.

Project Planner Manuel Baeza stated the applicant re-designed the project so that the variances are no longer required. Mr. Baeza stated the redesigned project will have to be re-circulated to City departments, therefore, Mr. Baeza requested the project be continued to August 10th.

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 Laymon, and carried on a 6-0 vote to continue Zone Change No. 404, Variance No. 679, Variance No. 680, and Tentative Tract No. 16907 to August 10th.

Mr. Shaw returned to the meeting at 3:02 p.m.

- G. **MINOR SUBDIVISION NO. 270 - PUBLIC HEARING** for the Planning Commission to consider a Mitigated Negative Declaration, Socio-Economic Cost/Benefit Study and Minor Subdivision (Parcel Map No. 16372) to subdivide 8.22 gross acres into eight (8) commercial parcels located on the northwest corner of Citrus Avenue and Iowa Street in the EV/IC, Commercial Industrial District of the East Valley Corridor Specific Plan. Request submitted by MKJ IOWA COMMERCE CENTER, LLC.
- H. **COMMISSION REVIEW AND APPROVAL NO. 772 - PUBLIC HEARING** for the Planning Commission to consider a Mitigated Negative Declaration, Socio-Economic Cost/Benefit Study, and a Commission Review and Approval to develop an industrial park to include eight buildings with a combined area of 118,260 square feet on an 8.22 gross acre property located on the northwest corner of Citrus Avenue and Iowa Street in the EV/IC, Commercial Industrial District of the East Valley Corridor Specific Plan. Request submitted by MKJ IOWA COMMERCE CENTER, LLC.

Project Planner Manuel stated that the City Attorney recommended the proposed project be continued until an issue regarding the installation of a traffic signal can be resolved. Mr. Baeza stated that Public Work's staff believes the requirement for a signal at Alabama Street and Citrus should be a Mitigation Measure, however Planning staff does not.

Chairman Webber opened the public hearing.

Mr. Mike Mueller, MKJ Iowa Commerce Center, noted that other projects were conditioned similarly in the area regarding the same signaled intersection. Mr. Mueller stated one project has been constructed and occupancy is beginning, therefore, Mr. Mueller feels the issue of the signal is moot.

Mr. Shaw stated the General Plan requires that the signal be installed prior to occupancy of the building. Mr. Shaw stated for that reason, it appears that the first development will be required to install the signal light. Mr. Shaw stated the traffic signal is a fee signal and under normal conditions the City would be responsible for its installation. Mr. Shaw stated that many of the fees collected under the fee signal program will go toward the installation of traffic signal lights that have been placed on a priority list.

Commissioner Osborne stated the installation of the traffic signal will be a big burden to the applicant for the minor impact their project will only add to the intersection six additional trips.

Mr. Shaw stated there are two separate issues; compliance with the General Plan and the responsibility for paying for the installation of the signal. Mr. Shaw stated, in the instance of the R.P. Wages project, the issue should have been raised a year and a half ago, when the project went before the Commission for review and approval.

Mr. Muller noted that the Conditions of Approval for the other project were similar to his project, and the other project is completed. Mr. Mueller stated if the signal had been installed prior to his project, this Condition of Approval would not necessary.

Mr. Bill Cunningham stated it is very clear (in Measure U) that the exclusionary zone, which is the area north of the right of way line of Redlands Boulevard, requires a 4/5 vote of the City Council. Mr. Cunningham stated it is imperative that we take care of that intersection as soon as possible.

Commissioner Macdonald stated it is difficult to express the Commission's concerns relative to intersection at Alabama/Redlands Boulevard, and continuing to approve projects that add traffic to the intersection. Commissioner Macdonald stated he believes any developer who goes into the area that affects the intersection, should be willing to cooperate to the fullest extent, or there may come a time when the Commission will not be able to approve projects.

Commissioner Macdonald continued by stating the traffic signal at that intersection is an important part of helping to control what is happening in that area because drivers are going to start using the side streets to avoid the intersection at Redlands Boulevard and Alabama Street.

Commissioner Osborne stated he uses Alabama Street as his primary access going north and he would prefer not to see any traffic signals at Citrus or Park on Alabama because they will delay his commute to the freeway.

Commissioner Macdonald stated Buildings 4, 5, and 6 should have more relief and landscaping, because eventually there will be development facing the west elevation.

Chairman Webber closed the public hearing.

MOTION

It was moved by Commissioner Macdonald, seconded by Commissioner Thompson, and carried on a 6-0 vote that the Planning Commission continue Minor Subdivision No. 270 and Commission Review and Approval No. 772 to August 10th.

