

MINUTES of the Planning Commission Meeting of the City of Redlands held Tuesday, June 13, 2006, at 2:00 p.m. are as follows:

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

ABSENT: Ruth Cook, Commissioner

ADVISORY STAFF

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

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

Chairman Macdonald called the meeting to order. All commissioners were present except Commissioner Cook.

II. CONSENT CALENDAR

- A. Planning Commission review of application for a Person to Person Transfer of an Off-Sale General Alcoholic Beverage License for Garfield Beach CVS LLC - CVS Pharmacy located at 101 Redlands Mall, Redlands, CA 92373.
- B. Planning Commission review of application for a Person to Person Transfer of an On-Sale General Alcoholic Beverage License for Redlands Underground located at 19 E. Citrus Avenue, Suite 103, Redlands, CA 92373.

MOTION

It was moved by Commissioner James, seconded by Commissioner Osborne, and carried on a 6-0 vote that the Planning Commission approve the Consent Calendar.

III. OLD BUSINESS

A. **HEEMSTRA SIGNS, APPLICANT**

(PROJECT PLANNER: ASHER HARTEL, AICP)

1. Planning Commission to consider **Commission Sign Review No. 280, Revision No. 1**, for a revision to Uniform Sign Program No. 25 for the Citrus Grove Business Park located at 310 - 390 Alabama Street in the I-C District of the East Valley Corridor Specific Plan.

Project Planner Asher Hartel gave a brief presentation on the proposed project which was heard by the Commission on May 9th and May 23rd. At the May 9th meeting, the project was continued so the sign could be redesigned to include channel letters on a precast background with external illumination. Mr. Hartel stated at the May 23rd meeting, three (3) Commissioners indicated they prefer a monument sign and three (3) commissioners indicated they could support a pedestal sign up to eight (8) feet in height, if the design is attractive.

Mr. Hartel stated the applicant is requesting further discussion and direction, however staff does not believe the proposed sign has moved in the direction requested by the Commission at previous meetings.

Mr. Dan Merritt, applicant, stated he and Mr. Bob Heemstra, Heemstra Signs, were available to answer questions.

Commissioner Osborne stated the applicant could add a berm that would increase the height of the sign by approximately three (3) feet. Commissioner Osborne concurred with Mr. Hartel's statement that the applicant did not follow the direction recommended by the Commission.

Commissioner James stated he is looking for a pedestal type sign that would resemble a monument sign. Commissioner James stated he is looking for a business park sign that incorporates more architectural and landscaping elements.

Mr. Merritt stated he did not fully understand how a sign from a business park would be different from the type of sign that K mart and Smart and Final have. Commissioner James stated there are business parks in town that have low standing monument type signs.

Mr. Jaquess suggested looking at the photos of business park signs in the City that were taken by Mr. Hartel.

Mr. Hartel gave a brief PowerPoint presentation.

Mr. Heemstra stated he was aware of the signs, however he was trying to comply with the Sign Code and offer his client a visible sign.

Chairman Macdonald stated the Commission has been leaning toward monument signs in the past few years, and indicated a preference for monument signs. Chairman Macdonald stated unless the applicant is willing to return with a monument sign, it appears the Commission will move forward with a motion for denial of the project.

Mr. Merritt asked if the sign height or the plex look on the sign was an issue. Commissioner Osborne responded that it was. Mr. Merritt stated he wants to have a sign height that is visible to motorists passing by. Mr. Merritt asked if the Commission would be willing to look at the sign if the proposed height is retained. Chairman Macdonald stated the direction of the Commission is clear; they are looking for a monument sign. Mr. Merritt asked if a plex faced monument sign would be acceptable. Chairman Macdonald stated if the applicant is going to return with a redesigned sign, staff can provide assistance.

Commissioner Shamp stated there is a big difference between "way finding" and advertising. He continued by saying the intent of advertising is to pull the eye of the motorist driving by who may not intend to go the establishment. Commissioner Shamp stated he does not believe the applicant has to go to these lengths in order to attract attention. He stated if traffic is slowed down in trying to locate the establishment, it is a good thing. Commissioner Shamp stated he was one of the three (3) commissioners who insisted on a monument sign with external lighting.

Commissioner Miller stated nothing about the sign has changed since the last Commission meeting; the Commission wants a monument sign with channel letters and materials that match the building.

Assistant Director Jaquess stated the applicant has three (3) alternatives from which to choose: denial of the project, a continuance to allow for redesign of the sign, or withdrawal of the application.

Mr. Merritt asked if the berming is considered as part of the sign height. Mr. Jaquess stated a berm would be part of the grading operation. Commissioner Miller stated a two (2) foot berm with a four (4) foot monument sign had been suggested previously.

