

MINUTES of the Planning Commission Meeting of the City of Redlands held Tuesday, March 28, 2006, at 2:00 p.m. are as follows:

PRESENT: James Macdonald, Chairman
Thomas Osborne, Vice Chairman
Ruth Cook, Commissioner
Paul Foster, Commissioner
Gary Miller, Commissioner
Eric Shamp, Commissioner

ABSENT: John James, Commissioner

ADVISORY STAFF

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

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

Chairman Macdonald called the meeting to order at 2:00 p.m. All commissioners were present except Commissioner James and Miller.

II. CONSENT ITEM(S)

A. **PROMOTIONAL SIGNS, APPLICANT**
(PROJECT PLANNER: DAVID JUMP)

1. Planning Commission to consider **Commission Sign Review No. 305** for a twelve (12) foot tall, 24 square foot freestanding pedestal sign for the Panda Express restaurant to be located at the southeast corner of New Jersey Street and Redlands Boulevard in the General Commercial District of the East Valley Corridor Specific Plan (EV/CG).

MOTION

It was moved by Commissioner Foster, seconded by Commissioner Osborne, and carried on a 5-0 vote that the Planning Commission approve Commission Sign Review No. 305.

III. OLD BUSINESS

A. **QUIEL BROS., APPLICANT**
(PROJECT PLANNER: JOSHUA ALTOPP)

1. A request for Planning Commission consideration of **Commission Sign Review No. 303** for a forty-two (42) square foot building mounted

signs for Xrtainment Zone located at 409 E. Palm Avenue, in Specific Plan No. 41 (Citrus Village).

Project Planner Joshua Altopp stated the applicant requested additional time to work with staff to resolve issues relative to architecture. Mr. Altopp requested the proposed project be continued to April 11th.

MOTION

It was moved by Commissioner Cook, seconded by Commissioner Foster, and carried on a 5-0 vote that the Planning Commission continue Commission Sign Review No. 303 to April 11, 2006.

IV. NEW BUSINESS

A. ESRI, APPLICANT (PROJECT PLANNER: JOSHUA ALTOPP)

2. **PUBLIC HEARING** for a Socio-Economic Cost/Benefit Study.
3. Consideration of **Commission Review and Approval No. 825** to construct a new central plant to replace the existing central plant for buildings 'M' and 'N' with a total area of 4,594 square feet located at 371 New York Street in the EV/AP, Administrative Professional District of the East Valley Corridor Specific Plan.

Chairman Macdonald opened the public hearing.

Project Planner Joshua Altopp gave a brief presentation on the proposed project. Mr. Altopp stated staff had concerns relative to the bland architecture, however the project has been conditioned to include landscaping such as vines around the base of the building to soften its appearance.

Commissioner Miller arrived at 2:07 p.m.

Mr. Dave Atchley, Facilities Manager, ESRI, stated he was available to answer questions.

Commissioner Shamp asked Mr. Atchley if there is an intent to plant vines and landscaping on the north side of the facility. Mr. Atchley stated he plans to plant han's ivy which will adhere to the split face block wall.

Commissioner Osborne noted it will take time for the vines to grow. Mr. Atchely stated he will paint the gray split face block wall the same color as the other buildings, until such time as the vines mature and cover the building. Commissioner Osborne suggested using a split face block that is similar in color to the existing buildings, rather than painting the block. Mr. Atchley stated he is not aware of a split face block that is the same color as the buildings. Mr. Osborne responded there is a split face block that is dark tan in color, however if the applicant prefers to paint the block wall, he suggested a color similar to the existing buildings be utilized. Chairman Macdonald suggested Planning Division Condition of Approval 15 be revised to reflect this change.

Chairman Macdonald closed the public hearing.

MOTION

It was moved by Commissioner Cook, seconded by Commissioner Osborne, and carried on a 6-0 vote that the Planning Commission determine that the proposed project has been determined to be exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15301 Class 1 (e)(2) Existing Facilities of Article 19, Categorical Exemptions.

MOTION

It was moved by Commissioner Cook, seconded by Commissioner Osborne, and carried on a 6-0 vote that the Planning Commission approve the Socio-Economic Cost Benefit Study for Commission Review and Approval No. 825 as it has been determined that this project will not create unmitigable physical blight or overburden public services in the community, and no additional information or evaluation is needed.