IV. NEW BUSINESS

Commissioner Miller recuse himself due to a possible conflict of interest.

- A. **COMMISSION REVIEW AND APPROVAL NO. 784** - Planning Commission to consider a Mitigated Negative Declaration, a **PUBLIC HEARING** for a Socio-Economic Cost/Benefit Study, and Consideration of a Commission Review and Approval to develop a two-story 49,988 square foot building on an 3.39 acre property located on the east side of California Street and north side of Orange Tree Lane in Specific Plan No. 29. Request submitted by CARAT, LLC.

Mr. Baeza gave a brief presentation on the proposed project. Mr. Baeza stated initially staff was going to recommend approval of the proposed project with the addition of a Condition of Approval requiring a Water Quality Management Meeting. Mr. Baeza stated before the meeting he was contacted by Assistant City Attorney Murad who advised that he had concerns on whether a recorded parking easement would be sufficient to ensure that the parking area would be shared in the future.

Chairman Webber opened the public hearing.

Mr. David Kertz, Carat LLC, stated they complied with all requests from the Planning Division. Mr. Kertz asked the City Attorney to advise him what is needed and he will comply. Mr. Kertz stated he would like the project to go forward.

Assistant City Attorney Les Murad stated he did not have sufficient time to research the issue regarding whether there is sufficient parking for the projects.

Mr. Kertz stated they own both properties and parking will not be an issue. He asked Mr. Murad to tell him what was needed.

Chairman Webber asked what type of material would be used for the canopy.

Mr. Gary Ryerson, RKZ Architects, stated the material is a standing seam metal roof built over a steel tube truss.

Mr. Jaquess stated there was a question as to whether the property might be sold off into a separate ownership, although the applicant indicated that he would not do so. Mr. Jaquess stated if that should happen, there is a concern that there be some type of assurance that both sites will be adequately parked.

Assistant City Attorney Murad requested the applicant return to the podium.

Mr. Kertz stated they own all three parcels under discussion and they have discussed the need for an easement.

Assistant City Attorney Murad stated sufficient time is needed to ensure that it is done legally. He stated if the applicant decides to move forward with the Condition of Approval as written and there is a problem later on, the applicant will have to return with an amendment to the Commission Review and Approval.

Chairman Webber asked Mr. Kertz if he was willing to move forward after being advised of the risks.

Mr. Kertz stated he would like to move forward and he had a hard time comprehending what the risks might be.

Chairman Webber closed the public hearing.

MOTION

It was moved by Commissioner Macdonald, seconded by Commissioner Thompson, and carried on a 5-0 vote (Commissioner Miller abstaining) that the Planning Commission approve the Mitigated Negative Declaration for Commission Review and Approval No. 784 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 cumulative effect wildlife resources as defined in Section 711.2 of the California Fish and Game Code.

MOTION

It was moved by Commissioner Macdonald, seconded by Commissioner Thompson, and carried on a 5-0 vote (Commissioner Miller abstaining) that the Planning Commission approve the Socio-Economic Cost Benefit Study for Commission Review and Approval No. 784. 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 Thompson, and carried on a 5-0 vote (Commissioner Miller abstaining) that the Planning Commission approve

Review and Approval No. 784, 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 Orange Tree Lane and California 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. 784 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 with a revision to Condition of Approval 30 to read:

Prior to the issuance of building permits the applicant shall record a reciprocal parking and access agreement over all properties containing shared parking spaces **subject to review and approval by the City Attorney,**

and the addition of Condition of Approval 32 to read:

The applicant shall submit a Water Quality Management Plan (WQMP) for review and approval by the City prior to issuance of a grading permit. All costs for the review shall be paid by the developer. A deposit of \$3,000 for review shall be submitted as a part of the plan review process. The applicant shall implement and comply with the approved WQMP.

Commissioner Miller returned to the meeting.

- B. **ORDINANCE TEXT AMENDMENT NO. 305 - PUBLIC HEARING** for the Planning Commission to consider a recommendation to the City Council on an Ordinance Text Amendment to allow an increase in lot coverage for nonconforming lots in the R-R (Rural Residential) District. Request submitted by the CITY OF REDLANDS.

Project Planner Bob 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 Laymon, and carried on a 6-0 vote that the Planning Commission approve Planning Commission Resolution No. 1037, recommending that the City Council adopt Ordinance Text Amendment No. 305.