Mr. Merritt asked if the berm could be higher than two (2) feet. Commissioner Miller responded as long as the slope is reasonable. Commissioner James stated a berm might provide an opportunity to incorporate additional landscaping and other architectural features.

Mr. Merritt requested the project be continued. Mr. Shaw suggested a four (4) week continuance.

MOTION

It was moved by Commissioner Shamp, seconded by Commissioner Foster, and carried on a 6-0 vote to continue Commission Sign Review No. 280 (Revision 1) to July 11, 2006.

Commissioner Miller recused himself due to a conflict of interest with item IIIB.

B. YOCUM-BALDWIN DEVELOPMENT, 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. 817** for construction of one (1) building with 29,660 square feet and 3,726 square feet at mezzanine level for twelve (12) manufacturing/warehouse/office units on 2.1 acres, located on the east side of New York Street between Colton Avenue and Brockton Avenue in the C-M, Commercial Industrial District.

Chairman Macdonald opened the public hearing.

Project Planner Asher Hartel requested a two (2) week continuance due to plan revisions as a result of an easement on the proposed project.

Chairman Macdonald asked if there was anyone in the audience wishing to speak. Seeing no comments forthcoming, Chairman Macdonald closed the public hearing.

MOTION

It was moved by Commissioner Foster, seconded by Commissioner James, and carried on a 5-0 vote that the Planning Commission continue Commission Review and Approval No. 817 to June 27, 2006.

Commissioner Miller return to the meeting.

C. BULLDOG COMMONS LLC, 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.

Project Planner Manuel Baeza stated the project was continued to allow time for the project consultant to respond to comments received during the 45 day review period. Mr. Baeza stated at the previous meeting the Commission requested alternatives to widening the Zanja and did not support extensive changes to the channel. Mr. Baeza stated representatives from the University of Redlands addressed the Commission stating they feel the analysis in the Environmental Impact Report (EIR) is inadequate.

Mr. Baeza stated the Commission may want to recommend the alternative that allows development of the project without widening the channel. Mr. Baeza stated under this alternative, minor changes could be allowed such as adding guard rails and removing upper layers of sediment. Mr. Baeza stated more significant changes to the project would affect the analysis and warrant a re-circulation of the Environmental Impact Report (EIR).

Mr. Baeza stated staff recommends approval of the project as proposed.

Commissioner Osborne asked if the City Council would be required to issue a letter of overriding concern if the project is approved as presented. Mr. Baeza responded in the affirmative.

Director Jeff Shaw stated that Mr. Ron Mutter, Public Works Director, was present. Mr. Shaw stated it was suggested that an alternative be explored that would not widen the channel and Mr. Mutter would like to respond to that alternative.

Mr. Ron Mutter, Director, Public Works Department, stated he has some very serious safety concerns with the channel in its existing configuration. Mr. Mutter stated he respects the historic nature of the Zanja through town, however it does not function. Mr. Mutter stated it is the major storm drain channel that runs through the center of town and carries the most significant water of any channel in town. Mr. Mutter stated every time it rains they have problems in this area because it has not been cleaned in 5-6 years; it has a build up of mud and leaves and the intersection floods. Mr. Mutter stated that warning signs have to be posted and the street is closed.

Mr. Mutter stated they have consulted with their arborist who has suggested the pepper trees be removed because they are brittle and have hollow spots. Mr. Mutter stated a wind storm or significant flooding could bring the trees down. He stated it is his opinion that the applicant should abide by the Public Works condition of approval relative to widening of the channel and landscaping.

Mr. Mutter stated they do not want to see a hardscape channel; they want to see a soft bottom channel with some protection from erosion.

Mr. Mutter stated there could be a vine-type growth that covers the channel and new trees could be planted which would allow them to mature. Mr. Mutter stated it would be much safer to the general public to solve a serious problem they have in town. Mr. Mutter stated he cannot stress the safety

issue enough and he requested the Commission's concurrence in maintaining the Public Works requirement as written.

Chairman Macdonald asked Mr. Mutter if a flood channel is proposed further south close to the railroad tracks. Mr. Mutter stated the long term master plan shows a pipe in the channel from Lincoln Street through the middle of Redlands to the Zanja near the American Legion Hall, although there is no funding for it; if it happens, it could be 20 to 30 years or more from now.

Commissioner Osborne stated Public Works Department Condition of Approval 16 requires the applicant to provide for adequate drainage facilities although it does not specify the Zanja. Commissioner Osborne asked if there was a recommendation from the Public Works Department to use the Zanja or was there another alternative available to the applicant. Mr. Mutter stated Condition of Approval 17 requires the applicant to replace the damaged box structure that crosses Grove Street to accommodate a 100 year storm. Mr. Mutter stated they have spoken with the developer to try to maintain the open fill of the area by looking at a non concrete lined channel.

