

MINUTES of the Planning Commission Meeting of the City of Redlands held Tuesday, January 10, 2006, at 2:00 p.m. are as follows:

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

ABSENT:

ADVISORY STAFF

PRESENT: Jeff Shaw, Director
John Jaquess, Assistant Director
Dan Mc Hugh, City Attorney
Asher Hartel, Senior Planner
Manuel Baeza, Associate Planner
Joshua Altopp, Assistant Planner
David Jump, Assistant Planner

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

Chairman Webber called the meeting to order at 2:00 p.m. All commissioners were present except Commissioners Macdonald and Osborne.

II. CONSENT ITEM(S)

A. **WESTERN REALCO**
(PROJECT PLANNER: DAVID JUMP)

1. A request for final approval of **Parcel Map No. 16686 (Minor Subdivision No. 283)** a subdivision of 14.39 acres into five (5) parcels located south of Almond Avenue and north of Lugonia Avenue and west of Research Drive in Concept Plan No. 1 of the East Valley Corridor Specific Plan.

MOTION

It was moved by Commissioner Thompson, seconded by Commissioner Miller, and carried on a 4-0 vote that the Planning Commission grant final approval of Parcel Map No. 16686 (Minor Subdivision No. 283) as submitted.

Commissioners Macdonald and Osborne arrived at 2:01 p.m.

III. OLD BUSINESS

A. **REDLANDS ADVENTIST ACADEMY, APPLICANT** (PROJECT PLANNER: MANUEL BAEZA)

1. Consideration of **Revision 2 to Commission Review and Approval No. 753** for the addition of one-thousand one hundred ninety-six (1,196) square feet covered area between two previously approved buildings, the conversion of a structure from office to classrooms, and the shifting of the parking area to ten (10) feet from the front property line located at 130 Tennessee Street in the E, Educational District.

Assistant Director John Jaquess stated the applicant was unable to resolve design issues within the permitted time frame, therefore the application was withdrawn. Mr. Jaquess stated the applicant is working to resolve issues on parking, setbacks, and a shade canopy structure and plans to resubmit their application at a later date.

B. **RYLAND HOMES, APPLICANT** (PROJECT PLANNER: ASHER HARTEL)

1. Planning Commission to consider a recommendation to the City Council on a Mitigated Negative Declaration.
2. **PUBLIC HEARING** for a Socio-Economic Cost/Benefit Study.
3. **PUBLIC HEARING** for the Planning Commission to consider a recommendation to the City Council on **Agricultural Preserve Removal No. 109** for 10.37 gross acres on property located north of San Bernardino Avenue, south of Pioneer Avenue, and east of Hanford Street in the A-1, Agricultural District.
4. **PUBLIC HEARING** for the Planning Commission to consider a recommendation to the City Council on **Zone Change No. 416** from A-1, Agricultural District to R-E, Residential Estate District on 10.37 gross acres located north of San Bernardino Avenue, south of Pioneer Avenue, and east of Hanford Street in the A-1, Agricultural District.
5. **PUBLIC HEARING** for **Conditional Use Permit No. 860** for a Planned Residential Development (PRD) on 10.37 gross acres consisting of 28 residential lots and multiple common open space lots located north of San Bernardino Avenue, south of Pioneer Avenue, and east of Hanford Street in the A-1, Agricultural District.
6. **PUBLIC HEARING** for **Tentative Tract Map No. 17502** to subdivide 10.37 gross acres into 28 residential lots and multiple common open space lots located north of San Bernardino Avenue, south of Pioneer Avenue, and east of Hanford Street in the A-1, Agricultural District.

Project Planner Asher Hartel gave a brief PowerPoint presentation on the proposed project. Mr. Hartel stated until the airport studies are completed, there are some unknowns relative to future General Plan land use policy and zoning standards. Mr. Hartel stated the proposed Walton project has been continued to the January 17th City Council meeting. He stated the number of lots has been reduced from 27 to 26.

Mr. Hartel stated staff recommends three options to the Commission:

1. Continue the proposed project for approximately one (1) month, in view of the pending Walton project and airport land use planning efforts
2. Recommend denial of the proposed project to the City Council.
3. Recommend approval of the proposed project to the City Council.

Chairman Webber opened the public hearing.

Mr. Scott McCann, Vice-President of Forward Planning, Ryland Homes, requested approval of the project stating it is compatible with the General Plan, the Airport Land Use Compatibility Plan, and it falls under the guidelines of an in-fill project. Mr. McCann requested that an action be taken on the project at this time, even if it is a denial. He stated the proposed project should be judged on its own merits.

Chairman Webber closed the public hearing.

Commissioner Thompson asked Mr. James how it was possible for the Airport Advisory Board to give a positive recommendation on the proposed project.

Chairman Webber reopened the public hearing.