- C. **COMMISSION SIGN REVIEW NO. 264** - A request for Planning Commission consideration of one (1) pedestal sign with a total face area of twenty-four (24) square feet located at 1680 W. Redlands Blvd. in the EV/CG, East Valley Corridor Specific Plan General Commercial District. Request submitted by FRED G. ZEPEDA.

Commissioner Cook joined the Commission.

Project Planner Alicia Heideman stated the proposed project came before the Commission in March 2004, and was withdrawn in April 2004. Ms. Heideman stated the applicant currently has a thirty (30) foot square sign on site and the request is for one (1) additional pedestal sign with a total face area of twenty-four (24) square feet. Ms. Heideman stated the site is allowed maximum signage up to 107 square feet. Ms. Heideman stated the Planning Commission requested the plans be revised to reflect a monument design. Ms. Heideman stated the Commission does have a policy of preference for monument signs and staff felt a monument sign was appropriate for this location due to the speed of traffic, the preponderance of other monument signs, and the setting of the neighborhood.

Chairman Webber opened the public hearing.

Commissioner Osborne asked Ms. Heideman how much signage is allowed in a unified shopping center. Ms. Headman stated the Code allows one (1) free standing sign per unified shopping center.

Chairman Webber opened the public hearing.

Mr. Fred Zepeda, representing Storage West (LAACO Limited), stated the staff report indicates a preference for monument signs, however nowhere in the Sign Code is there mention of a preference for monument signs. Mr. Zepeda stated when he requested more information on preference, he was given an undated Planning Commission policy statement regarding monument signs versus pedestal signs. Mr. Zepeda stated the document, which was written in 1980, provides three (3) factors to be considered in permitting pedestal signs:

- A. Speed of traffic
- B. Preponderance of other similar signs
- C. Neighborhood setting

Mr. Zepeda stated the Code does not determine how the factors are to be considered when permitting a pedestal sign.

Mr. Zepeda stated he was told that faster speeds would bode well for pedestal signs rather than monument signs. He stated a preponderance of signs (i.e., pedestal) would bode well for that particular type of sign, and the setting of a neighborhood was a land use issue.

Mr. Zepeda stated currently there are twelve signs in the area between Nevada Street and Alabama, nine (9) of which are pedestal signs and the remaining three (3) are monument signs. Mr. Zepeda continued by stating of the three (3) monument signs, two (2) are eight (8) feet tall and one is four (4)

feet tall. Mr. Zepeda stated in the past twenty (20) years, the Commission has approved one (1) monument sign in the area.

Mr. Zepeda stated that Storage West is a retail business that relies heavily on high traffic counts, which is why his company paid a large premium for the Redlands Boulevard location.

Mr. Zepeda distributed photos taken on Redlands Boulevard showing the site as it currently appears and as it would appear with the proposed signage.

Mr. Zepeda stated his proposed signage meets all aspects of the Sign Code and all three (3) factors listed for pedestal signs under the policy of preference memo.

Commissioner Miller asked Mr. Zepeda how much retail sales tax his facility generates per year. Mr. Zepeda stated he didn't know. Commissioner Miller asked Mr. Zepeda if there is a sales tax on the rental of the units. Mr. Zepeda stated he did not know but he did not think there was. Mr. Zepeda continued by saying there would be sales tax on the boxes, packing materials, and locks they sell.

Chairman Webber noted that a local competitor who has been in business for the past 15-20 years, has managed to succeed without a pedestal sign. Chairman Webber noted that the competitor has a monument sign that is visible from far away.

Mr. Zepeda stated the business probably was established when traffic speeds were lower and he does not know what the Sign Code was like fifteen (15) years ago.

Chairman Webber stated the competitor is on a high speed street and seems to be doing fine for the past 15-20 years. Chairman Webber stated the Commission has approved monument signs for purely retail businesses such as Der Weinerschnitzel and Wendy's. Chairman Webber stated because of the fact that Mr. Zepeda's business is a service industry, the Commission does not believe they are in the same realm with the pedestal sign requirements.

Mr. Zepeda stated with today's land costs and construction costs, their demands are different from the competitor, even though it's the same type of business.

Mr. Zepeda stated that businesses like Der Weinerschnitzel and AT&T on Redlands Boulevard have large signs because they have full walls that face the street. Mr. Zepeda stated because of the architecture on his building, they do not have a full, flat wall on which to place a sign.

Commissioner Laymon stated she does not feel it is a high speed area because there is a traffic signal at Iowa and Redlands Boulevard.