Mr. Mutter stated the wording for Condition of Approval 18 should be changed from a 100 year storm to a 10 year storm.

Commissioner James stated the proposal to modify the Zanja is quite attractive, although it changes the historic character of the channel. Commissioner James asked Mr. Mutter if the Zanja east of the project has a greater flow. Mr. Mutter stated it has a larger cross sectional area which will accommodate more flow, however it is still inadequate for a 100 year storm. Mr. Mutter stated the only way to solve the 100 year flood problem is with a channel down the railroad right-of-way with a nine (9) foot diameter pipe or with a combination of a large regional detention basin in the Crafton area.

Commissioner Miller expressed concern on the size of the channel; stating there was a proposal included in the EIR in the 1970's for a 20 foot wide by 12 foot deep channel. Mr. Mutter stated at that time they were looking at the railroad right-of-way as the possible location of an open channel box culvert. Mr. Mutter stated in 1986 a concept plan was prepared to develop a large regional detention basin in the Crafton area which could significantly reduce flooding.

Chairman Macdonald asked why something was not done before now. Mr. Mutter stated they have been working since the 1970's to obtain flood control protection, however core projects primarily address downtown Redlands.

Commissioner Shamp asked if it is possible to provide the necessary cross section for a ten-year flood and leave the historic Zanja and trees untouched? Mr. Mutter stated it can be done if there is a long enough stretch however you would have to install a dike or dam in the channel upstream, and pipe it somewhere else.

Commissioner Osborne asked if the area is considered a floor plain area. Mr. Mutter responded that it was.

Mr. Richard Feenstra, applicant, stated he is willing to cooperate in order to have the project approved.

Chairman Macdonald summarized that Mr. Feenstra plans to retain the channel and trees and widen Sylvan Boulevard to the north.

Mr. Jennifer Chavez, attorney with Luce, Forward, Hamilton and Scripps, stated she is here on behalf of the University of Redlands. Ms. Chavez stated they submitted two letters expressing their belief that the EIR is inadequate and does not satisfy the legal requirements of the California Environmental Quality Act (CEQA). Ms. Chavez stated an EIR is an informational document that identifies, explains and analyzes all of the potentially significant impacts a project might have on the environment.

Ms. Chavez stated the EIR is conclusory and there are no facts to support the conclusions.

Ms. Chavez stated the University is concerned about the potential for downstream flooding. Ms. Chavez stated the City's consultant put together a one (1) page report based on a visual evaluation that the project may increase the velocity of flow headed downstream through the Zanja. Ms. Chavez stated the report concludes that an additional evaluation based on the specific design of improvements to the Zanja.

Ms. Chavez stated the applicant is bringing a large amount of fill onto the site therefore, an analysis is needed to determine if the truck deliveries will conflict with normal passenger traffic going through the area.

Ms. Chavez stated it is their position that the EIR requires more work and information and it would need to be re-circulated for additional public review and scrutiny.

Commissioner James asked Ms. Chavez if she felt the comments on the project were inadequate. Ms. Chavez stated they were not satisfied with the responses.

Chairman Macdonald asked Ms. Chavez if the flood control protection proposed by Mr. Mutter satisfies the University's concerns. Ms. Chavez responded that the University is not focused on flood control issues; the University is concerned about the disclosure aspects of the project. Ms. Chavez expressed concern that there are huge gaps in the traffic analysis.

Commissioner Miller asked Ms. Chavez to summarize a conclusion not supported by facts in the traffic analysis. Ms. Chavez stated they are not sure where the traffic generation counts came from.

Mr. Feenstra stated the only reason they were asked to perform an EIR on the project was because of the historic nature of the Zanja that could not be mitigated. Ms. Feenstra stated the issues raised by Ms. Chavez would have been covered under the Negative Declaration. Mr. Feenstra stated they have had capable consultants work on the project in order to mitigate some of the impacts.

Mr. Shaw stated the environmental consultant who prepared the EIR was seated in the audience and could answer specific questions.

Commissioner Miller requested a response relative to the basis for the traffic generation.

Ms. Anne Surdzial, ECORP Consulting, stated the traffic report was not completely reproduced in the traffic section, it was summarized in the EIR.

Commissioner Miller asked Ms. Surdzial if pollution control would be handled under the stormwater pollution prevention plan. Ms. Surdzial stated it was part of the mitigation.

Commissioner Miller asked Ms. Surdzial to comment on the 25 truck per day generation. Ms. Surdzial stated the traffic engineer determined that the amount of traffic would be approx. 28 % of the average daily trips of the apartment complex when it is under operation. Ms. Surdzial stated the truck route would travel along Citrus Avenue to Grove to the site.