MOTION

it was moved by Commissioner Cook, seconded by Commissioner Osborne, and carried on a 6-0 vote that the Planning Commission approve Commission Review and Approval No. 825 subject to the following findings and attached Conditions of Approval:

1. The site for the proposed use is adequate in size and shape to accommodate the proposed central plan for the existing ESRI office complex because it complies with all property development standards for the 'A-P' zoning district;
2. The site properly relates to New York Street which is designed and improved to carry the type and quantity of traffic to be to be generated by the proposed development of a new central plant because future expansions of the ESRI office complex will be conditioned to meet compliance with any required infrastructure improvements both off and on-site;
3. The Conditions of Approval proposed for Commission Review and Approval No. 825 are necessary to protect the public health, safety and general welfare.
4. The use is desirable for the overall development of the community because the proposed project conforms with both the General Plan Designation and Municipal Code requirements **with a revision to Planning Division Condition of Approval 15 to read:**

All freestanding walls shall be designed and constructed to incorporate design features such as tree planter wells, variable setbacks, split face block, columns, decorative caps, or other such features to provide visual and physical relief along the wall surface and shall be subject to review and approval by the Community Development Director prior to issuance of building permits. **The applicant shall paint the split face block wall to match the color of existing buildings in the complex**

B. VINES DEVELOPMENT, APPLICANT (PROJECT PLANNER: MANUEL BAEZA)

1. Planning Commission to consider a Mitigated Negative Declaration.

2. **PUBLIC HEARING** for a Socio-Economic Cost/Benefit Study.
3. **PUBLIC HEARING** for the Planning Commission to consider **Tentative Tract Map No. 17676** to subdivide 3.5 gross acres into six (6) lots for property located on the southwest corner of Clifton Avenue and Harding Drive in the R-S, Suburban Residential District.

Project Planner Manuel Baeza gave a brief presentation on the proposed project.

Commissioner Cook asked Mr. Baeza if the drainage ditch along Harding Drive will be removed. She complimented on the appearance of the rock work on the ditch stating she believes it is a nice historic feature.

Mr. Baeza stated he did not explore the possibility of keeping the drainage ditch because the Public Works Department requires the ditch to be enclosed in order to widen the street.

Director Jeff Shaw asked Assistant Director John Jaquess to contact the Public Works Department and ask them to send a representative to the meeting to address this issue.

Commissioner Osborne noted they were successful in saving a drainage ditch located on the south side of Olive Avenue.

Commissioner Cook asked Mr. Baeza if lot 5 will take access off Harding Drive or Clifton Avenue. Mr. Baeza responded that there are no plans at this time, however the project could be conditioned to take access off Clifton Avenue.

Chairman Macdonald opened the public hearing.

Mr. Pat Meyer, representing Vines Development, stated the property, which is zoned R-S, could have a higher density than what is being proposed. He stated the applicant entered into an agreement to relocate two (2) historic houses owned by Redlands Hospital and they are going to keep the lots in the same configuration as the lots that are located to the east.

Mr. Meyer stated he spoke with Mr. Mutter and Mr. Fujiwara regarding two channels, one on the east, and one on the west side of the proposed project. Mr. Meyer stated it is prohibitive to take the historic, rock lined channel on the west side of the project and install a 48 inch covered concrete pipe. Mr. Meyer stated they feel the rock lined channel is a handsome feature that will compliment the style of the development being proposed. Relative to the requirements for Harding Drive, Mr. Meyer requested the Public Works Condition of Approval 9 be revised to allow the applicant to retain the rock lined channel and replace the existing asphalt berm with a concrete curb. Mr. Meyer stated the applicant would be willing to install a rail to prohibit traffic from driving into the channel.

Mr. Meyer stated Public Works Condition of Approval 10 requires the installation of a 48 inch reinforced concrete pipe in the channel. He requested the Planning Commission revise Public Works Conditions of Approval 9, 10, and 16. Mr. Meyer requested the Planning Commission waive the requirement for a reinforced concrete pipe.

Commissioner Cook asked if a bridge will be built over the channel. Mr. Meyer stated they will build a reinforced concrete bridge to span the channel.

Mr. Tom Fujiwara, Assistant Director, Public Works Department, stated they want to close the channel because it is old, it requires maintenance, and it will collect debris. He stated closure of the channel will

minimize maintenance by their limited staff. Mr. Fujiwara stated the Master Storm Drain Plan calls for a closed channel. Mr. Fujiwara stated he would not have a problem with modifying the street improvements as long as public safety is addressed. Commissioner Osborne stated street improvements would be made in order to save the channel.

Commissioner Miller noted the applicant's engineer states the storm drain in its present form has the capacity to carry the amount of water that a closed channel would carry. Mr. Fujiwara stated he could not comment without looking at the hydraulic analysis and calculations performed by the consulting engineer.

Commissioner Miller asked Mr. Fujiwara about the possibility of setting up a maintenance district that is partially funded by property owners to keep an amenity such as the channel. Mr. Fujiwara stated there are other maintenance districts in the City and they might consider that alternative.

Mr. Fujiwara stated whenever there is an open channel, there are areas that are open to collect debris. Dr. Terry Vines, applicant, stated the storm drains were built in the mid 1890's; and they are of a high quality stone work. He stated they are part of the historical flavor of Redlands. Dr. Vines stated once the property is developed with high quality landscaping, he believes the debris issue will be minimized.