Mr. John James, Airport Advisory Board, stated the Board looked at one aspect of the project - if it was compatible with the existing Airport Land Use Compatibility Plan. Mr. James stated he disagreed with the applicant relative to meeting in-fill requirements. He stated because of the density transfer from Zone C to Zone B2, he did not believe it meets the requirements, however there is an exception in the Land Use Plan that allows for expansion of an existing project. Mr. James stated the Airport Advisory Board believes the Ryland II project has specific differences from the proposed Walton project; it is located farther to the west and it is surrounded by the new Ryland project as well as existing residences to the west. Mr. James stated he did not believe the project meets the third finding which relates to density transfer. Mr. James stated the proposed Walton project is not surrounded by existing residential on two (2) or three (3) sides, as is Ryland II. He stated the current Master Plan and Airport Land Use plan are in the process of being revised.

Commissioner Macdonald stated the Board's decision to allow the project has evolved into erosion of their legal standing. Commissioner Macdonald stated he is not against the project, but he is against the location and timing of the project due to anticipated changes. Commissioner Macdonald stated the developer will continue to "chip" away at restrictions and limitations. Commissioner

Macdonald stated if they want to protect the future viability of the Redlands Airport, they need to stop the Ryland and Walton developments until the revisions have been made; each continuance opens another door for the developer to circumvent the restrictions and limitations. Commissioner Macdonald stated he is going to recommend denial of the project and he asked for unanimous support from the Commission. Commissioner Macdonald stated if the Commission sends forward a recommendation of approval to the City Council, he believes the project will eventually be approved.

Chairman Webber concurred with Commissioner Macdonald. Chairman Webber stated the project was continued in November so that the Commission could be given additional information. Chairman Webber stated after the Master Plan is in place, developers can come forward under the new rules. Chairman Webber stated he is in favor of recommending denial of the project.

Chairman Webber stated he felt the decision made on Ryland I was a mistake based on flawed information.

Commissioner Osborne stated he concurred with the Airport Advisory Board relative to the project meeting in-fill requirements.

Chairman Webber stated it is not known at this time if the new Master Plan will affect the proposed Ryland project.

Commissioner Macdonald stated until a final ruling is made, the Commission should not recommend approval of projects in this area. Commissioner Macdonald stated the Commission should not compound the problem by approving the Ryland II project.

Commissioner Osborne disagreed.

Commissioner Miller stated a decision should be based on accurate and current information which the Commission does not have at this time. Commissioner Miller stated if pressed for a decision at this time, he will vote for denial

Commissioner Cook stated she is not willing to approve this project or future projects until the Commission has up-to-date information on the airport.

MOTION

It was moved by Commissioner Macdonald, seconded by Commissioner Thompson, and carried on a 5-1 vote (**Commissioner Osborne voting no**) that the Planning Commission deny Zone Change No. 416 as there are concerns relative to noise and safety because of the project's proximity to the airport and these requests are not timely as an increased density under the proposed Residential Estate zoning could conflict with plans to update the Airport Mast Plan and Airport Land Use Compatibility Plan which could result in the modification of the B-2 and C zones of that plan and may not provide for an acceptable density of development in this location.

Commissioner Miller noted that the developer requested the project be considered independently;

he considered that option but he voted on the project as a group.

MOTION

It was moved by Commissioner Macdonald, seconded by Commissioner Thompson, and carried on a 5-1 vote (**Commissioner Osborne voting no**) that the Planning Commission deny Agricultural Preserve Removal No. 109 as untimely and premature in the context of the whole project with its associated Zone Change, Conditional Use Permit, and Tentative Tract Map.

MOTION

It was moved by Commissioner Macdonald, seconded by Commissioner Thompson, and carried on a 5-1 vote (**Commissioner Osborne voting no**) that the Planning Commission deny Conditional Use Permit No. 860, subject to the following findings:

- G. That the proposed development will adversely affect the applicable land use plans of the City, because the project is inconsistent with the Agricultural Preserve designation and A-1 Agricultural District zoning;
- H. That the proposed development will not comply to the maximum extent feasible with the regulations of the City's General Plan. The applicable A-1 zoning district and the City's development standards for a Planned Residential Development because current standards have not been applied to the project as follows:
 - 1. The allowable density under the A-1 District is exceeded for the proposed Tentative Tract 17502.
 - 2. Proposed lot sizes are inconsistent with a PRD project in the A-1 District for the proposed Tentative Tract 17502.
- C. That the proposed development is not appropriate at the proposed location because the Zoning District does not provide for the use of the property for residential uses at the density that is proposed.

