

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

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

ADVISORY STAFF
PRESENT: Jeff Shaw, Director
Robert Dalquest, Principal Planner
Michael Reiter, Assistant City Attorney
Manuel Baeza, Senior Planner
David Jump, Associate Planner
Joshua Altopp, Assistant Planner

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

Chairman Macdonald called the meeting to order. All Commissioners were present except Commissioner Shamp.

II. CONSENT CALENDAR - NONE

III. OLD BUSINESS

A. **JOHN HIEBERT, APPLICANT**
(PROJECT PLANNER: JOSHUA ALTOPP)

1. **PUBLIC HEARING** for a Socio-Economic Cost/Benefit Study.
2. **PUBLIC HEARING** for **MINOR SUBDIVISION NO. 299** to subdivide Assessor Parcel Number 0172-321-43 totaling 68,591 square feet into two parcels with one parcel totaling 19,288 square feet that contains an existing house, and the other parcel totaling 49,303 square feet that is undeveloped vacant land within the R-S, Suburban Residential District located at 1107 Cypress Avenue.

Chairman Macdonald opened the public hearing.

Project Planner Joshua Altopp gave a brief overview of the proposed project. Staff recommended that the Planning Commission modify the undergrounding of on-site utilities as stated in the staff report and approve Minor Subdivision No. 299 subject to the conditions of approval.

Chairman Macdonald asked if the applicant was available to address the Commission.

Commissioner Shamp arrived at 2:03 p.m.

John Hiebert, applicant, expressed his concerns relative to undergrounding the utilities on his property, stating that paying the in-lieu fees would be better spent on other projects that the City has set aside as priorities.

Chairman Macdonald asked if one of the conditions of approval gave the applicant the option of undergrounding the utilities versus paying in-lieu fees. Director Jeff Shaw stated that the condition of approval was modified since staff felt that the applicant would benefit from undergrounding the front of his property since the cost would be the same as paying the in-lieu fees. Staff can modify the condition of approval if the applicant would like the alternative of either paying the in-lieu fees versus undergrounding the utilities.

Mr. Hiebert reiterated his concerns relative to undergrounding his one parcel without the remainder of the street doing the same and that paying in-lieu fees would be more beneficial to other City projects. Chairman Macdonald stated that the Commission could make the changes that Director Shaw suggested.

Chairman Macdonald closed the public hearing.

Commissioner Shamp clarified that the Planning Commission still has the final say as to whether a project undergrounds the utilities or pays the in-lieu fees. Mr. Shamp indicated in this instance that he supports the request.

Director Shaw modified condition of approval number thirteen (13) by adding the following sentence: "The applicant has requested the ability to pay an in-lieu fee instead of the undergrounding of the utilities, and the Commission has agreed to that alternative".

MOTION

It was moved by Commissioner Osborne, seconded by Commissioner James, and carried on a 7-0 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) Guidelines under Section 15315 Class 15, Minor Land Divisions of Article 19, and Categorical Exemptions.

MOTION

It was moved by Commissioner Osborne, seconded by Commissioner James, and carried on a 7-0 vote that the Planning Commission approve the Socio-Economic Cost Benefit Study for Tentative Parcel Map No. 17964 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 Osborne, seconded by Commissioner James, and carried on a 7-0 vote that the Planning Commission approve Tentative Parcel Map No. 17964 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 project has a General Plan land use designation of Low-Density Residential and a zoning of 'R-S', Suburban Residential District, providing .79 units to the acre and allowing only one single-family residential unit per lot which is consistent with both the General Plan and Municipal Code;
2. The site is physically suitable for the type of development. The site is large enough to subdivide into two (2) lots and conforms to lot development standards for the 'R-S', Suburban Residential of the Municipal Code;

3. The site will be physically suitable for the residential development. The General Plan Land Use Designation of Low-Density Residential, and 'R-S', Suburban Residential District zoning both allow future residential development in accordance with specified development standards and improvements;
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, such as those associated with hazard emissions or dangerous features, and no construction is proposed at this time;
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.