Commissioner Osborne stated if we have a large amount of rain, the grates in the underground section will become filled with debris and the water will flood up to the street. Dr. Vines stated his motivation is based on the beauty and historical value of the channel. Dr. Vines stressed the importance of timing in matters such as this.

Dr. Vines stated it is very rare that you find an opportunity to place a historical building onto another site and he would be open to looking at future opportunities to move historical properties onto other sites.

Commissioner Foster stated when he sat on the Historic Commission previously, they attempted to find locations for historic homes but were unable to do so. Commissioner Foster stated he hopes Dr. Vines will continue to relocate these types of homes and he commended him for his work.

Mr. Shaw stated the Commission has the flexibility to make amendments to the Conditions of Approval.

Commissioner Osborne asked what will happen if the Commission makes a decision today, that affects a previously approved project. Mr. Shaw stated the Conditions of Approval for that project will remain in effect until such time that the Conditions of Approval are amended.

City Attorney Dan Mc Hugh stated the Public Works Department has a concern relative to maintenance costs. Mr. Mc Hugh suggested consideration of a Community Facilities District (CFD) on this project in which an annual tax is levied to help cover annual maintenance costs.

Mr. Shaw stated if the maintenance issue is eliminated as a result of a CFD, the City would be able to keep a historic drainage system as well as ensuring that the maintenance issue does not become a burden on the City.

Mr. Mc Hugh stated if the proposed project is "fast tracked" it could take approximately 60 to 70 days to record the final map.

Mr. Meyer stated they don't want to add a lighting and landscape district to the project as it would set a bad precedent; it would be the only tract in the City that is being taxed to maintain a storm drain. Mr. Meyer stated the channel is in good condition and he does not believe that debris will not clog the channel.

Mr. Meyer stated the proposed project will generate more tax revenue than what was generated on the original

property before it was improved.

Commissioner Miller recalled when the City of San Bernardino had a huge expense in the 1980's when it did not maintain its storm drains and homes were flooded. Commissioner Miller stated he would like the City of Redlands to have the reputation of following the rules of development as well as rewarding projects that bring something positive to the City. Commissioner Miller stated there a number of examples where the City has benefitted from the Vines Development's sensitivity to preserving our history.

Commissioner Miller stated he supports the project as proposed with an open channel. He requested a Condition of Approval that requires the applicant to demonstrate to the satisfaction of the Engineering Department that the channel has the capacity to carry the flow of water.

Commissioner Shamp concurred with Commissioner Miller, and stated he refers to the principles outlined in the General Plan and it is clear to him that historic preservation is a priority. Commissioner Shamp stated that historic preservation is almost never cost effective, however there is a long term economic benefit in quality of life.

Commissioner Osborne stated he believes there is a potential for flooding on the west side because the channel is not in as good a condition as the channel on the east side, as there have been numerous repairs to the channel. Commissioner Osborne stated he believes the west channel should be underground.

Commissioner Cook stated she believes the channels should be maintained because they are features that add character to the City.

Commissioner Foster stated he supports the proposed project.

Chairman Macdonald stated it appears it is the consensus of the Commission that Public Works Department Conditions of Approval 9, 10, and 16 be amended to allow the channel to remain open.

Commissioner Miller requested a Condition of Approval be added that requires the applicant to maintain as much citrus as possible.

Mr. Shaw expressed concern that staff would not be able to enforce such a condition. Mr. Shaw stated in the past, staff has tried to incorporate such conditions, but it has not been successful.

Commissioner Miller asked Mr. Shaw how the subdivision at Fifth Street and Wabash was conditioned. Mr. Jaquess stated there were existing trees on Wabash and Sixth that have been having major problems. Mr. Shaw stated the majority of subdivisions in north Redlands have been Planned Residential Developments (PRDs) that have utilized homeowner's associations (HOAs) or Community Facility Districts (CFDs) which ensure maintenance of citrus groves.

Chairman Macdonald stated it is the consensus of the Commission that the chain link fence on the west side of the property be replaced with wrought iron or concrete block.

Mr. Meyer stated the applicant will install a decorative low garden wall with wrought iron on the west side.

Mr. Baeza stated Condition of Approval 23 would be added to read:

The existing chain link fence located along the western boundary of the tract shall be replaced with wrought iron fencing, a decorative block wall, or a combination of wrought iron and decorative block, subject to review and approval by the Community Development Director.

Mr. Jaquess suggested the proposed project be tabled to later in the meeting to allow the Public Works Department to revise Conditions of Approval 9, 10, and 16. Mr. Jaquess stated the next agenda item is the Building Moving Permit for the historic houses which must be acted upon by March 31st. Mr. Jaquess asked Mr. Fujiwara to amend the conditions of approval and return to the meeting later today.

MOTION

It was moved by Commissioner Foster, seconded by Commissioner Shamp, and carried on a 6-0 vote that the Planning Commission table the Negative Declaration, Socio-Economic Cost Benefit Study and Tentative Tract No. 17676.

Item IV-A was tabled at 3:09 p.m.