MOTION

It was moved by Commissioner Macdonald, seconded by Commissioner Thompson, and carried on a 5-1 vote (**Commissioner Osborne voting no**) that the Planning Commission deny Tentative Tract No. 17502, subject to the following findings:

- D. That the proposed map is inconsistent with the City's General Plan or any applicable specific plan, or other applicable provisions of the Municipal Code because although the project has a General Plan land use designation of Very-Low Density Residential which may be found consistent with the

project, the project is no consistent with the zoning of A-1, Agricultural; in addition the project does not meet the Planned Residential Development Ordinance of the Municipal Code as follows:

1. The allowable density under the A-1 District is exceeded for the proposed Tentative Tract 17502.
2. Proposed lot sizes are inconsistent with a PRD project in the A-1 District for the proposed Tentative Tract 17502.

IV. NEW BUSINESS

A. **OLYMPIC BARRINGTON PARTNERSHIP, APPLICANT** (PROJECT PLANNER: ASHER HARTEL)

1. Planning Commission to consider a Mitigated Negative Declaration.
2. **PUBLIC HEARING** for a Socio-Economic Cost/Benefit Study.
3. Consideration of **Commission Review and Approval No. 815** to develop a commercial/office park of 10 buildings with 84,300 square feet of floor area on approximately 9.6 acres, located on the east side of Ford Street, north side of Patricia Drive, and south side of the Interstate 10 Freeway in the Administrative and Professional Office District of Specific Plan 23.
4. **PUBLIC HEARING** for **Minor Subdivision No. 288** (Tentative Parcel Map No. 17353) to subdivide approximately 9.6 acres into eight commercial lots and one lettered lot for common open space and parking areas, located on the east side of Ford Street, north side of Patricia Drive, and south side of the Interstate 10 Freeway in the Administrative and Professional Office District of Specific Plan 23.

Project Planner Asher Hartel gave a brief PowerPoint presentation on the proposed project.

Mr. Hartel stated a commercial office park and a subdivision of eight (8) commercial lots is proposed. He stated the project consists of ten (10) buildings, with three (3) of the building designated for retail use and the remaining seven (7) buildings designated for office use. Mr. Hartel stated two (2) access points are proposed; one at Ford Street and a secondary access at Patricia Drive.

Mr. Hartel stated the project is located in Specific Plan No. 23, Administrative and Professional Office District. He stated the proposed common open space will be maintained by a property owner's association through CC&Rs which would be approved by the City.

Mr. Hartel stated the project is well under the maximum coverage allowed. He stated the site plan shows possible future restaurants for two (2) of the retail buildings. He stated the applicant believes they may be able to attract restaurants to this location. He stated that additional parking and an approved conditional use permit would be required in order to include a restaurant. Mr. Hartel stated eating establishments are allowed by the specific plan subject to an approved conditional use permit.

Mr. Hartel stated Specific Plan No. 23 does not have specific landscape standards other than the landscape buffers along Ford Street, Patricia Drive, and the freeway frontage. He stated there are forty (4) additional trees required to meet the parking area standards. He stated the fruitless olive and pear trees proposed are not consistent with the City's list of recommended shade trees for parking lots.

Mr. Hartel stated staff identified a concern relative to the major entry area on Ford Street; the landscaping should include more detail, making it more of an entry feature. He stated the proposed project has been conditioned to require further Planning Commission review of a more detailed landscape plan.

Mr. Hartel stated the architecture includes clay roof tiles, stucco, stone veneer, split faced concrete block, decorative cornices, fabric awnings, tower features, arches, and roof variations. Mr. Hartel stated staff was pleased with the elevations but felt the plans are conceptual, therefore, the project has been conditioned to require Planning Commission review and approval of further detailed building elevations.

Mr. Pat Meyer, representing the applicant, stated he concurs with the staff report. He stated a unique feature of the project is that the offices will be for sale; which will be attractive to the medical, dental, and professional office community. Mr. Meyer stated the retail component, which is located on Ford Street, will provide service retail for the office park. He stated the architecture will include traditional clay roof tiles and stone work. Mr. Meyer stated the project exceeds landscaping and parking standards and does not deviate from the specific plan.

Mr. Meyer stated the landscaping will be updated and brought back to the Commission.

Commissioner Osborne noted that the three (3) office buildings have glass expanses on the first floor and three (3) small windows on the second floor. He suggested a raised border be added around the windows.

Commissioner Cook asked Mr. Meyer if the plaza areas would include decorative paving. Mr. Meyer responded they will have decorative concrete or bulbomite.

Chairman Webber stated he felt it was a good project, but he wants to see detailed architectural plans.

Mr. Meyer stated he will be required to come before the Commission prior to pulling building permits. Chairman Webber stated he would like to see detailed information prior to making a decision, therefore he cannot support the project at this time. Mr. Meyer stated he believed sufficient detail had been provided so that a decision can be reached at this time.

Chairman Webber stated the three (3) retail buildings do not compliment the office building; they appear to be of a different architectural style. Chairman Webber stated he would like to see something different for this part of town.