Chairman Webber stated the proposed sign is twelve (12) feet tall. He asked Mr. Zepeda where the sign would be placed in relation to the building.

Mr. Zepeda stated the sign would probably reach the height of the building cornice.

Chairman Webber stated the trees will grow fairly quickly and he expressed concern that the pedestal sign would be blocked by the trees.

Commissioner Thompson asked if the sign could be moved further west (from the proposed location) and closer to the sidewalk. Mr. Shaw stated the sign would have to be placed within the applicant's property.

Discussion was held on the placement of the sign.

Mr. Michael Lewin, attorney for Mr. Zepeda, stated the Sign Code(for signs within the C-4, General Commercial District of the East Valley Corridor Specific Plan) reads that the Commission has discretionary approval on the location, size, and architectural design of all free standing signs and support structure. Mr. Lewin stated Section E reads that monument and pedestal signs are permitted.

Chairman Webber stated the sign height would fall under "size" category listed under discretionary approval.

Mr. Lewin stated the Sign Code unequivocally states that pedestal signs are permitted; it is not a conditional statement. Mr. Lewin stated the location, architectural design, or the size falls under discretionary approval, not the type of sign. Mr. Lewin stated he is trying to make a legal point for the record.

Commissioner Macdonald stated the Commission does not like the height of the proposed sign.

Mr. Lewin stated the height is expressly permitted up to twelve (12) feet.

Commissioner Thompson stated the proposed height is not going to accomplish Mr. Zepeda's goals because the trees, once grown, will cover the sign.

Commissioner Laymon stated the project is conditioned to require that the trees are maintained, planted, trimmed, and allowed to come to full canopy.

Commissioner Cook stated she felt the monument sign looks better and if it is up to her discretion, she prefers the monument sign.

Mr. Lewin stated, for the record, it is his contention that it is not strictly at their discretion to say "no pedestal signs are permitted."

Mr. Shaw asked if the applicant would agree to a lower pedestal sign. Mr. Zepeda replied that he would.

Mr. Shaw asked Mr. Zepeda if he would agree to a six (6) foot high sign.

Assistant City Attorney Les Murad stated the Code is clear; the Commission has the discretion to look at the location, size and architectural design of the free standing sign, and the free standing signs allowed in the zone are monument and pedestal. Mr. Murad stated if the Commission should decide to deny the sign, they will have to show substantial evidence as to why it should be denied because it is an allowed use in the zone.

Commissioner Osborne stated there are a variety of signs along Redlands Boulevard between Alabama Street and California. Commissioner Osborne stated he looked at other storage facilities in the area and found one had a pedestal sign, one a monument sign, and one a pole sign. Commissioner Osborne stated if a unified center allows a pedestal sign, it is not for the Commission to say the sign should not be allowed because it will be covered up by the landscaping.

Commissioner Thompson disagreed with Commissioner Osborne and stated previously in similar situations the trees are topped off or cut down because they block signs.

Commissioner Laymon stated she is uncomfortable with the Commission abrogating its discretionary powers.

Commissioner Osborne stated he prefers monuments signs, but if the Code states the applicant has a choice of signs he did not feel the Commission can tell the applicant they do not like his choice of sign.

Chairman Webber stated he felt it was the responsibility of the Commission to look ahead and know what problems may develop.

Commissioner Osborne stated legal counsel has advised the Commission that if the project is denied, they must have substantial evidence of their reasons for denial.

Chairman Webber asked Mr. Zepeda if he had a compromise proposal.

Mr. Zepeda stated he would be willing to look at a compromise. Mr. Zepeda stated if the size of the sign was lowered, the trees could be moved back.

Chairman Webber stated if the trees are moved, the landscape plan will have to come back to the Commission.

Chairman Webber suggested Mr. Zepeda contact a landscape architect to determine the types of trees that will accommodate the sign. Mr. Zepeda agreed to do so.

Chairman Webber asked for a consensus from the Commission on whether they should search for a compromise in the sign.

Commissioner Macdonald stated no.

Commissioner Miller stated he is willing to give the applicant an opportunity to come up with something they will all feel good about. Commissioner Miller stated he would reserve his comments until an appropriate time.

Commissioner Thompson concurred, but stated it would have to be significantly different.

Commissioner Osborne stated he is willing to support an eight (8) foot tall pedestal sign, but he felt the Commission should specify the type of sign that is acceptable to them, rather than have the applicant redesign the sign, only to find out that it is not acceptable to the Commission.