Commissioner Miller asked Ms. Surdzial if the report concludes that the introduction of impervious surfaces are mitigated onsite with stormwater management. Ms. Surdzial stated there is a detention basin that will be constructed on the site. Commissioner Miller asked Ms. Surdzial if the net affect of the development worsens the flood condition or if it has less than significant impact. Ms. Surdzial stated the runoff would be less than significant.

Commissioner James asked if a focused EIR was performed. Ms. Surdzial stated there was an initial study performed on the project and they eliminated environmental issues that would not have a significant effect. This is a focused EIR.

Mr. Jaquess stated it became clear early on that there would be a potential Condition of Approval added to the project to require improvements to the channel.

Mr. Mutter stated the channel work needs to be done. Mr. Mutter stated frontage improvements on any development may include storm drains, curbs, gutters, sidewalks, street trees, and street lights as a standard development condition by Code. Mr. Mutter stated they do not want to see the channel destroyed however, they want it worked enough so that it does not cause more problems in the area.

Mr. Mutter concurred with Ms. Surdzial that water from the site is insignificant especially with the WQMP process in place.

Chairman Macdonald closed the public hearing.

Commissioner Osborne asked staff if the Commission recommends approval of the project, the City Council can issue a letter of overriding concerns. Ms. Shaw answered in the affirmative.

City Attorney Dan McHugh stated once there's a certification of environmental impact report, if there is a significant impact that is not mitigated to a level of insignificance, they have to go through a further CEQA process that is done at the City Council level. Mr. McHugh stated the letter provided today raises additional environmental concerns, that require an additional level of review at the staff level.

MOTION

It was moved by Commissioner James, seconded by Commissioner Miller, and carried on a 5-1 vote (Commissioner Shamp voting no) that the Planning Commission recommend approval to the City Council on the Environmental Impact Report for Conditional Use Permit No.836 and Demolition No. 68.

MOTION

It was moved by Commissioner James, seconded by Commissioner Miller, and carried on a 6-0 vote that the Planning Commission recommend approval to the City Council on the Socio-Economic Cost Benefit Study for Conditional Use Permit No.836. It is recommended that this project will not create

unmitigable physical blight or over burden public services in the community, and no additional information or evaluation is needed.

MOTION

It was moved by Commissioner James, seconded by Commissioner Miller, and carried on a 6-0 vote to recommend approval to the City Council on Conditional Use Permit No.836, subject to the following findings and subject to the attached Conditions of Approval;

3. The proposed development will not adversely affect the applicable land use plans of the City; the project is a multiple family development in the R-2, Multiple Family Residential District and a General Plan Land Use Designation of High -Density Residential (0 to 27 units per gross acre);
2. The proposed development will not be detrimental to the public health, safety and welfare; the project will have adequate street access and be developed to meet all building codes;
3. The proposed development will comply to the maximum extent feasible with the regulations of the City's General Plan, and applicable zoning district and the City's development standards; the project is consistent with the use and density of the sites General Plan Land Use Designation of High-Density Residential and will also be developed in accordance with the development standards of the R-2, Multiple Family Residential District ;
4. The proposed development is appropriate at the proposed location; the project is a multiple family residential development in an area of the City containing existing multiple family residential development with a revision to Public Works Department Condition of Approval 18 to read as follows:

Regrade and improve the Zanja within the project limits to accommodate a 400- **10** year storm runoff. The proposed improvements shall provide protection to the channel from erosion satisfactory to the City Engineer. Necessary hydrology/hydraulics calculations shall be submitted for the channel for review and approval.

IV. NEW BUSINESS

A. GEORGE SAUNDERS, 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 a recommendation to the City Council on General Plan Amendment No. 107 establishing a land use designation for existing excess right-of -

way located on the west side of Wabash Avenue south of the I-10 Freeway and north of Sunset Drive as Very-Low Density Residential and Resource Conservation and changing the land use designation of an area adjacent to an existing ridge located west of Wabash Avenue, south of the I-10 Freeway and north of Sunset Drive from Resource Conservation to Very-Low Density Residential.

4. **PUBLIC HEARING** for the Planning Commission to consider a recommendation to the City Council on Zone Change No. 417 from A-1, Agricultural District to proposed zoning of R-E, Residential Estate District and O, Open Land District for 7.2 acres located on the west side of Wabash Avenue south of the I-10 Freeway and north of Sunset Drive in the A-1, Agricultural District and to establish zoning of R-E, Residential Estate District zoning and O, Open Land District for excess right-of-way located on the west side of Wabash Avenue south of the I-10 Freeway and north of Sunset Drive.
5. **PUBLIC HEARING** for the Planning Commission to consider a recommendation to the City Council on Tentative Tract Map No. 17080 to subdivide 7.2 acres into eight (8) lots for property located on the west side of Wabash Avenue south of the I-10 Freeway and north of Sunset Drive in the A-1, Agricultural District (proposed R-E, Residential Estate District).