Chairman Webber stated the Commission wants more information so that they can review the project and a decision can be reached.

Commissioner Cook asked Mr. Meyer for clarification on the parcel that is not part of the project. Mr. Meyer stated when the City acquired the right-of-way, the parcel was not transferred over with the rest of the property.

Commissioner Miller stated he felt the architecture is nice and is compatible with the residential development to the east. Commissioner Miller requested that the landscaping match the residential hillside development. Mr. Meyer responded that he hopes to enhance the landscaping. Commissioner Miller stated there is quite a bit of information lacking, such as sizes of the building components and cornices, and the columns and roof pitch are not identified. Commissioner Miller expressed concern on the spacing between Office Building 1 and Office Building 2, and Buildings 5 and 6. He suggested the spacing be widened. Commissioner Miller stated Buildings 3 and 4 are separated by a parking lot and he suggested a plaza similar to the one shown on the retail component be added.

Commissioner Miller expressed concern relative to the small parcel that is not included in the project. He asked if a condition could be imposed that would require the parcel to be landscaped. City Attorney Dan Mc Hugh stated it could not be imposed because there is no ownership interest in the parcel. Commissioner Miller stated he would like to see this issue resolved.

Commissioner Miller stated he felt the building elevations on Ford Street (Retail 1 and Retail 2) lacked detail. Commissioner Miller stated the roof pitches should be identified. Commissioner Miller suggested the floor plate height on the two (2) story building be raised from twelve (12) feet to fourteen (14) feet.

Chairman Webber asked Mr. Meyer if the space between Buildings 3 and 4 can be increased. Mr. Meyer stated he did not think it could be accomplished, but he will take a look at Office Building 2 to see if anything can be done.

Commissioner Cook stated she likes the planter areas.

Commissioner Miller stated there is minimal landscaping at the Ford Street entrance, between the roadway and the sidewalk next to Retail 1 on the south side. He requested more landscaping on the south side of the building between the drive and the building.

Chairman Webber asked when the project could be brought back to the Commission. Mr. Meyer responded they would be back in 30 days.

Mr. Frank Maka, 316 Kelisa Circle, asked if a wall will be added to the area along Patricia Drive.

Chairman Webber stated that area pertains to a previous project.

Mr. Maka asked if there would be some type of barrier between the project and Patricia Drive.

Mr. Jaquess stated the Specific Plan requires a 25-foot heavily landscaped setback area with trees and shrubs.

Mr. Maka pointed out the area in question on a map.
Chairman Webber closed the public hearing.

MOTION

It was moved by Commissioner Miller, seconded by Commissioner Macdonald, and carried on a 6-0 vote to continue Commission Review and Approval No. 815 and Minor Subdivision No. 288 to February 14th.

Chairman Webber requested a short recess at 3:27 p.m.

The meeting reconvened at 3:35 p.m.

B. JERRY ZIGROSSI, APPLICANT (PROJECT PLANNER: ASHER HARTEL)

1. **PUBLIC HEARING for Conditional Use Permit No. 810, Revision 2** to convert a historic house from a Bed and Breakfast to administrative and professional offices, located at 256 Cajon Street in the A-P, Administrative and Professional Office District, and in Historic District No. 8 (Smiley Park Neighborhood Historic and Scenic District).

Project Planner Asher Hartel gave a brief PowerPoint presentation on the proposed project.

Chairman Webber opened the public hearing.

Mr. Jerry Zigrossi, applicant, stated he concurred with the conditions of approval and was available to answer questions.

Chairman Webber asked Mr. Zigrossi for clarification on Municipal Utilities Department Condition of Approval 2 (Solid Waste) relative to installation of a solid waste bin enclosure. Chairman Webber asked if the bins will affect parking.

Ms. Debbie Harmon, the current owner of the property, stated the plans include three (3) solid waste bin enclosures.

Director Jeff Shaw suggested that someone from the Municipal Utilities Department (M.U.D.) be called to the meeting for clarification.

Mr. Zigrossi stated he believes the condition of approval was in error. He stated he spoke with Hermann Schuermann (M.U.D.) and was told the bins would be residential roll-offs.

Chairman Webber stated that positioning of the enclosures can affect a project so that it is impossible to comply with other required conditions of approval. Chairman Webber cited the Walgreen's project as an example of this type of situation.

Mr. Lonny Young, Municipal Utilities Department, stated the Condition of Approval was modified to include the wording " developer occupant shall be responsible for placement of automated carts at curbside." Mr. Young stated the intent of the condition was to allow 90 gallon automated carts.

Chairman Webber closed the public hearing.

MOTION

It was moved by Commissioner Miller, seconded by Commissioner Macdonald, and carried on a 6-0 vote that the Planning Commission find that no environmental review is required. The project qualifies as a categorical exemption from environmental review per Sections 15064.5 and 15301, Class 1, of the CEQA Guidelines for conversion of a house to office use.