C. **REDLANDS COMMUNITY HOSPITAL, APPLICANT**
(PROJECT PLANNER: MANUEL BAEZA)

1. **PUBLIC HEARING** for the Planning Commission to consider **Variance No. 713** - for a variance from Section 18.40.110 of the Redlands Municipal Code to extend the maximum height limit of a building from thirty-five (35) feet to forty-five (45) feet, for a residence to be located on Lot 3 of Tentative Tract Map No. 17676 in the R-S, Suburban Residential District.
2. **PUBLIC HEARING** for the Planning Commission to consider **Building Moving Permit No. 117** for the relocation of a house presently located at 204 Terracina Boulevard, to Lot 3 of Tentative Tract Map No. 17676.
3. **PUBLIC HEARING** for the Planning Commission to consider **Variance No. 714** for a variance from Section 18.40.110 of the Redlands Municipal Code to extend the maximum height limit of a building from thirty-five (35) feet to forty-two (42) feet, for a residence to be located on Lot 2 of Tentative Tract Map No. 17676 in the R-S, Suburban Residential District.
4. **PUBLIC HEARING** for the Planning Commission to consider **Building Moving Permit No. 118** for the relocation of a house presently located at 220 Terracina Boulevard, to Lot 2 of Tentative Tract Map No. 17676.

Project Planner Manuel Baeza gave a brief presentation on the proposed project.

Chairman Macdonald opened the public hearing.

Commissioner Osborne asked for clarification on the garage for lot 3.

Mr. Pat Meyer representing Vines Development stated the plans submitted to the Commission were a first draft; later they decided to put in a three (3) car garage with a hammerhead on lot 3.

Commissioner Osborne asked Mr. Meyer for the route that will be used to relocate the houses. Mr. Meyer stated the houses will go down Olive to San Mateo, east on Cypress Avenue to Harding Drive and continue south on Harding Drive.

Mr. Meyer asked Mr. Shaw if a 45 foot front yard setback would be allowed. Mr. Shaw responded the setbacks are dictated by the code.

Commissioner Cook stated she appreciates the fact that they are relocating the houses.

MOTION

It was moved by Commissioner Foster, seconded by Commissioner Cook, and carried on a 6-0 vote that the Planning Commission approve Variance No. 713 based on the following findings, and subject to the attached conditions of approval:

1. That there are exceptional or extraordinary circumstances applying to this home in allowing a house with a maximum height of forty-five (45) feet because it will improve the appearance of the neighborhood and maintain the integrity of a historic resource;
2. That the variance is necessary for the preservation and enjoyment of a substantial property right possessed by other properties in the same vicinity and zone district, but which is denied to the property in question because there are many other similar homes that exist in the community which have similar building heights;
3. That the granting of the variance from the maximum height requirements of the R-S District will not be detrimental to the public welfare or injurious to the property or improvements of others in the vicinity because the home has been located on a very large lot with significant front and rear yard setbacks; and,
4. That the property in question would remain consistent with the intent and guidelines of the General Plan of the City of Redlands because it implements goals and policies of the General Plan (Policies 3.20d, 3.20e, 3.21d, and 3.23b) and these actions will not adversely affect the General Plan.

MOTION

It was moved by Commissioner Foster, seconded by Commissioner Cook, and carried on a 6-0 vote that the Planning Commission approve Variance No. 714 based on the following findings, and subject to the attached conditions of approval:

1. That there are exceptional or extraordinary circumstances applying to this home in allowing a house with a maximum height of forty-two (42) feet because it will improve the appearance of the neighborhood and maintain the integrity of a historic resource;
2. That the variance is necessary for the preservation and enjoyment of a substantial property right possessed by other properties in the same vicinity and zone district, but which is denied to the property in question because there are many other similar homes that exist in the community which have similar building heights;
3. That the granting of the variance from the maximum height requirements of the R-S District will not be detrimental to the public welfare or injurious to the property or improvements of others in the vicinity because the home has been located on a very large lot with significant front and rear yard setbacks; and,
4. That the property in question would remain consistent with the intent and guidelines of the General Plan of the City of Redlands because it implements goals and policies of the General Plan (Policies 3.20d, 3.20e, 3.21d, and 3.23b) and these actions will not adversely affect the

General Plan.

MOTION

It was moved by Commissioner Foster, seconded by Commissioner Cook, and carried on a 6-0 vote that the Planning Commission approve Building Moving Permit No. 117 to take effect upon approval of Tentative Tract No. 17676 and subject to the following findings:

1. That such moving shall have no detrimental effect on the living environment as it will improve its appearance of the neighborhood;
2. That the structure to be moved is compatible with existing development in the area of Clifton Avenue and Harding Drive where the structure is to be moved.