Chairman Macdonald opened the public hearing.

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

Mr. Pat Meyer, representing the applicant, stated when they started working on the project, they discovered that the excess right-of-way where Sunset Drive used to be has no General Plan designation. Mr. Meyer stated when the County built Wabsh Avenue, they acquired a very wide swath of land. Mr. Meyer stated they want to bring Wabash Avenue to a normal right-of-way width so that a sound wall can be built near the road.

Mr. Meyer stated he has reviewed the staff report and Conditions of Approval and has no objection to the conditions imposed.

Commissioner Osborne asked Mr. Meyer if the land deemed as conservation easement will give access to the ridge. Mr. Meyer stated a conservation easement will be granted to the City of Redlands. Mr. Meyer stated the CC&Rs will restrict the use of the land so that structures cannot be built in the easement. Commissioner Osborne asked why the area was designated as open land. Mr. Jaquess stated it was done at staff's request to make it clear that the land was not developable.

Commissioner Miller requested clarification on the sound wall. He expressed concern that six of the lots in the development do not have designated pads shown on the plans. Mr. Meyer responded the six (6) lots would have pads. Commissioner Miller asked Mr. Meyer for clarification on the sound wall along the development. Mr. Meyer stated the Conditions of Approval require the applicant to provide the acoustical engineer with the precise grading with house plottings. Mr. Meyer stated changes may be made to the height of the sound wall based on the information that is provided. Mr. Jaquess stated Planning Division Condition of Approval 28 addresses this issue.

Chairman Webber closed the public hearing.

MOTION

It was moved by Commissioner Miller, seconded by Commissioner Foster, and carried on a 6-0 vote that the Planning Commission recommend approval of the Mitigated Negative Declaration for General Plan No. 107, Zone Change No. 417, and Tentative Tract Map No. 17080 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 Foster, and carried on a 6-0 vote that the Planning Commission recommend approval of the Socio Economic Cost Benefit Study for General Plan No. 107, Zone Change No. 417, and Tentative Tract Map No. 17080 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 Foster, and carried on a 6-0 vote that the Planning Commission approve Planning Commission Resolution No. 1109, recommending to the City Council approval of General Plan Amendment No.107.

MOTION

It was moved by Commissioner Miller, seconded by Commissioner Foster, and carried on a 6-0 vote that the Planning Commission approve Planning Commission Resolution No. 1110, recommending to the City Council approval of Zone Change No. 417.

MOTION

It was moved by Commissioner Miller, seconded by Commissioner Foster, and carried on a 6-0 vote that the Planning Commission recommend approval of Tentative Tract Map No. 17080 subject to conditions of approval, and based upon the following findings:

1. The proposed map is consistent with the City's General Plan and Municipal

Code. The proposed residential development with open space area is consistent with the Very Low Density Residential and Resource Conservation Land Use Designations, and the project will be developed in accordance with the development standards of the R-E, Residential Estate and O, Open Land District;

2. The site is physically suitable for the type of development. The site is large enough to subdivide into eight (8) lots;
3. The site is physically suitable for the density of development of an eight (8) unit subdivision. The General Plan Land Use Designation of Very Low Density Residential and R-E, Residential Estate District both allow for eight (8) dwelling units;
4. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The subject site is not identified as being within an area containing biological resources or within a wildlife corridor;
5. The design of the subdivision or type of improvements is not likely to cause serious public health problems. This is a residential project and is not likely to cause any serious public health problems, aside from temporary air quality and noise impacts during construction addressed in the project's Mitigation Measures;
6. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision;
7. That pursuant to California Government Code Section 66474.4, of the Subdivision Map Act the land is not subject to a contract entered into pursuant to the California Land Conservation Act of 1965. The property is not in an agricultural preserve.

B. **DAVID VAN DIEST AND ROSA E. GOMEZ, APPLICANT**
(PROJECT PLANNER: MANUEL BAEZA)

1. Consideration of **Commission Review and Approval No. 728 (Revision 1)** amending the Public Works Department Conditions of Approval for a fourteen (14) unit apartment complex on approximately 1.16 acres located at the southeast corner of Clifton Avenue and San Mateo Street in Specific Plan No. 52.

Project Planner Manuel Baeza stated currently there is a Condition of Approval that requires undergrounding of an existing open storm channel; the proposed revision would eliminate the need to underground the channel which is located along the project site's east boundary. Mr. Baeza stated the proposed change is consistent with a Commission action taken on an adjoining property to the east (Tentative Tract No. 17676, Vines development).