MOTION

It was moved by Commissioner Miller, seconded by Commissioner Macdonald, and carried on a 6-0 vote that the Planning Commission find that the project is consistent with the In Lieu Fees To Meet Parking Requirements provisions of the Municipal Code subject to the following findings:

3. There is no new construction proposed as part of the project to convert the house at 256 Cajon Street to office use, which is located in an already densely developed area and is surrounded on all sides by existing development;
4. The size and configuration of the property and the house at 256 Cajon Street precludes providing the required parking without a partial demolition of a designated historic building; there is no possible location for additional on site or on street parking and existing development on adjacent properties precludes parking off site, either on site or on adjacent properties.
5. The proposal to convert the house to office use will not result in any new construction, therefore the proposal for a change of use will not result in any physical changes to the structure that would affect the existing streetscape and neighborhood.
6. The proposed building and use make a desirable contribution to the neighborhood in that the proposed office use of the house is

consistent with the A-P, Administrative and Professional Office District, and will help to ensure the continued maintenance of the house, which is a City-designated historic resource within Historic District No. 8 (Smiley Park Neighborhood Historic and Scenic District).

7. Approval of the reduced parking requirement for the proposed office use at 256 Cajon Street and payment of the in lieu fee will have no adverse impact on the existing parking district as City Code Section 18.164.215 and City Council Resolution No. 4811 provide for the payment of in lieu fees to satisfy the requirement for an additional four (4) parking spaces for this project through the payment of \$6,880.00 per parking space, which amounts to a total of \$27,520.00 for the required additional four (4) parking spaces to finance parking facility construction as required by the General Plan and Municipal Code. Payment of the in lieu fee will mitigate impacts on the existing parking district.

MOTION

It was moved by Commissioner Miller, seconded by Commissioner Macdonald, and carried on a 6-0 vote that the Planning Commission approve Conditional Use Permit No. 810, Revision No. 2 subject to the following findings:

1. The proposed project will not adversely affect the applicable land use plans of the City, because the proposed office use of the house 256 Cajon Street is consistent with the A-P Administrative and Professional Office District, and will help to ensure the continued maintenance of the house, which is a City-designated historic resource within Historic District No. 8 (Smiley Park Neighborhood Historic and Scenic District), and is proper for a Conditional Use Permit;
2. The proposed office use of the house will not be detrimental to the public health, safety and welfare, because conditions of approval will address any concerns;
3. The proposed development will comply to the maximum extent feasible with the regulations of the City's General Plan, the applicable zoning district and the City's development standards because current standards of the A-P Zoning District and parking requirements have been applied to the project conditions of approval;
4. That the proposed development is appropriate at the proposed location because both the General Plan and Zoning District provide for office use at 256 Cajon Street.

C. REALTY BANCORP EQUITIES TLG, LLC , APPLICANT

(PROJECT PLANNER: MANUEL BAEZA)

1. **PUBLIC HEARING** for the Planning Commission to consider **Revision No. 1 to Conditional Use Permit No. 825** amending the conditions of approval for parking lot lighting for the development of a 13,650 square foot drug store with drive through pharmacy on a 0.85 acre property located on the southeast corner of Lugonia Avenue and Church Street in the C-2, Neighborhood Convenience Center District.

Assistant Director John Jaquess stated the application is for a revision to a condition of approval relative to the lighting that was required for the project. Mr. Jaquess stated staff received revised plans at the end of last week and was unable to prepare a staff report for this meeting. Mr. Jaquess stated there has been some discussion relative to the location of trash compactors on the southeast corner of the building; the Municipal Utilities Department would like to revise the site plan to allow access to the trash compactors from a different direction. He stated staff is recommending the proposed project be continued to January 24th so that a revision relative to landscaping provisions that has been added can be properly noticed for the meeting.

MOTION

It was moved by Commissioner Thompson, seconded by Commissioner Cook and carried on a 6-0 vote that the Planning Commission continue Revision No. 1 to Conditional Use Permit No. 541 to January 24, 2006.

D. MICHELE MARIE QUIGLEY, APPLICANT (PROJECT PLANNER: DAVID JUMP)

1. **PUBLIC HEARING** for the Planning Commission to consider **Conditional Use Permit No. 879** for the establishment of a large family daycare home to provide daily non-medical care of up to 14 children at 1342 South Center Street within the R-E, Residential Estate District.

Project Planner David Jump gave a brief presentation on the proposed project. Mr. Jump stated Ms. Quigley has operated a small licensed family daycare for the past two years; to date she has had no code enforcement complaints.

Chairman Webber opened the public hearing.