MOTION

It was moved by Commissioner Foster, seconded by Commissioner Cook, and carried on a 6-0 vote that the Planning Commission approve Building Moving Permit No. 118 to take effect upon approval of Tentative Tract No. 17676 and subject to the following findings:

1. That such moving shall have no detrimental effect on the living environment as it will improve its appearance of the neighborhood;
2. That the structure to be moved is compatible with existing development in the area of Clifton Avenue and Harding Drive where the structure is to be moved.

D. **BULLDOG COMMONS, APPLICANT** (PROJECT PLANNER: MANUEL BAEZA)

1. Planning Commission to consider a recommendation to the City Council on an Environmental Impact Report.
2. **PUBLIC HEARING** for the Planning Commission to consider a recommendation to the City Council on a Socio-Economic Cost/Benefit Study
3. **PUBLIC HEARING** for the Planning Commission to consider a recommendation to the City Council on **Conditional Use Permit No. 836** to develop a forty (40) unit apartment complex on a 3.07 acre property located at the southeast corner of Grove Street and Sylvan Boulevard in the R-2, Multiple Family Residential District.

Chairman Macdonald opened the public hearing.

Project Planner Manuel Baeza stated the applicant requested the proposed project be continued to April 11th to allow him time to prepare additional information for the public hearing.

Ms. Linda McKiernan, who lives on Jeremy Court which is across the street from the proposed project, stated the applicant plans to cut down the eucalyptus and pepper trees on Sylvan Boulevard and install a bridge across the Zanja. Ms. Kiernan stated the applicant plans to place a driveway on Grove Boulevard and another on Sylvan Boulevard which will result in additional traffic on Sylvan Boulevard. Ms. McKiernan stated the historic value of the Zanja will be ruined. She stated she and her husband care for the raccoons that live in the pepper trees.

Chairman Macdonald advised Ms. McKiernan that the proposed project will be continued to the April 11th meeting and he asked her to return at that time.

Commissioner Miller asked staff to determine why a second driveway was being proposed.

Ms. McKiernan stated there are many other apartment complexes in the area that have only one driveway.

Chairman Macdonald closed the public hearing.

Commissioner Shamp asked staff to determine if the pepper tree removal is being directed by Public Works and if so, he requested that a representative from that department be present at the next meeting. Mr. Jaquess stated there was a significant amount of discussion in the Environmental Impact Report (EIR) relative to issues that affect the Zanja. He stated he is confident that a representative from the Public Works Department will be present at the next meeting along with a representative from the environmental firm.

MOTION

It was moved by Commissioner Shamp, seconded by Commissioner Miller, and carried on a 6-0 vote that the Planning Commission continue the Socio-Economic Cost/Benefit Study, Environmental Impact Report and Conditional Use Permit No. 836 to the meeting of April 11, 2006.

E. JANET COSGROVE, APPLICANT (PROJECT PLANNER: ASHER HARTEL)

1. **PUBLIC HEARING for Conditional Use Permit No. 884** to establish a Bed & Breakfast Inn containing three (3) guest rooms at a designated historic house located at 190 Terracina Boulevard (Morey Mansion, Historic Resource No. 22) in the M-F, Medical Facility District.
2. **PUBLIC HEARING for Parking Modification Permit No. 23** in conjunction with a proposed Bed & Breakfast Inn at a designated historic house located at 190 Terracina Boulevard (Morey Mansion, Historic Resource No. 22) in the M-F, Medical Facility District.
3. Planning Commission consideration of **Commission Sign Review No. 302** for a freestanding sign of three (3) square feet in the front yard of a proposed Bed & Breakfast Inn at 190 Terracina Boulevard (Morey Mansion, Historic Resource No. 22) in the M-F, Medical Facility District.

Chairman Macdonald opened the public hearing.

Project Planner Asher Hartel gave a brief presentation on the proposed project stating the Bed and Breakfast will utilize 3 of the 5 bedrooms as guest rooms. Mr. Hartel stated a Planning Division Condition of Approval was included that provides for the applicant to return to the Commission with a defined area for a proposed gift shop and an eating area.

Ms. Janet Cosgrove, applicant, stated three bedrooms will be sufficient for her proposed business.

Mr. Bill Cunningham, stated the Morey Mansion is a tremendous asset to the City that will generate Transient Occupancy Tax (TOT) which is helpful to the City and will assist the property owner in maintaining the property. Mr. Cunningham urged approval of the proposed project.

Ms. Jane Hawkins, expressed her support of the proposed project stating the Morey Mansion is famous

throughout the country.

MOTION

It was moved by Commissioner Osborne, seconded by Commissioner Shamp, 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 of the CEQA Guidelines.