Mr. Baeza noted the Public Works Department is opposed to the change and remains opposed to the previous change approved for Tentative Tract No. 17676. Mr. Baeza stated the Public Works Department cited safety and maintenance concerns. Mr. Baeza stated staff recommends approval of the revision.

Mr. Ron Mutter, Director, Public Works Department, stated he is charged with administration of the National Pollutant Discharge Elimination System (NPDES) Stormwater Quality Permit. Mr. Mutter stated they are mandated to comply with the Water Quality Management Program. In analyzing the permits, Mr. Mutter stated runoff from a project cannot go directly into a storm channel without some type of filtration system. Mr. Mutter stated they have an issue with open storm drains because water is allowed to fall into them.

Mr. Mutter stated he was opposed to, and asked for a continuance on the previous project, however the continuance was not granted. Mr. Mutter stated with this project, the project was approved with the condition of the storm drain, to which the applicant agreed. Mr. Mutter stated for public safety reasons, and their mandated compliance with the NPDES and the overall maintenance conditions of the open storm drains, he would strongly oppose any change to revert back to leaving the storm drain open.

Commissioner Osborne stated he opposed the change to the Vines development and he will oppose the proposed revision to this project. Commissioner Osborne stated he feels it is unfair to require one side of the development to underground the storm drain and the other side not to have that requirement.

Mr. Mutter stated he has spoken with Mr. Meyer relative to the Vines development and how the public safety concerns can be mitigated. Mr. Mutter said it is very difficult to mitigate the public concern on an open drain. From a historic viewpoint, Mr. Mutter stated there are a number of ways to install cut stone curbs, and sidewalks with 2 X 2 squares, and short street lights to make it look like a true historic district.

Mr. Shaw stated it is his understanding that there is a block wall that would sit adjacent to the channel, and the drainage would flow out to the street. Mr. Shaw stated he is not aware of any water that flows directly into the drain. Mr. Mutter stated it is a general concern of his and may not apply to this site.

Commissioner Miller asked if the project is subject to a Water Quality Management Plan. Mr. Mutter responded in the affirmative. Commissioner Miller asked Mr. Mutter if the project would be in compliance if a Water Quality Management Plan is filed and the water is properly filtered. Mr. Mutter stated it would be in compliance.

Commissioner Shamp asked what type of strategy would be acceptable for filtering stormwater. Mr. Mutter responded one is a box with an internal filter that would need to be changed and maintained on a regular basis, and bio swales which are natural, meandering

streams.

Chairman Macdonald asked Mr. David Van Diest, the applicant, to address the Commission.

Mr. Van Diest stated there is a 430 foot long, eight (8) foot tall block wall that runs along the back end of the property, which would make it difficult for water to go into the storm drain. Mr. Van Diest stated the water drains onto Clifton Avenue or San Mateo Street, not into the storm drain. He stated he assumed Dr. Vines was going to be required to put in a storm drain and he thought they could work together. When he heard Dr. Vines was not required to put in a storm drain, he questioned why.

City Attorney Dan McHugh stated the law with respect to Water Quality Management Plans (WQMP) would apply to this application. However, Mr. McHugh stated if there is no water draining to the channel, there is no WQMP to implement. Mr. McHugh stated if there was law not on the books at the time the project was originally approved, it is applicable now with this change. Mr. McHugh stated Mr. Mutter stated the Commission can add a Condition of Approval that requires any data that shows the applicant is in compliance with the law.

Chairman Macdonald asked if there was anyone in the audience who wished to address the Commission.

Ms. Chris Sedmack, 1175 W. Cypress Avenue, stated she lives across the street from the two developments. Ms. Sedmack stated she has deep concerns relative to a danger to public safety and to children in the area. Ms. Sedmack stated the Vines development has two drainage ditches, one on the east side and one on the west side. Ms. Sedmack stated the Public Works Department required the drainage ditches be covered. She stated that a child drowned in a channel near her home some time back. Ms. Sedmack stated the slow moving and standing water is a breeding ground for disease bearing mosquitoes and are collecting grounds for debris and dumping. She stated during the rainy season the channels are full of fast moving water which creates a tremendous hazard to children in the area. Ms. Sedmack questioned why the Vines development was approved without adhering to the rules and requirements for public safety demanded by the Public Works Department.

Commissioner Osborne stated he is in favor of Public Works Department's recommendation to enclose the storm drain.

Commissioner Miller asked Mr. Mutter if it is possible to require property owners who abut the storm drain to maintain it. Mr. Mutter stated that it is difficult to require as a condition because property owners do not have the appropriate methods, tools, or equipment to maintain storm drains. He stated that property owners could be conditioned to provide a Community Facilities District (CFD) to pay for the cost of maintenance as an alternative.