This includes that modification of conditions of approval number thirteen (13) as follows:

The applicant shall underground utilities onsite from the utility pole along the western property line to the most adjacent pole in the eastern direction (approximately 175 feet). This will include all off-site improvements. This requirement will be part of a subdivision improvement agreement. **The applicant has requested the ability to pay an in-lieu fee instead of the undergrounding of the utilities, and the Commission has agreed to that alternative.**

B. TOM CUTLER, APPLICANT
(PROJECT PLANNER: MANUEL BEAZA)

1. Planning Commission to consider a Mitigated Negative Declaration.
2. **PUBLIC HEARING** for the Planning Commission to consider a Socio-Economic Cost/Benefit Study.
3. Consideration of **Commission Review and Approval No. 842** - a Commission Review and Approval for an approximately 1,890 square foot two-story building addition to the retained portion of the Y Alliance building and a new parking area to be located at 16 E. Olive Avenue (southeast corner of Olive Avenue and Cajon Street) in the A-P, Administrative and Professional Office District.
4. **PUBLIC HEARING** for the Planning Commission to consider **Parking Modification Permit No. 24** - a Parking Modification Permit for the Y Alliance building located at 16 E. Olive Avenue (southeast corner of Olive Avenue and Cajon Street) in the A-P, Administrative and Professional Office District.

Chairman Macdonald opened the public hearing.

Project Planner Manuel Baeza stated that the Historic Designation associated with this project must be acted on before the Planning Commission can approve the Commission Review and Approval and Parking Modification Permit. Staff recommended continuance to the December 12, 2006 meeting.

Chairman Macdonald asked if anyone in the audience wished to speak on this subject. No comments were forthcoming and Chairman Macdonald closed the public hearing.

MOTION

It was moved by Commissioner Foster, seconded by Commissioner Miller, and carried on a 7-0 vote that the Planning Commission continue the Mitigated Negative Declaration, Socio-Economic Cost/Benefit Study, Parking Modification Permit No. 24 and Commission Review and Approval No. 842 to December 12, 2006.

IV. NEW BUSINESS

A. **GARY ROMANO, APPLICANT** (PROJECT PLANNER: MANUEL BAEZA)

1. **PUBLIC HEARING** for the Planning Commission to consider a Socio-Economic Cost/Benefit Study.
2. Consideration of **Commission Review and Approval No. 844** - a Commission Review and Approval to renovate an existing building to include a second story addition with an area of 1,300 square feet at 330 Orange Street (Carlson Hardware) in the Town Center Historic District of Specific Plan No. 45.

Chairman Macdonald opened the public hearing.

Conditions of Approval from the Police Department for CRA No. 844 were distributed to the Commission prior to the start of the meeting.

Project Planner Manuel Baeza gave an overview of the proposed project. Staff recommended approval of the project subject to the conditions of approval and added conditions of approval from the Police Department.

Commissioner Shamp asked if there was seismic retrofitting proposed for the building. Mr. Baeza stated that he was not sure but that the architect was available for questions.

Chairman Macdonald asked if the applicant or representative was available to address the Commission.

Leon Armantrout, architect for the project, stated that he was available for questions. He commented that the building was not previously retrofitted but would be part of the renovation.

Chairman Macdonald closed the public hearing.

Chairman Macdonald commented on the substantial value that restaurants bring to the in the City.

Commissioner James stated that the restaurant is a great reuse for the building and looks forward to eating there.

Commissioner Foster stated that he was grateful to see the removal of the stucco and returning the façade to its original condition. Commissioner Cook concurred with Commissioner Foster.

MOTION

It was moved by Commissioner Miller, seconded by Commissioner James, and carried on a 7-0 vote that the Planning Commission approve the Socio-Economic Cost Benefit Study for Commission Review and Approval No. 844. It is recommended that this project will not create unmitigable physical blight or overburden public services in the community, and no additional information or evaluation is needed.

MOTION

It was moved by Commissioner Miller, seconded by Commissioner James, and carried on a 7-0 vote that the Planning Commission approve Commission Review and Approval No. 844 subject to the following findings and subject to the attached Conditions of Approval:

1. That the site for the proposed use is adequate in size and shape to accommodate the use. All applicable development standards are being met by the project;
2. That the site properly relates to adjacent streets which are designed and improved to carry the type and quantity of traffic to be generated by the proposed development;
3. That the conditions of approval proposed for Commission Review and Approval No. 844 are necessary to protect the public health, safety and general welfare;
4. That the use is desirable for the overall development of the community. The project will provide a new restaurant in the downtown area of the City;
5. The proposed project will establish a restaurant which is consistent with the existing Commercial designation of the General Plan.

This includes the conditions of approval from the Police Department.

B. **THOMAS DOBBERTON AND JOHN GRAHAM, APPLICANTS** (PROJECT PLANNER: DAVID JUMP)

1. A **PUBLIC HEARING** for the Planning Commission to consider **REVISION No. 1** to **CONDITIONAL USE PERMIT NO. 266** to allow up to 100 square feet of private open space to be fully enclosed for Lot 39 and Lot 40 of the Dearborn Circle Condominium complex located at the southwestern corner of Dearborn Street and Citrus Avenue in the PRD/RS, Planned Residential Development/Suburban Residential District.