MOTION

It was moved by Commissioner Osborne, seconded by Commissioner Shamp, and carried on a 6-0 vote that the Planning Commission approve Parking Modification Permit No. 23 subject to the following findings:

1. The proposed parking modification and use of the historic structure at 190 Terracina Boulevard is necessary or desirable for the development of the community, is in harmony with the various elements and objectives of the General Plan, and is not detrimental to the surrounding area, which consists of single family homes and medical offices and facilities or to any other permitted use in the M-F, Medical Facility District;
2. Approving the proposed parking modification and use will significantly improve the possibility that the structure will be preserved and maintained as a historic structure because the applicant has committed to make the necessary improvements to maintain the historic structure;
3. The required parking cannot be provided without the approval of the requested modification because this property has no space to provide any additional parking on-site without disturbing the historic setting;
4. All on-site parking will function safely because the existing parking at the side and rear provides adequate parking space for seven cars (5 open spaces and 2 enclosed spaces);
5. Approval of the parking modification will not harm the integrity of the historic structure or the surrounding neighborhood because there is adequate space on Terracina Boulevard for the provision of five off-site parallel parking spaces on this public street.

MOTION

It was moved by Commissioner Osborne, seconded by Commissioner Shamp, and carried on a 6-0 vote that the Planning Commission approve Conditional Use Permit No. 884 subject to the following findings:

1. The proposed development will not adversely affect the applicable land use plans of the City, because the use of 190 Terracina Boulevard as a bed and breakfast inn is proper for a Conditional Use Permit.
2. The proposed use of 190 Terracina Boulevard as a bed and breakfast inn will not be detrimental to the public health, safety and welfare, because conditions of approval will limit the hours of operation.
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 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 the bed and breakfast facility at 190 Terracina Boulevard.

Commissioner Macdonald stated that tem IV-B would be heard at this time.

**F. VINES DEVELOPMENT, APPLICANT
(PROJECT PLANNER: MANUEL BAEZA)**

- A. Planning Commission to consider a Mitigated Negative Declaration.
- B. **PUBLIC HEARING** for a Socio-Economic Cost/Benefit Study.
- C. **PUBLIC HEARING** for the Planning Commission to consider **Tentative Tract Map No. 17676** to subdivide 3.5 gross acres into six (6) lots for property located on the southwest corner of Clifton Avenue and Harding Drive in the R-S, Suburban Residential District.

Project Planner Manuel Baeza indicated the Public Works Department would prefer to have the proposed project continued for two weeks.

Chairman Macdonald reopened the public hearing.

Commissioner Miller stated he found it hard to believe that the three (3) Conditions of Approval could not be provided at this time.

Mr. Meyer stated timing will be an issue as they attempt to move the houses. Mr. Meyer proposed three rewritten Conditions of Approval to the Commission:

- 9(a). **Dedicate and construct a modified street section maintaining the existing rock lined channel pursuant to review and approval by the Public Works Director.**
- 9(b). **~~Construct standard curb and gutter 18 feet west side of street centerline.~~**
- 9(c). **Construct standard street section between new curb and street centerline consistent with the**

City standard verified through a geotechnical report.

- 9(d) ~~Construct standard sidewalk along the entire street frontage and ramps at all curb returns.~~**
10. Maintain the existing rock lined drainage channels. The applicant shall provide and submit all necessary hydrology/hydraulic studies and calculations in accordance with the San Bernardino County Hydrology Manual to adequately size the storm drain facility.
16. Maintain the existing rock lined drainage channels. The applicant shall provide and submit all necessary hydrology/hydraulic studies and calculations in accordance with the San Bernardino County Hydrology Manual to adequately size the storm drain facility.

Mr. Meyer stated they have had their engineer look at the channel and they believe it is adequate to carry the water flow. Mr. Meyer stated they would like the Commission to take action at this time.

Commissioner Miller asked if the Public Works Department can appeal a decision made by the Planning Commission. City Attorney Dan McHugh stated any interested party may appeal a decision. Commissioner Miller summarized if the Planning Commission accepts the language as suggested, the Public Works Department may appeal a decision by the Planning Commission, however the final decision would rest with the City Council.

Assistant Director Tom Fujiwara stated Mr. Mutter has concerns relative to public safety; specifically the open channel along the east side of the property, and the substandard street width that is not in compliance with the General Plan. Mr. Fujiwara stated Mr. Mutter would like an additional two weeks to look into this matter, and he may consider appealing a Planning Commission decision to the City Council.

Mr. Bill Cunningham stated he owns two (2) lots along an open channel between Highland Avenue and Cedar Street which is fed by an enclosed pipe that flooded the neighbors above his property and has been a continuing hazard. Mr. Cunningham stated Mr. Mutter attempted to rectify the problem and he knew of no instance where there have any accidents.

Commissioner Cook stated she believes a two week continuance would hold up the relocation of the houses. Commissioner Cook stated she wants the open channels maintained.

Commissioner Foster asked if the two week continuance would make a big difference, and if so, why.

Mr. Vines stated they have yet to submit plans and obtain approval for the street improvements, setback issues, infrastructure, electrical, and water.

Councilmember Pat Gilbreath stated if the Commission moves forward and approves the project, the Public Works Department has the option of appealing the decision. Councilmember Gilbreath stated she believes the project can be moved forward, with the reliance that the Public Works Department and City Council will fix the problem.