Commissioner Cook stated she prefers a monument sign but she would be willing to look at a compromise.

Commissioner Laymon stated she prefers the monument sign but she would be willing to look at a compromise. Commissioner Laymon expressed concern regarding the language because the applicant indicated he felt the proposed project was a “done deal.” Commissioner Laymon asked the Assistant City Attorney if the language can be clarified to indicate to applicants that the Commission has final discretionary power relative to the size, location, and architectural design of a sign.

Assistant City Attorney Murad stated an Ordinance Text Amendment would be needed to eliminate pedestal signs from the zone. Assistant City Attorney stated currently the Code allows both monument and pedestal signs. Assistant City Attorney noted that the staff report indicates that the Commission must take final action by the next meeting.

Commissioner Macdonald asked that Commissioner Miller share his comments.

Commissioner Miller stated he did not have a preference for the type of sign, but he does not want the sign to be more than four (4) feet tall. Commissioner Miller stated the project would not have come before the Commission had they not followed staff’s advice to include traditional retail (The 99¢ Store) with their project. Commissioner Miller stated he remembered working on the architecture with the reluctant applicant and to say that signage was not considered, is not believable.

Commissioner Miller stated he felt the issue was not brought up because it was a controversial project and there were members from the community and on the Commission who were not in favor of it. Commissioner Miller stated he felt betrayed that the issue was being brought up at this time.

Commissioner Miller stated the architecture is low profile and he believes the sign should be in proportion to the low profile of the building, in addition to being sensitive to the landscaping. Commissioner Miller stated he did not believe the landscaping should be moved around to accommodate the sign.

Commissioner Laymon asked for the definition of a unified center. Mr. Shaw stated that amendments have been made to the Code that relate to signage. Mr. Shaw stated the center is allowed at least one (1) free standing sign but more signage might be allowed under one of the amendments made within the last year.

Commissioner Cook questioned if the Commission as a whole, prefers the monument sign, why the applicant is being asked to return with a redesigned sign. Commissioner Cook stated she felt a four (4) foot tall sign is reasonable.

Chairman Webber stated that he wants to read the Code and study it to determine if there is a compromise position to allow them to move forward.

Assistant City Attorney Murad stated the applicant has a right to have a pedestal sign up to twelve (12) feet tall in the zone. Mr. Murad stated if the applicant is agreeable to reducing the size of the sign, it would be appropriate to continue the project and have the applicant bring back a proposal.

Mr. Shaw stated staff has received some input from the Assistant City Attorney and heard some other ideas discussed, which will assist in providing motions. Mr. Shaw stated a decision will have to be made on August 10th.

A gentlemen in the audience suggested the applicant consult with an arborist who can advise what the full canopy size of the trees will be. He stated most canopies are higher than six (6) feet.

MOTION

It was moved by Commissioner Osborne, seconded by Commissioner Miller, and carried on a 6-0 vote that the Planning Commission continue Commission Sign Review No. 264 to August 10th.

Chairman Webber recessed the meeting at 4:50 p.m.

Chairman Webber reconvened the meeting at 4:57 p.m.

- D. **CONDITIONAL USE PERMIT NO. 801** - Planning Commission consideration of a Mitigated Negative Declaration and a **PUBLIC HEARING** for a Conditional Use Permit to install a ninety (90) foot high cellular tower (eucalyptus tree) for a wireless telecommunication facility located at 1402 Cajon Street in the O, Open Land District. Request Submitted by SPRINT PCS.

Mr. Shaw stated there was some discussion on whether an appeal to the Environmental Review Committee was filed in a timely manner; fees were not paid, nor labels submitted. It was determined that the appeal was valid.

Commissioner Osborne stated if the sample of the cell tower is a true representation, it will truly be stealth.

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

MOTION

It was moved by Commissioner Osborne, seconded by Commissioner Miller, and carried on a 6-0

vote to continue Conditional Use Permit No. 801 to August 10th.

- E. **ZONE CHANGE NO. 405** - Planning Commission to consider a recommendation to the City Council and a **PUBLIC HEARING** for a Zone Change from A-1 to R-E for a 9.76 acre lot for the property located at 350 Wabash Avenue in the A-1 Agricultural Zone. Request submitted by THE CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF THE JESUS CHRIST OF LATTER DAY SAINTS.
- F. **MINOR SUBDIVISION NO. 274 - PUBLIC HEARING** for Planning Commission Consideration of a Socio-Economic Cost/Benefit Study, and a Minor Subdivision (Tentative Parcel Map No. 16656) to subdivide approximately 9.76 acres into two residential lots located at 350 Wabash Avenue in the A-1 Agricultural Zone. Request submitted by THE CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF THE JESUS CHRIST OF LATTER DAY SAINTS.