Ms. Michele Quigley, applicant, stated she first applied for a conditional use permit in 2002, however she withdrew her application due to complaints from the neighbors. Ms. Quigley said she has operated a small family daycare for the past 2.5 years and has not received any complaints from her neighbors, parents, or from the State Department of Licensing. Ms. Quigley stated she spoke with her next door neighbor, who previously had been one of the complainants, and was told the neighbor was impressed with her operation.

Commissioner Miller asked Ms. Quigley for clarification on the type of adult supervision that is required.

Ms. Quigley stated she is allowed to have up to 12 children without additional help unless two of the children are infants. Ms. Quigley stated if two (2) of the children are infants she would be required to have one (1) helper who is at least 14 years old. Ms. Quigley stated she currently cares for nine (9) children however, the children are not all at her home at the same time. Ms. Quigley stated she has spoken with several of her neighbors and they have not complained to her. She stated a neighbor to the rear of her home expressed concern that it was like living next to a playground. Ms. Quigley stated the majority of her children attend school and she picks them up after school.

Ms. Quigley stated during the summer she allows the children to swim in her pool. She stated the children are never in the pool longer than 1.5 hours and they do not swim everyday.

Ms. Kiyoko Macdonald, 1346 S. Center Street, stated she is concerned because she has a swimming pool with a gate that is easily accessible. Ms. Macdonald stated she was told by a real estate professional that close proximity to a childcare facility would bring down her property value.

Mr. Barry Butts, 1323 S. Center Street, stated he does not support the day care and the traffic that is associated with it. Mr. Butts stated the property values will decrease. He stated he is opposed to the project. He stated the house looks like a pre-school; it has no trees or shrubs.

Chairman Webber stated there will be no backing out of driveway onto Center Street because the applicant has a circular driveway.

Ms. Biruta Mathur, 1335 S. Center Street, stated that businesses belong in a business district, not in a residential area. Ms. Mathur was told that she would have to disclose the location of a daycare center if she plans to sell her house. Ms. Mathur stated that Center Street is very narrow and she has very limited visibility when exiting her driveway ; she stated she can deal with residential traffic but she does not want business traffic.

Mr. William Chaffin, 1332 S. Center Street, stated he has lived in his home for 32 years and there has been no commercial business for the past thirty years. Mr. Chaffin asked the Commission not to approve the request.

Mr. Ronald R. Schultze, 1327 S. Center Street, stated he went through an extensive house search before choosing Redlands for its historic qualities. Mr. Schultze asked the Commission not to establish a precedent by allowing this business in his neighborhood. Mr. Schultze stated he would support moving the childcare business to a warehouse facility. Mr. Schultze stated if he was a potential home buyer he would not be interested in purchasing a home close to a childcare facility or he would expect a significant price reduction.

Mr. Prem Mathur, 1335 S. Center Street, stated they have lived in their home for the past thirty years and it has strictly been a residential area. Mr. Mathur stated the property values will go down and it is not fair to have a few people benefit at the expense of several people. Mr. Mathur expressed concern relative to traffic stating the added activity will add to current traffic problems.

Chairman Webber closed the public hearing.

Commissioner Osborne asked if a small childcare facility could be established anywhere in the city without an approved conditional use permit. Mr. Jump stated a facility with eight (8) or fewer children would be allowed in residential zones.

Commissioner Thompson asked for the distance requirements for childcare facilities. Mr. Jump stated large family daycare homes are not allowed within 300 feet of any two (2) existing daycare centers or large family daycare homes unless special circumstances are shown.

Commissioner Macdonald stated the business has been in operation for the past 2.5 years and there hasn't been a problem. He questioned why adding 2-4 children would change anything. Commissioner Macdonald stated the daycare is already established and he questioned how property values could decrease. Commissioner Macdonald stated he supports the project.

Commissioner Cook stated the daycare facility would have to be disclosed to potential buyers regardless of the number of children. Commissioner Cook stated that childcare is a really important issue.

Chairman Webber stated he toured the site and he believes there is sufficient space in the driveway to turn onto Center Street. He stated he did not believe traffic is an issue for this project.

Commissioner Macdonald stated a conditional use permit can be revisited if there are problems associated with it.

Commissioner Cook asked if the Commission could impose a one year review period to determine if there are problems associated with the daycare.

City Attorney Dan Mc Hugh stated legally it could be imposed.

Mr. Shaw stated the neighbors would be notified so that they would have an opportunity to come to the hearing and voice their concerns.

Mr. Shaw stated there are provisions in the noise ordinance that deals with the types of noise that would impact neighbors.

Commissioner Miller addressed a concern expressed by Mr. Schultze in a written letter relative to the neighborhood becoming similar to Cajon Street or Brookside Avenue. Commissioner Miller stated the zoning is completely different; the other streets are zoned for business and there is no risk of their neighborhood becoming a business district. Commissioner Miller stated there is a City ordinance that supports this use; if the citizenry does not agree with the ordinance they should petition to change the law.