Chairman Macdonald stated it was the Commission's position to move forward with approval of the proposed project with an amendment to the Conditions of Approval which would be clarified at a later time.

Mr. Shaw stated it appeared the suggested changes were appropriate and he suggested the changes be incorporated in the Conditions of Approval.

Commissioner Shamp stated the Commission was very much in favor of keeping the ditch open and is reluctant to close it. Commissioner Shamp stated if the Public Works Department can address the safety issues with a compromise solution, it would be greatly appreciated.

Commissioner Miller stated he appreciates that the Public Works Department is trying to protect the City in all respects.

MOTION

It was moved by Commissioner Miller, seconded by Commissioner Shamp, and carried on a 6-0 vote that the Planning Commission approve the Mitigated Negative Declaration for Tentative Tract Map No. 17676 and direct staff to file and post a "Notice of Determination" in accordance with City guidelines. It has been determined this project will not individually or cumulatively affect wildlife resources as defined in Section 711.2 of the California Fish and Game Code.

MOTION

It was moved by Commissioner Miller, seconded by Commissioner Shamp, and carried on a 6-0 vote that the Planning Commission approve the Socio-Economic Cost Benefit Study for Tentative Tract Map No. 17676 as it has been determined that this project will not create unmitigable physical blight or overburden public services in the community, and no additional information or evaluation is needed.

MOTION

it was moved by Commissioner Miller, seconded by Commissioner Shamp, and carried on a 5-1 vote (Commissioner Osborne voting no) that the Planning Commission approve Tentative Tract Map No. 17676 subject to conditions of approval, and based upon the following findings:

17. The proposed map is consistent with the City's General Plan and Municipal Code. The project has a General Plan land use designation of Low Density Residential and a zoning of R-S, Suburban Residential District and is consistent with both the General Plan and Municipal Code;
18. The site is physically suitable for the type of development. The site is large enough to subdivide into six (6) lots;
19. The site is physically suitable for the density of development of a six (6) unit subdivision. The General Plan Land Use Designation of Low Density Residential and R-S, Suburban Residential District Zoning both allow for up to six (6) dwelling units;
20. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The subject site is not identified as being within an area containing biological resources or within a wildlife corridor;
21. The design of the subdivision or type of improvements is not likely to cause serious public health problems. This is a residential project and is not likely to cause any serious public health problems, aside from temporary air quality and noise impacts during construction addressed in the project's Mitigation

Measures;

22. 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;
23. That pursuant to California Government Code Section 66474.4, of the Subdivision Map Act the land is not subject to a contract entered into pursuant to the California Land Conservation Act of 1965. The property is not in an agricultural preserve, with revisions to Public Works Department Conditions of Approval to read:
 - B9(a). Dedicate and construct a modified street section maintaining the existing rock lined channel pursuant to review and approval by the Public Works Director.**
 - B9(b) ~~Construct standard curb and gutter 18 feet west side of street centerline.~~**
 - B9(d) ~~Construct standard sidewalk along the entire street frontage and ramps at all curb returns.~~**
 - B10. Maintain the existing rock lined drainage channels. The applicant shall provide and submit all necessary hydrology/hydraulic studies and calculations in accordance with the San Bernardino County Hydrology Manual to adequately size the storm drain facility.**
 - C16. Maintain the existing rock lined drainage channels. The applicant shall provide and submit all necessary hydrology/hydraulic studies and calculations in accordance with the San Bernardino County Hydrology Manual to adequately size the storm drain facility;**

and a revision to Planning Division Condition of Approval 23 to read:

23. The existing chain link fence located along the western boundary of the tract shall be replaced with wrought iron fencing, a decorative block wall or a combination of wrought iron and decorative block subject to review and approval by the Community Development Director.

F. **NABIL SAADE, APPLICANT**
(PROJECT PLANNER: ASHER HARTEL)

VII. Planning Commission to consider a Mitigated Negative Declaration.

2. PUBLIC HEARING for **Conditional Use Permit No. 859** to allow for a car wash in a detached building of 672 square feet, alterations to the existing Shell service station building, and additional landscaped areas at 127 E. Redlands Boulevard in the TC (Town Center) District of Specific Plan 45 (Downtown Specific Plan).
1. PUBLIC HEARING for **Variance No. 723** for a variance from Section 18.164.240 of the Redlands Municipal Code to reduce parking from the required 17 spaces to 13 spaces at 127 E. Redlands Boulevard in the TC (Town Center) District of Specific Plan 45 (Downtown Specific Plan).

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

Commissioner Shamp asked if staff was concerned with the environmental effects of a line of idling cars traveling down the west side of the site. Mr. Hartel stated it was not discussed during environmental review.

Mr. Shaw stated there was some discussion on idling cars relative to drive through's approximately eight years ago. Mr. Shaw stated at that time it was deemed not significant enough to pose a problem.