Commissioner Miller stated he grew up in a community where there were open irrigation channels everywhere and there were drownings, however, the drownings most often occurred at the point where the channel went underground. Commissioner Miller stated he is inclined to be supportive of

the project, but he thinks there should be a Condition of Approval that requires that the wall has to be built to the satisfaction of the Public Works Department.

Commissioner James stated he believes it is a very good project. He stated the project was approved with a certain set of conditions and he does not see a compelling reason to grant the request. Commissioner James stated he is opposed to the revision at this time.

Commissioner Shamp stated he would have voted to maintain the Public Works Department requirement for the Vines development if he had known at that time, the information he has now. Commissioner Osborne took exception to Commissioner Shamp's comments, stating they were given the same information a month ago that they received today, however they did not have a public figure who spoke to them.

Commissioner Shamp disagreed, stating at the last meeting they were in very general terms that there were issues of public safety and maintenance. Commissioner Shamp stated at that time, the statements they were given were not backed up.

Mr. Mutter stated at the last meeting he had given Assistant Director Tom Fujiwara direction to ask for a two-week continuance, however it was not granted at that time. Mr. Mutter stated he has spoken with Mr. Meyer and refused to sign the Conditions of Approval that were recommended by the Commission because he disagrees with them. Mr. Mutter stated Mr. Meyer has agreed to work with him to make the project as aesthetically pleasing and safe as possible. Mr. Mutter suggested the item be tabled or continued until a solution can be worked out with the Vines project that will fit in with Mr. Van Diest's project and work for everybody.

Mr. Mutter stated the moving of the two house onto the Vines development is paramount, so they have split the grading plan. Mr. Mutter stated he might be willing to have the ditch on the east side done in exchange for leaving the ditch on the west side, with requirements for fencing, gating, access and safety to address public safety and water quality concerns. Mr. Mutter stated once they come up with a final solution, they can address Mr. Van Diest's request.

Chairman Macdonald concurred with Commissioner Shamp that there was an entirely new wealth of information that came out at today's meeting.

Assistant Director John Jaquess asked Mr. McHugh if the request to amend the Condition of Approval is subject to the Permit Streamlining Act. Mr. McHugh stated it is, unless Mr. Van Diest agrees to a 90 day continuance. Mr. McHugh stated Mr. Van Diest can withdraw his application and resubmit at a later time. Mr. McHugh stated Mr. Van Diest can be accommodated on the fees situation.

Commissioner Foster stated he would vote today exactly as he did at the last meeting. He stated Commissioner Miller outlined his feelings; he did not believe new information had been presented at this time. Commissioner Foster indicated he is having difficulty with the fact that the comments have not been substantiated by data or presentations on why safety is a concern. He stated the Commission has to be very careful after already voting on one matter, to think about what kind of message they are sending if they are not consistent.

Mr. Bill Cunningham stated after the last meeting on the Vines project, he was very concerned that

an appeal might be made to the City Council. Mr. Cunningham stated he surveyed the Zanja in South Redlands, and he encouraged the Commission to look at the Zanja adjacent to Franklin Street, Garden Street, San Jacinto Street behind his property and Prospect Park. Mr. Cunningham stated he is unaware of any injury to a child that has occurred. Mr. Cunningham stated there is a pipeline that drains from Cedar down to his property line, that has failed a number of times. Mr. Cunningham stated the water has now been diverted onto his property, in violation of federal law. Mr. Cunningham concurred with Commissioner Miller stating the only time he knew of children getting into trouble was at Redlands High School going into a closed drain.

Chairman Macdonald advised Mr. Van Diest that the Commission was evenly split on approval of the project.

Mr. Van Diest stated he did not want to hold up the Vines project and he was happy to withdraw his application to see if there is a compromise that can be worked out.

The application was withdrawn, therefore no action was taken. Mr. Shaw requested a withdrawal be requested in writing from the applicant.

C. **HANNIBAL PETROSSI, APPLICANT**
(PROJECT PLANNER: DAVID JUMP)

1. Planning Commission to consider a Mitigated Negative Declaration.
2. Planning Commission to consider a Socio-Economic Cost/Benefit Study.
3. Planning Commission to consider **Commission Review and Approval No. 811** an industrial development consisting of two single story buildings comprising a total of 72,098 square feet on a 4.75 acre site located on east side of Nevada Street approximately 700 feet south of Redlands Boulevard within the East Valley Corridor Specific Plan Industrial/Commercial District (EV/IC).