Chairman Macdonald opened the public hearing.

Project Planner David Jump gave a PowerPoint presentation and overview on the proposed project. Staff recommended approval of the revision subject to the conditions of approval.

Chairman Macdonald asked if the applicant was available to address the Commission.

Thomas Dobberton, applicant, stated that he was available to answer questions.

No comments were forthcoming and Chairman Macdonald closed the public hearing.

MOTION

It was moved by Commissioner Shamp, seconded by Commissioner Osborne, and carried on a 7-0 vote that Conditional Use Permit No. 266, Revision No. 1 is exempt from the requirements of the California Environmental Quality Act Guidelines under Section 15301(E)(1).

Conditional Use Permit

It was moved by Commissioner Shamp, seconded by Commissioner Osborne, and carried on a 7-0 vote that the Planning Commission approve Conditional Use Permit No. 266, Revision No. 1, subject to the following findings, submitted plans, and attached conditions of approval.

1. The proposed addition for the residential units at this location is permitted in the PRD/RS, Planned Residential Development/Suburban Residential District under the provisions of Municipal Code Section 18.144.130 which allows for maximum coverage by Planned Residential development structures to be 30% of the total project area, and Section 18.144.010 stating that the design of Planned Residential Developments is to promote a more efficient, aesthetically pleasing, and desirable use of land;
2. The proposed addition to existing units at this location is necessary and desirable for the development of the community, is in harmony with the various elements or objectives of the General Plan, and will not be detrimental to existing adjacent residential uses.
3. The project site is sufficient in size and shape to accommodate the proposed use, meets all development standards and other features required in order to adjust the use to those currently existing uses on land in the neighborhood.
4. That the site for the room addition relates to streets and highways properly designed and improved to carry the type of traffic generated or to be generated by the proposed use. The Planned Residential Development was originally designed to handle all potential traffic to be generated by the residential dwelling units.
5. The conditions for the proposed use are reasonably related to the use to address potential effects of the proposed use, and are necessary to protect the public health, safety, and general welfare and the best interests of the neighborhood.

C. **GARDNER CONSTRUCTION AND DEVELOPMENT, INC, APPLICANT**
(PROJECT PLANNER: DAVID JUMP)

1. A recommendation to the City Council for the approval of points for **RDA 2006-IV-01** for Tentative Tract No. 17622 and Specific Plan No. 60, an approved 12-unit single-family residential development project on a 5.69 acre site located at the northwest corner of Los Altos Drive and Wabash Avenue at 12626 Wabash Avenue in Specific Plan No. 60. (Note: This request is for 12 allocations; No allocations have been previously awarded for this tract.)

Project Planner David Jump reviewed the Residential Development Allocation categories and point allocation for the proposed project. A total of 39 points were recommended to City Council.

D. **A. B. HOLDINGS, APPLICANT**
(PROJECT PLANNER: JOSHUA ALTOPP)

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. 824** to develop an 8-unit apartment complex with an existing single family dwelling on approximately .79 gross acres, located at 500 The Terrace (A.P.N. 0169-191-01) in the R-2, Multiple Family Residential District.
4. **PUBLIC HEARING** for the Planning Commission to consider **Variance No. 738**, a request from Section 18.168.220 to allow a reduction of the required landscape setback of twenty-five (25) feet adjacent to freeway right-of-way along the southern property line to be used as a drive aisle and for covered parking located at 500 The Terrace in the R-2, Multiple Family Residential District.

Chairman Macdonald opened the public hearing.

Project Planner Joshua Altopp gave a PowerPoint presentation and overview of the proposed project. Mr. Altopp stated that there are issues relative to the location of the trash enclosure and that a representative from Municipal Utilities was present to address the Commission on this subject. Staff recommended approval of the project subject to the conditions of approval.

Commissioner Shamp referred to the Air Quality and Noise sections of the environmental initial report and had concerns relative to the exhaust and noise associated with the freeway. He stated that he wanted to see a report on the potential effects of noise and pollution relative to the two units located closest to the freeway. Mr. Altopp stated that staff did prepare a noise study and referred to the noise mitigation measures in the environmental report.

Commissioner Shamp thanked staff for pointing out the acoustic mitigation measures but still is concerned about the emissions problem.

Chairman Macdonald asked where the trash enclosures were going to be located. Mr. Altopp stated that they are currently located by the freeway but Municipal Utilities would like the trash enclosures located by the main house approximately thirty to forty feet from the front of the property.