Commissioner Miller stated the house has a unique circumstance that improves the parking situation - the looped driveway. Commissioner Miller suggested a walkway be installed so that the

residents do not have to walk through the grass to get to the house. Commissioner Miller requested clarification on the hours of operation and suggested a limitation be placed on the hours of operation.

Mr. Jump stated there is no limitation in the Code that pertains to hours of operation.

Commissioner Miller stated rather than placing limitations at this time, he would prefer to review the project in one year.

Chairman Webber reopened the public hearing.

Mr. Schultze suggested the boards that bridge the drainage gutter that is located in front of the residence be eliminated.

Commissioner Osborne stated the Public Works Department has imposed a condition of approval that requires the driveway and its aprons to meet City standards. Mr. Schultze stated that would eliminate the boards and the gravel driveway.

Commissioner Miller stated he believes there should be some control on the hours that the children are outside.

Ms. Quigley clarified the times of her children's activities and hours of operation.

Director Shaw expressed concern on placing restrictions on the time the children would be allowed outside because it would be difficult for staff to enforce. Mr. Shaw stated he hasn't heard complaints from the neighbors relative to noise.

Commissioner Miller stated he heard complaints expressed.

Chairman Webber concurred with Mr. Shaw and stated he prefer to limit the hours of operation. Commissioner Thompson concurred.

Ms. Quigley stated the State of California's guidelines do not allow you to regulate noise in family childcare homes.

Commissioner Miller stated he believes it is a good thing to have daycare in a nice neighborhood situation rather than sending children off to a building in a shopping center.

Discussion was held on limiting the hours of operation.

MOTION

It was moved by Commissioner Macdonald, seconded by Commissioner Cook, and carried on a 6-0 vote that the Planning Commission approve Conditional Use Permit No. 879 subject to the following findings, submitted plans, and attached conditions of approval:

- A. The use applied for at this location will not adversely affect the applicable

land use plans of the City because the large family day care home is a conditionally permitted use in any single-family residential district which includes the R-E, Residential Estate District, and the proposed use conforms to all property development standards established for large family day care homes.

- B. The proposed development will not be detrimental to the public health, safety and welfare because the location of the large family day care home will not interfere with vehicular or pedestrian movement, is a conditionally permitted use within the R-E, Residential Estate zoning district, provides appropriate safeguards to meet State of California licensing guidelines, and meets all applicable standards for large family day care homes.
- C. The proposed development will comply with the regulations of the City's General Plan, the applicable zoning district and the City's development standards because the proposed project meets the on-site parking requirements, has a safe client pick-up and drop-off area, exceeds the open space requirements, and will not detrimentally affect the character of the residential neighborhood.
- D. The proposed development is appropriate at the proposed location as the use is an approved conditional use within the R-E, Residential Estate District, the 4,440 square feet of open space exceeds standard size requirements, provides appropriate safeguards to ensure child safety, has adequate parking facilities, and will not create an adverse effect on surrounding properties, with the addition of a Condition of Approval 10 to read

The hours of operation shall be limited to the hours of 6:30 a.m. to 7:00 p.m. and no childcare shall occur on weekends,

and the addition of Condition of Approval 11 to read:

Upon operation of a large family daycare for a period of one (1) year, the conditional use permit shall be reviewed for impacts to the surrounding neighborhood which will require notification to surrounding property owners within one hundred (100) feet of a large family daycare.

- E. **DOUG SNYDER, APPLICANT**
(PROJECT PLANNER: JOSHUA ALTOPP)

- 6. Planning Commission to consider a recommendation to the City Council on a Negative Declaration.

- 2. **PUBLIC HEARING** for the Planning Commission to consider a

recommendation to the City Council on **Zone Change No. 423** from unincorporated San Bernardino County C-G General Commercial District to the City of Redlands C-4 Highway Commercial District 1.15 acres (APN: 0298-042-017 and 18) located south of Mentone Blvd on the east side of Wabash Avenue.

Project Planner Joshua Altopp gave a brief presentation on the proposed project. Mr. Altopp stated the septic system for the two parcels which are located in the county failed, requiring the applicant to apply for annexation to the City in order to connect to the City sewer system.

Commissioner Thompson asked if the zone change will affect the existing recreational storage use for the property.

Mr. Altopp stated technically it is not an allowed use within the C-4 district of the City of Redlands, however the approval was granted by the County in 1979, therefore the use will be considered an existing legal non-conforming use. Chairman Webber opened the public hearing.

Mr. Doug Snyder, applicant, stated the plumbing code requires a connection if you are within 250 feet of a main sewer line; you cannot install another septic system or cesspool. Mr. Snyder stated the same applies to the government code.