Commissioner Miller recused himself at 4:58 p.m.

Project Planner Alicia Heideman gave a brief presentation on the proposed project.

Chairman Webber opened the public hearing.

Ms. Vicky Valenzuela, Thatcher Engineering, stated she concurred with the staff report and was available to answer questions.

Chairman Webber closed the public hearing.

MOTION

It was moved by Commissioner Laymon, seconded by Commissioner Macdonald, and carried on a 6-0 vote (Commissioner Miller excused) that the Planning Commission approve Resolution No. 1036, recommending to the City Council adoption of Zone Change No. 405.

MOTION

It was moved by Commissioner Laymon, seconded by Commissioner Macdonald, and carried on a 6-0 vote (Commissioner Miller excused) that the Planning Commission approve Minor Subdivision No. 274 subject to conditions of approval, and based upon the following findings:

- A. The proposed map is consistent with the City's General Plan and Municipal Code.
- B. The design or improvement of the Minor Subdivision No. 274 is consistent with the applicable general plan.
- C. The site is located at 350 Wabash Avenue and is physically suitable for the type of development.

- D. The site is physically suitable for the development of a two lot subdivision.
 - E. 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.
 - F. The design of the subdivision or type of improvements is not likely to cause serious public health problems.
 - G. 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
 - H. 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
- G. **CONDITIONAL USE PERMIT NO. 838 - PUBLIC HEARING** for the Planning Commission to consider the conversion of a residential dwelling to offices and restrooms in the R-2, Multiple Family Residential District at 168 South Eureka Street. Request submitted by THE CITY OF REDLANDS.

Project Planner Alicia Heideman stated the project was reviewed and approved in April 2004, but has expired. Ms. Heideman stated no changes have been made to the plans since its approval. Chairman Webber opened the public hearing.

Mr. Jeff Waldron, Project Manager for the Mission Bowl House, stated he dropped the ball and failed to renew his prior Conditional Use Permit, but he is ready to go out to bid.

MOTION

It was moved by Commissioner Miller, seconded by Commissioner Thompson , and carried on a 7-0 vote that the Planning Commission approve Conditional Use Permit no. 838 based on the following findings:

- A. The offices, rehearsal rooms, and public restrooms for the Redlands Bowl applied for at the 168 South Eureka Street noted are proper for a Conditional Use Permit;
- B. The offices, rehearsal rooms, and public restrooms for the Redlands Bowl as proposed is a project that is necessary, essential, and desirable for the public welfare as well as the development of the community;
- C. The offices, rehearsal rooms, and public restrooms for the Redlands Bowl are not detrimental to existing or permitted uses in the R-2, Multiple Family Residential

District where it would be located;

- D. The size and shape of the site are adequate for the proposed offices, rehearsal rooms, and public restrooms for the Redlands Bowl;
- E. The site properly relates to Eureka Street which is designed and improved to carry the type and quantity of traffic to be generated by the proposed offices, rehearsal rooms, and public restrooms for the Redlands Bowl;
- F. 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;
- G. The proposed project will be consistent with the existing Medium Density Residential District;

V. ADDENDA - None

VI. APPROVAL OF MINUTES

A. July 13, 2004

MOTION

It was moved by Commissioner Cook, seconded by Commissioner Macdonald, and carried on a 5-0 vote (Commissioners Osborne and Thompson abstaining) that the Planning Commission approve the Planning Commission minutes of July 27, 2004.

VII. CORRESPONDENCE/COMMUNICATIONS

A. City Council Report

Mr. Shaw gave a brief presentation on the City Council actions of July 20th.

Mr. Jaquess stated staff is going to arrange to have a presentation made to the Commission on Water Quality Management Plans. Mr. Jaquess stated it will come before the Commission as a function affecting the design of projects and may affect landscaping, building size, and the architectural detail of the buildings. Mr. Jaquess stated the presentation will probably be made in September.

VIII. ADJOURNMENT TO AUGUST 10, 2004

Chairman Webber adjourned the meeting to August 10th at 5:35 p.m.

Respectfully submitted,

Patti Ortiz, Senior Administrative Assistant
Community Development Department

Jeffrey L. Shaw, Director
Community Development Department