Commissioner Cook asked when the sound wall was scheduled to be built by CalTrans. Mr. Altopp stated that it is tentatively scheduled to be built in late 2007.

Chairman Macdonald asked if the applicant was present to address the Commission.

Brad Robertson, applicant, commented on the trash enclosure stating that it would be preferable to keep it located at the rear of the property. Mr. Robertson had concerns relative to the fourteen (14) foot sound wall to be constructed by CalTrans and asked for a modification to condition of approval number twenty-eight (28), mitigation measure number six (6), asking permission to obtain building permits prior to the completion of the wall. He understands that the sound wall would need to be built prior to obtaining occupancy permits.

Commissioner Osborne asked Director Shaw if the applicant could come back for a modification to do something else to alleviate the noise issue if the sound wall was not built by the time occupancy was

anticipated. Director Shaw addressed Commissioner Osborne's question and stated that the condition of approval is to ensure compliance with the General Plan and to protect the City.

Mr. Robertson asked if there could be a condition of approval that would allow them to build a fourteen (14) foot wall on their property line to meet the noise requirements in the event that CalTrans falls behind schedule. Chairman Macdonald asked if the wall would meet the sound requirements since it would be open on either end. Mr. Robertson stated that CalTrans is building their wall straight through and mentioned that the condominiums being built on Ford Street started their construction prior to the sound wall being built.

Director Shaw addressed the modifications that were made relative to the condominium project located on Ford Street. Director Shaw referenced the applicant's proposal of building a wall on their property line and stated that the noise analysis was based on a continuous fourteen (14) foot wall and not on a wall just in front of the subject's property. Director Shaw stated that he would ask that a noise analysis be evaluated to ensure that the wall would accommodate or mitigate the noise concerns if the Commission wanted to accommodate the applicant's proposal.

Chairman Macdonald asked Mr. Robertson who he envisioned as future tenants of the apartments. Mr. Robertson stated young families with children, college students and young professionals.

Commissioner Miller had concerns that issuing a building permit once CalTrans starts constructing the wall may not be an option since we would be subjecting tenants to the noise, in addition to exposing the City to liabilities. Director Shaw stated that an interim position might be that building permits can be issued at the time the wall was initiated so at least we had more assurance that the timing of the wall would be constructed in relationship to the project.

Commissioner Shamp asked if the applicant was able to design building "B" in such a way that an acoustical study would prove that it would meet the noise standards. Director Shaw stated that would be acceptable to staff and currently have that alternative for building "A". It is the outdoor patio area that presents the real issue in meeting the standard that is required by code.

Gary Van Dorst, Solid Waste Manager for the City of Redlands, addressed his concerns relative to the proposed location of the trash enclosure, stating that it was unsafe and subjects the City to unnecessary liability.

Commissioner Miller asked if the trucks needed to back onto the street. Mr. Van Dorst addressed Commissioner Miller's question.

Chairman Macdonald closed the public hearing.

Commissioner James concurred with Mr. Van Dorst that the trash enclosure needs to be moved to the front of the property. Commissioners Cook and Miller concurred with Commissioner James.

Commissioner Osborne asked if a condition of approval needed to be added relative to moving the trash enclosure. Mr. Altopp referred to conditions of approval number thirteen (13) stating that a sentence can be added indicating that the Planning Commission is recommending the alternative site plan as presented as exhibit "A".

Commissioner James agreed with staff in keeping the basic concept or intent of keeping condition of approval number twenty-eight (28) intact and that the sound levels are met prior to building permits being issued.

Director Shaw recommended in the last sentence to add "the ability to build buildings A & B as long as he can comply with that requirement". He stated that currently the acoustical study only evaluates it in the

context of the sound wall being installed and that would require further analysis by the acoustical engineer to have some alternative design presented to meet that requirement. Staff would find that amendment acceptable.

Chairman Macdonald asked for a consensus from the Commission, asking if they were in concurrence in retaining condition of approval number twenty-eight (28) in its basic form with the changes identified by Director Shaw.

Commissioner Shamp stated he would be open to that as long as he could see a study that demonstrated that they are in compliance. Director Shaw stated that the applicant would not need to come back to the Commission but would have to have an acoustical engineer verify an alternative plan to show that he can meet the 60 CNEL.

Commissioner Miller stated that he is willing to allow the applicant to take the risk and wait for occupancy until favorable CNEL levels are verified. He is supportive of making it contingent on occupancy.

Chairman Macdonald questioned if the noise readings would be different if the applicant built their own sound wall on their property versus CalTrans building a continuous wall. Commissioner Shamp commented that he is suspicious that a sound wall that goes property line to property line would not meet the required CNEL levels but will reserve judgment until he sees an acoustic report.