Project Planner David Jump gave a brief presentation on the proposed project. Mr. Jump stated a 6/7 vote of approval is required for the intersection of Redlands Boulevard and Alabama Street and the intersection of Redlands Boulevard and California Street due to the deficient level of service at that location. Mr. Jump stated staff is concerned about the overall look and style of the development, specifically the architecture, building arrangement, landscaping and signage. Mr. Jump stated staff recommends the proposed project be continued to allow the applicant to bring landscaping elements into conformance with the Conditions of Approval, and for a potential site re-design and architectural enhancements.

Chairman Macdonald asked if the allowed uses would be the same as the City Code. Mr. Jump stated retail sales would be allowed. Mr. Shaw stated staff will have to look at the allowed uses in the East Valley Corridor Specific Plan (EVCSP). Mr. Shaw stated a list of

permitted uses would be brought back to the Commission.

Mr. Jaquess stated with a small project such as this, it is usually a minimally parked facility. Mr. Jaquess stated they cannot predict what the uses will be, but they can anticipate there will be a lot of pressure on staff to let business go in that were not anticipated when the project came through for review.

Chairman Macdonald stated there will be a lot of pressure if retail businesses come in because the owners will want their identification out on the street.

Commissioner Osborne stated he felt the landscaping was skimpy and he suggested tree wells be added.

Mr. Jaquess asked the Commission to give staff some direction on the architectural treatment of the building and landscaping.

Commissioner Miller stated the proposed project reminds him of the development across from Redlands Cyclery. Commissioner Miller stated he did not care for that development because the roll up doors and activity can be seen from the street. Commissioner Miller stated he is opposed to the architecture as proposed. He complimented staff for raising the architectural issue.

Mr. Hannibal Petrossi, applicant, stated he began processing his application in 2004. Mr. Petrossi stated he obtained information from all City departments relative to regulations and requirements. Mr. Petrossi stated he went through the Preliminary Review process and developed the site based on the comments made on the project.

Mr. Petrossi stated the property is long and narrow; the buildings will have 40 tenants. Mr. Petrossi stated they are looking for light industrial businesses only, not retail businesses.

Commissioner Shamp asked if it was acceptable to include a Condition of Approval that requires light industrial uses only. Mr. Petrossi agreed.

Commissioner Shamp stated the site is adjacent to a school facility and the roll up doors would open during business hours, which he feels is inappropriate.

Commissioner Miller stated he believes staff expressed concern about the project and it wasn't understood. Commissioner Miller stated it would be unusual for someone to arrive at this point in the process and not have been alerted. Commissioner Miller expressed concern about the project stating it is not very attractive. Commissioner Miller stated there are three (3) 600 foot long corridors which are very monotonous. Commissioner Miller stated he would prefer to see something facing the street. Commissioner Miller stated the parapet is all one height and there is not horizontal relief.

Mr. Petross stated he will work on the facade of the building, however changing the facade of the building will be difficult.

Commissioner Miller stated on the east side of Tennessee is a facility that is very similar to what is being proposed by the applicant and is not very attractive in his opinion. Commissioner Miller stated across the street is a development that is working very successfully; it has an attractive facade to the street and it screens industrial uses to the rear.

Commissioner Osborne concurred with Commissioner Miller. He stated there are no windows on the walls that front on Nevada Street.

Chairman Macdonald asked the applicant to provide photos of other developments they have done in the past.

Mr. Petrossi asked what uses would be permitted at this site. Chairman Macdonald stated that staff would bring back a list of permitted uses.

Commissioner Miller drew a sketch for Mr. Petrossi.

MOTION

It was moved by Commissioner Foster, seconded by Commissioner James and carried on a 6-0 vote that the Planning Commission continue the Mitigated Negative Declaration for Commission Review and Approval 811 until July 11, 2006.

MOTION

It was moved by Commissioner Foster, seconded by Commissioner James and carried on a 6-0 vote that the Planning Commission continue the Socio-Economic Cost Benefit Study for Commission Review and Approval 811 until July 11, 2006.

MOTION

It was moved by Commissioner Foster, seconded by Commissioner James and carried on a 6-0 vote that the Planning Commission continue Commission Review and Approval No. 811 until July 11, 2006.

V. ADDENDA - None

VI. MINUTES

1. May 23, 2006

MOTION

It was moved by Commissioner James, seconded by Commissioner Osborne, and carried

on a 5-0 vote (Commissioner Foster abstaining) that the Planning Commission approve the Planning Commission minutes of May 23, 2006 with corrections.

VII. LAND USE AND CITY COUNCIL ACTIONS OF JUNE 6, 2006

Mr. Shaw gave a brief presentation on the City Council actions of June 6th.

Assistant Director John Jaquess announced that Patti Ortiz, Planning Commission Secretary, will be leaving City employment.

VIII. ADJOURN TO JUNE 27, 2006

Chairman Macdonald adjourned the meeting to June 27th at 5:18 p.m.

JEFFREY L. SHAW, DIRECTOR