Commissioner Shamp advised the applicant to be aware of where the air intake for his air conditioning is located.

Chairman Macdonald stated he drove by the site and spoke with Melissa, the manager of the gas station.

Mr. Nabil Saade, applicant, stated he was available to answer questions.

Chairman Macdonald noted that the on-site air and water service is going to be eliminated and will not be relocated anywhere on site.

Mr. Saade stated full service customers will be provided air and water from the service bay.

Chairman Macdonald, a former service station owner, stated he thought the applicant was required by the state to provide air/water to his customers.

Commissioner Osborne stated he believes the applicant is required to provide this service free of charge to paying customers.

Chairman Macdonald stated he felt it was important to look into this matter and determine if the applicant meets state law because he believes this service must be available to the public.

Mr. Shaw stated a Condition of Approval could be added that requires the applicant to provide evidence to staff that he complies with state law relative to water and air service.

Mr. Saade stated it would be simple to relocate the air/water machine.

Commissioner Shamp stated he did not feel a need to go above and beyond what is required by state law.

Chairman Macdonald concurred with Mr. Shaw's suggestion to add a Condition of Approval.

MOTION

It was moved by Commissioner Osborne, seconded by Commissioner Foster, and carried on a 6-0 vote that the Planning Commission approve the Mitigated Negative Declaration for Conditional Use Permit No. 859 and Variance No. 723, and direct staff to file and post a "Notice of Determination" in accordance with City guidelines. It is recommended that this project will not individually or cumulatively affect wildlife resources as defined in Section 711.2 of the California Fish and Game Code.

MOTION

It was moved by Commissioner Osborne, seconded by Commissioner Foster, and carried on a 6-0 vote that the Planning Commission approve Variance No. 723 subject to the following findings:

1. There are exceptional or extraordinary circumstances or conditions applicable to the property or the intended use that do not apply generally to other properties or uses in the same vicinity and zone. The project site is zoned

for commercial uses, has a very limited size, and has severe constraints with the existing buildings and improvements on the property. The use is currently non-conforming with respect to parking. Parking has not been an issue in the past on the site, and the proposed car wash does not require any additional parking and will not exacerbate a parking problem. These factors do not occur with any other properties or uses in the TC District in the vicinity.

2. That the variance is necessary for the preservation and enjoyment of a substantial property right possessed by other properties in the same vicinity and zone district, but which is denied to the property in question. There are a number of properties in the City which have been able to develop or redevelop with parking that does not meet a strict interpretation of the City's standards, as identified in the staff report, and which have had Variance requests approved.
3. That the granting of the variance will not be detrimental to the public welfare or injurious to the property or improvements of others in the vicinity. The project site is a corner lot with multiple ingress and egress points, and the nature of the car wash will be to cater primarily to existing customers purchasing fuel. Substantial numbers of new customers are not expected that would create additional demand on the existing parking spaces on the site. The additional landscaping to be provided on the site is desirable and beneficial to the neighborhood and the City.
4. That the granting of the variance will not adversely affect the General Plan of the City of Redlands. The project is consistent with the General Plan Land Use designation of Commercial, helps to implement General Plan Policy 4.61b which provides that the City look for "opportunities for the expansion and development of small businesses that provide local services", and will not adversely affect the General Plan of the City of Redlands.

MOTION

It was moved by Commissioner Osborne, seconded by Commissioner Foster, and carried on a 6-0 vote that the Planning Commission approve Conditional Use Permit No. 859 subject to the following findings:

1. The proposed development will not adversely affect the applicable land use plans of the City, because the use of 127 E. Redlands Boulevard as a service station with a car wash is proper for a Conditional Use Permit;
2. The proposed use of 127 E. Redlands Boulevard as a service station with a car wash will not be detrimental to the public health, safety and welfare, because conditions of approval will ensure compliance with City development standards;
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 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 the addition of a car wash at the existing service station at 127 E. Redlands Boulevard **with the addition of Planning Division Condition of Approval 21 to read:**

The applicant shall comply with state requirements as it pertains to providing air and water to the

public.

V. ADDENDA

A. AMERICAN PLANNING ASSOCIATION NEWSLETTER

Mr. Shaw stated a copy of the American Planning Association newsletter would be provided with the next agenda.

VI. APPROVAL OF MINUTES

A. March 14, 2006

MOTION

It was moved by Commissioner Shamp, seconded by Commissioner Foster, and carried on a 5-0 vote that the Planning Commission approve the Planning Commission minutes of March 14th with corrections noted.

VII. LAND USE AND CITY COUNCIL ACTIONS OF MARCH 21, 2006

Mr. Shaw gave a brief presentation on the City Council actions of March 21st.

VIII. ADJOURN TO APRIL 11, 2006

Chairman Macdonald adjourned the meeting to April 11th at 4:35 p.m.

Patti Ortiz
Senior Administrative Assistant

Jeffrey L. Shaw, Director
Community Development Department