Commissioner James stated that the CNEL levels need to be verified and met as stated in the condition of approval. Commissioner Osborne concurred with Commissioner James.

Chairman Macdonald indicated that the majority of the Commission concurs that condition of approval number twenty-eight (28) should remain as originally presented.

Commissioner Shamp stated that he was compelled with Commissioner Miller's argument relative to the applicant choosing to take the chance in building both buildings and if necessary, that the Commission remain strong and deny occupancy if CNEL levels are not met. Commissioner Cook concurred with Commissioner Shamp.

Chairman Macdonald opened the public hearing.

Mr. Robertson commented on the noise study, stating that Planning cannot verify the CNEL levels without the buildings being under construction. He believes that the two will come together in close proximity when built, which is why they are asking for building permits. Mr. Robertson understands that another noise study will be required to confirm that CNEL levels are met relative to building "B" and that occupancy permits cannot be obtained until the sound wall is completed.

Chairman Macdonald closed the public hearing.

Commissioner Osborne concurred with Commissioner's Shamp and Miller by allowing the applicant to take the risk but understands the City's concerns. He prefers staff's recommendation that building permits cannot be pulled until there is some proof that the CNEL will be met.

Commissioner's Cook and Foster concurred with staff's recommendation.

Chairman Macdonald stated that the majority of the Commission concurs with staff's recommendation and modification relative to condition of approval number twenty-eight (28).

Commissioner Shamp readdressed his concerns relative to the exposure to pollutants from the freeway and asked how the rest of the Commission felt about the issue. Director Shaw stated that the Commission has full latitude to request additional information and studies to determine the impacts and if there are any mitigation measures that would address those impacts. He indicated that it would require continuing the project until those studies are completed so that an analysis could be made.

Commissioner Osborne asked if the County of Environmental Health or South Coast Air Quality Management District had studies available that recommended minimum standards relative to unhealthy levels or emissions from vehicles. Director Shaw indicated that he was not aware of specific studies that address emissions from the proximity of the freeway.

Commissioner Shamp stated that it was time to change the precedent on this since the exposure to exhaust emissions is a far more significant issue than the acoustic measure. Chairman Macdonald concurred with Commissioner Shamp.

Commissioner James stated that he would support a continuance to do a study relative to emissions from the freeway and to evaluate what the impacts would be with and without the sound wall.

Commissioner Cook stated that it would be unfair to request this eight unit project to complete further studies when it was not required by the larger condominium project on Ford Street. Commissioner's Foster, Osborne and Miller concurred with Commissioner Cook.

Chairman Macdonald stated that it appeared that the Commission is against requiring further air quality studies at this time but that it is something that should be looked at in the future. Director Shaw commented that staff has heard the concerns raised by the Commission relative to projects in proximity to the freeway or other major arterials and would have staff incorporate air quality issues in future environmental evaluations.

Commissioner Shamp requested that we consider projects that are adjacent to a freeway and take a look at the SCAQMD (South Coast Air Quality Management District) study and find out what a good distance would be to set a standard and also look at other significant sources of emissions. The Commission concurred with Commissioner Shamp's request.

MOTION

It was moved by Commissioner Cook, seconded by Commissioner Osborne, and carried on a 7-0 vote that the Planning Commission approve the Mitigated Negative Declaration for Variance No. 738 and Commission Review and Approval No. 824, 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 Cook, seconded by Commissioner Osborne, and carried on a 7-0 vote that the Planning Commission approve the Socio-Economic Cost Benefit Study for Variance No. 738 and Commission Review and Approval No. 824 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 Cook, seconded by Commissioner Osborne, and carried on a 7-0 vote that the Planning Commission approve Variance No. 738 subject to the following findings and attached Conditions of Approval:

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 property has an irregular shape making development difficult;
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 many other residences in the vicinity and zone that do not have a twenty-five (25) foot freeway setback;
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. Approval of the project will improve the appearance of the property;
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 density limits of the General Plan.

MOTION

It was moved by Commissioner Cook, seconded by Commissioner Osborne, and carried on a 7-0 vote that the Planning Commission approve Commission Review & Approval No. 824 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 apartment building use because it complies with all property development standards of the 'R-2', Multiple Family Residential District with the exception of the aforementioned variance;
2. The site properly relates to The Terrace which is designed and improved to carry the type and quantity of traffic to be generated by the proposed development because the street will be constructed to the city prescribed standards to its ultimate half widths through compliance with project conditions of approval;
3. The Conditions of Approval proposed for Commission Review and Approval No. 824 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 the General Plan Designation, Municipal Code requirements, and the development standards of the 'R-2', Multiple Family Residential District.