Mr. Snyder stated his father-in-law applied for annexation in 1996 and was approved, however he was stymied by the paperwork required for LAFCO and did not follow through.

Chairman Webber closed the public hearing.

MOTION

It was moved by Commissioner Thompson, seconded by Commissioner Miller, and carried on a 6-0 vote that the Planning Commission recommend approval to the City Council on the Negative Declaration for Zone Change No. 423 and direct staff to file and post a "Notice of Determination" in accordance with City guidelines. It is recommended that this project will not individually or cumulatively affect wildlife resources as defined in Section 711.2 of the California Fish and Game Code.

MOTION

It was moved by Commissioner Thompson, seconded by Commissioner Miller, and carried on a 6-0 vote that the Planning Commission approve Planning Commission Resolution No. 1078 recommending to the City Council approval of Zone Change No. 423, changing the designation of the subject property from unincorporated San Bernardino County C-G, General Commercial to the City of Redlands C-4, Highway Commercial District on

approximately 1.15 acres (APN 0298-042-17 and 18).

F. **NOVA CONCEPTS INC., APPLICANT**
 (PROJECT PLANNER: JOSHUA ALTOPP)

1. **PUBLIC HEARING for Conditional Use Permit No. 882** to allow for the occupancy of approximately 7,354 square feet of an existing commercial industrial park for a limo manufacturing operation located at 1445 Park Avenue in the EV/IC Commercial Industrial District of the East Valley Corridor Specific Plan.

Project Planner Joshua Altopp gave a brief presentation on the proposed project stating parking was based on a manufacturing use; the tenant was allotted 18 parking stalls which should be sufficient for this type of use.

Commissioner Thompson asked Mr. Altopp if the vehicles would be parked in the parking lot. Mr. Altopp responded during the day there may some temporary vehicle storage outside the building. Mr. Altopp stated there will be no outside storage of vehicles overnight, although there is an occasional overflow of parking onto the street.

Commissioner Miller suggested placing parking limitations so that designated employee parking spaces are not utilized.

Chairman Webber opened the public hearing.

The applicant was not in the audience. Mr. Altopp stated he asked the applicant to be present at the hearing.

Mr. Darryl Cartozian, Higginson Cartozian Architects, 1455 Park Avenue, stated his office is located directly west of the proposed project. Mr. Cartozian distributed photos he took of the site showing vehicles are being parked in the employee parking area and on the street. Mr. Cartozian stated the park owner association, the developer, A-1 Security, and Davidson Electric are opposed to the proposed project. Mr. Cartozian stated the CC&Rs do not allow manufacturing activities outside the building.

Mr. Cartozian stated the business cannot facilitate parking for its employees because of the number of vehicles being worked on. Mr. Cartozian stated employees are painting inside the facility without an official painting booth causing neighbors to have to park on the street or away from the facility. Mr. Cartozian stated the neighboring business owners feel the value of their property is being jeopardized.

Mr. Cartozian stated he was surprised the building was leased to the applicant because an approved conditional use permit is required prior to obtaining a business license. Mr. Cartozian stated the applicant moved into the building prior to obtaining a business license. Mr. Cartozian

stated the employees are having to park off site due to the number of vehicles that are being parked on site.

Commissioner Osborne noted that painting must comply with OSHA regulations.

Mr. Jaquess stated staff was told that there would be no painting at the location, the vehicles would be moved to another location to be painted. Mr. Jaquess questioned why the applicant was not present at the hearing.

Mr. Shaw suggested the proposed project be continued to allow the applicant to be present and address the issues that have been discussed.

MOTION

It was moved by Commissioner Osborne, seconded by Commissioner Cook, and carried on a 6-0 vote that the Planning Commission continue Conditional Use Permit No. 882 to January 24, 2006.

V. ADDENDA - None

VI. APPROVAL OF MINUTES

A. November 22, 2005

MOTION

It was moved by Commissioner Miller, seconded by Commissioner Cook, and carried on a 4-0 vote (Commissioners Osborne and Thompson abstaining) that the Planning Commission approve the Planning Commission minutes of November 22, 2005.

B. December 13, 2005

MOTION

It was moved by Commissioner Osborne, seconded by Commissioner Thompson, and carried on a 4-0 vote (Commissioners Cook and Miller abstaining) that the Planning Commission approve the Planning Commission minutes of December 13, 2005.

VII. LAND USE AND CITY COUNCIL ACTIONS OF DECEMBER 20th AND JANUARY 3rd

Director Shaw gave a brief presentation on the Land Use and City Council actions of December 13th and January 3rd.

VIII. ADJOURN TO JANUARY 24, 2006

Chairman Webber adjourned the meeting to January 24th at 5:23 p.m.

Patti Ortiz
Senior Administrative Assistant

Jeffrey L. Shaw, Director
Community Development Department