This includes revisions to conditions of approval numbers thirteen (13) and twenty-eight (28) as follows:

- 13.** The applicant shall prepare plans that include a trash enclosure(s) and/or trash compactor(s) as specified by the Municipal Utilities Department. Trash enclosure design and location(s) shall be subject to review and approval by the Municipal Utilities Director and Community Development Director prior to issuance of building permits. Trash storage areas shall be completely enclosed with solid masonry walls that have a decorative cap and solid metal gate(s). The exterior design and finish of the trash enclosure shall be designed to match or be compatible with the structures on site in color and material. **The Planning Commission recommends the alternative site plan presented as Exhibit "A".**

28. In order to mitigate the potential impacts from Section VI (b) of the environmental checklist, **Mitigation Measure No. 6** shall require that the applicant provide verification of the construction of a sound wall 14 feet in height by Caltrans that reduced exterior noise on the project site to a level of 67-68 CNEL as outlined in the Noise Study prepared for the project site by Gordon Bricken & Associates. The applicant shall have Gordon Bricken verify that the 67-68 CNEL level was achieved prior to the issuance of building permits. The applicant shall also be required to verify that the walls built around the private open space for Building 'B' meet the General Plan criteria of 60 CNEL. **However, in order to have the ability to pull building permits for Building 'A' and Building 'B' prior to the wall being built by Caltrans, the applicant can perform another acoustical study to verify that Building 'A' and Building "B" can meet General Plan levels of 60 CNEL for private open space without the wall being built by Caltrans.**

Chairman Macdonald recessed the meeting at 4:02 p.m.

Chairman Macdonald reconvened the meeting at 4:07 p.m.

E. **QUANTUM STRUCTURES, LLC, APPLICANT**
(PROJECT PLANNER: JOSHUA ALTOPP)

1. Planning Commission to consider a recommendation to the City Council on a Mitigated Negative Declaration.
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 **General Plan Amendment No. 108** an amendment to change the land use designation from Office to High Density Residential on approximately 7.5 gross acres (APN: 0292-201-08, 21, and 22) located at the northeast corner of Alabama Street and Orange Avenue.
4. **PUBLIC HEARING** for the Planning Commission to consider a recommendation to the City Council on **Amendment 33 to Specific Plan No. 40** (East Valley Corridor Specific Plan) to change the land use designation from EV/AP, Administrative Professional District to EV2500RM, Multiple Family Residential-2500 District on approximately 7.5 gross acres (APN: 0292-201-08, 21, and 22) located at the northeast corner of Alabama Street and Orange Avenue.
5. **PUBLIC HEARING** for the Planning Commission to consider a recommendation to the City Council on **Tentative Tract Map No. 17693** - to subdivide 7.5 gross acres into seventy-seven (77) numbered lots and one (1) lettered lot for a townhome development on property located at the northeast corner of Alabama Street and Orange Avenue in the EV/AP, Administrative Professional District (proposed EV 2500RM, Multiple Family Residential 2500 District) of the East Valley Corridor Specific Plan.
6. Consideration of **Commission Review and Approval No. 814** to develop a seventy-seven (77) unit townhome development on approximately 7.5 gross acres, located at the northeast corner of Alabama Street and Orange Avenue in the EV/AP, Administrative Professional District (proposed EV 2500RM, Multiple Family Residential District) of the East Valley Corridor Specific Plan.

Chairman Macdonald opened the public hearing.

Project Planner Joshua Altopp advised that revised conditions of approval from the Planning Department were distributed to the Commission at the start of the meeting. Mr. Altopp gave a PowerPoint presentation and overview of the proposed project. Staff recommended that the Planning Commission recommend to the City Council approval of the General Plan Amendment, Specific Plan and Tentative Tract Map subject to the conditions of approval and that the Commission Review & Approval be continued to address architectural issues and await City Council action on the other components of the project.

Commissioner Shamp asked why the property was originally zoned A-P and how staff determined that changing the zoning to residential would be acceptable. Mr. Altopp addressed Commissioner Shamps questions stating that the changing of this one parcel would be compatible with the uses to the south and east.

Commissioner Shamp stated that this project presents the only new residential development along Alabama Street and to him it did not seem appropriate to change the zoning on this parcel.

Chairman Macdonald asked if the A-P zoning was the logical transition from the industrial commercial to the north. Mr. Altopp stated that the Morey Arroyo to the north provides a buffer and that the industrial area would not be next to the project.

Commissioner Shamp had concerns relative to emissions resulting from the I-C district and that changing the General Plan as it now exists seems to provide a reasonable buffer between residential and industrial commercial zoned property.

Chairman Macdonald asked if the A-P designation is more beneficial to the City than residential zoning. Director Shaw addressed Chairman Macdonald question stating that staff has seen a strong demand for additional high density residential development in Redlands and in staff's analysis found that this project is adjacent both to the south and to the east with existing high density residential and that the site has a buffer to the north with the Morey Arroyo, which will provide good separation from the Industrial Commercial zone.

Commissioner James stated that keeping this area A-P, (Administrative Professional), has some merit in servicing all of those residential areas as well.

Chairman Macdonald stated that there was no motion in the staff report for the traffic reduced level of service (LOS) at Alabama and Redlands Boulevard. Director Shaw stated that it should be added and may have left it out due to the Commission Review and Approval coming at a later date but this motion would be applicable to the Tentative Tract, and that the motion should be forwarded to the City Council.

Chairman Macdonald asked if the applicant was available to address the Commission.

David Musser, architect, gave an overview of the changes that were made on the project stating that they moved the sound wall, reduced the number of units, turned the units along Alabama Street and increased the setbacks of the building from Alabama Street. Mr. Musser stated that they have enhanced the entire project and addressed the concerns that were generated from the last presentations to the Commission.

Bud Thatcher, Thatcher Engineering, passed out an exhibit to the Commission and addressed grading and drainage issues.

Commissioner Miller asked if the bioswale was the only option available for filtration. Mr. Thatcher stated that the bioswale was the most effective option for filtration on this type of project.

Commissioner Miller stated that it was necessary to raise the northwest corner sufficiently enough to make that bioswale first flow to the south and reverse and go back to the north. Mr. Thatcher stated no, this is just a drainage issue. Raising the building pads above the flood plain gave him the opportunity to pipe to the intersection and effectively use the bioswales.

Commissioner Shamp asked how much fill would be trucked in and the number of trucks used. Mr. Thatcher responded that approximately 30,000 yards of fill would be trucked in and estimated that 2500 to 3000 trucks would be used.

Commissioner Miller had questions relative to the flow line between units 43 through 46 and had concerns that they did not have that scheduled to fill with water in a storm situation. Mr. Thatcher stated that they have a large common area there and needed to make sure that it drained properly so they put in a one percent (1%) meandering flow line through the area. He added that he did not anticipate that area to rise in elevation, and would drain freely so it would not back up as part of any detention purposes.

Commissioner Shamp asked if a SWPPP Plan was developed and what best management practices are being used to control the run off from washing the trucks before they leave the site. Mr. Thatcher stated the SWPPP is a requirement to be developed as part of the construction drawings. He added that they do not normally prepare a SWPPP until they do the construction drawings but would integrate best management practices that would include tire cleansing at the exit and would have wash locations and dump locations for excess materials.

Commissioner Shamp asked where the water drained to when the trucks were washed off. Mr. Thatcher responded that the water goes into a contained area that is surrounded by sandbags.

Chairman Macdonald asked if staff was satisfied with Mr. Thatcher's answer relative to the slope and grading. Mr. Altopp stated that staff's concern is the aesthetic look coming from Alabama and to have one property raised a little higher than the next.

Chairman Macdonald and Commissioner Cook had questions relative to if the Indian Hawthorne's being changed to something more compatible with what staff would like to see and with the proportion of larger trees being raised. Mr. Musser responded that those issues should not be a problem.

Chairman Macdonald closed the public hearing.

Commissioner Miller raised the issue relative to change of land use and stated that we have pressure to provide affordable housing in our community in compliance with the General Plan and stated that he was comfortable with the zone change.

Commissioner James stated that he likes the project but does not support the zone change.

Commissioner Shamp commented that he is not happy about the zone change but would not vote against it.

Chairman Macdonald stated that this was an excellent project but the zone change from A-P to residential was incorrect. He stated that we need to protect that corridor of Alabama Street for uses that are beneficial to the City and could not support the General Plan Amendment or zone change.

Commissioner Osborne stated that he supported the zoning designation to residential.

Commissioner Foster stated that if the zoning designation had been an issue, it should have been raised at the Commission meeting back in June. He added that it would be unfair to change in mid-stream at this point in time. Commissioner Foster commented that the applicant has worked hard to meet some of

the changes that the Commission requested and needs to move forward and he supports the project. Commissioner Cook concurred with Commissioner Foster.

Chairman Macdonald stated that the opportunity to discuss the zone change did not come up for discussion back in June since the focus was entirely on the building.

Commissioner Miller stated that several architectural items needed to be addressed. He expressed concerns about the shutters on the middle gable, shutters that need to be in proportion with the size of the windows, the elevation of the stonework needed to be elevated and the addition of corbels. Commissioner Miller referred to the elevations and asked if the color band shown around the windows was wood trim.

Chairman Macdonald opened the public hearing.

Mr. Musser stated that it was intended to be a screed line in the plaster to create a line to paint a different color to.

Commissioner Cook stated that it would look better with trim around the windows and asked if the applicant would be opposed to that idea. Mr. Musser responded that he was not opposed to putting something around the window but did not want to use material that would decompose over time and suggested a color change in the plaster. Commissioner Miller stated that there are materials that are wood substitutes that would weather well.

Commissioner Cook requested that the applicant present a color board when the Commission Review and Approval comes back for approval.

Chairman Macdonald closed the public hearing.

MOTION

It was moved by Commissioner Foster, seconded by Commissioner Cook, and carried on a 5-2 vote, (Commissioner's Macdonald and James opposed), that the Planning Commission recommend approval to the City Council of the Negative Declaration for General Plan Amendment No. 108, Specific Plan No. 40 Amendment 33, Tentative Tract No. 17693, and Commission Review & Approval No. 814 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 Foster, seconded by Commissioner Cook, and carried on a 5-2 vote, (Commissioner's Macdonald and James opposed), that the Planning Commission recommend approval to the City Council of the Socio-Economic Cost/Benefit Study for General Plan No. 108, Specific Plan No. 40 Amendment 33, Tentative Tract No. 17693, and Commission Review & Approval No. 814 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 Foster, seconded by Commissioner Cook, and carried on a 5-2 vote, (Commissioner's Macdonald and James opposed), that the Planning Commission approve Planning Commission Resolution No. 1107 recommending to the City Council approval of General Plan

Amendment No. 108, changing the land use designation of the subject property from Office to High Density Residential on approximately 7.34 acres APN: 0292-201-08, 21, and 22.

MOTION

It was moved by Commissioner Foster, seconded by Commissioner Cook, and carried on a 5-2 vote, (Commissioner's Macdonald and James opposed), that the Planning Commission approve Planning Commission Resolution No. 1106, recommending that the City Council adopt Amendment No. 33 to Specific Plan No. 40 to change the land use designation from EV/AP Administrative and Professional District to EV/2500 RM Multiple Family Residential.

MOTION

It was moved by Commissioner Foster, seconded by Commissioner Cook, and carried on a 5-2 vote, (Commissioner's Macdonald and James opposed), that the Planning Commission recommend approval to the City Council of the Tentative Tract Map No. 17693 subject to conditions of approval, and based upon the following findings:

1. The proposed map is consistent with the City's General Plan and the East Valley Corridor Specific Plan. The project has a General Plan land use designation of High Density Residential and a zoning of EV/2500RM, Multiple Family Residential District and is consistent with both the General Plan and the East Valley Corridor Specific Plan;
2. The site is physically suitable for the type of development. The site is large enough to subdivide into seventy-seven (77) lots for townhome purposes and one common area lot;
3. The site is physically suitable for the density of development of a seventy-seven (77) unit subdivision. The General Plan Land Use Designation of High Density Residential and EV/2500 RM, Multiple Family Residential District Zoning both allow for the proposed seventy-seven (77) 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.

MOTION

It was moved by Commissioner Foster, seconded by Commissioner Cook, and carried on a 5-2 vote, (Commissioner's Macdonald and James opposed), that the Planning Commission recommend to the City Council to accept a reduced LOS (level of service) at the intersection of Alabama Street/Redlands Boulevard during the P.M. peak hour as permitted in General Plan Policy 5.20 B.

MOTION

It was moved by Commissioner Foster, seconded by Commissioner Cook, and carried on a 5-2 vote, (Commissioner's Macdonald and James opposed), that the Planning Commission continue Commission Review & Approval No. 814 to allow the applicant to revise the elevations as recommended by staff.

V. MINUTES

A. November 14, 2006

It was moved by Commissioner Osborne, seconded by Commissioner Foster, and carried on 7-0 vote to approve the minutes of November 14, 2006.

VI. LAND USE AND CITY COUNCIL ACTIONS OF NOVEMBER 21, 2006

Mr. Shaw gave a brief presentation on the City Council Actions of November 21, 2006.

VII. ADJOURN TO DECEMBER 12, 2006

Chairman Macdonald adjourned the meeting at 5:35 p.m. to December 12, 2006.

Christine Szilva
Senior Administrative Assistant

Jeffrey L. Shaw, Director
Community Development Department