

MINUTES: of the Planning Commission Meeting of the City of Redlands held Tuesday, April 24, 2007, at 2:00 p.m. are as follows:

PRESENT: James Macdonald, Chairman
Ruth Cook, Commissioner
Carol Dyer, Commissioner
Paul Foster, Commissioner
John James, Commissioner
Gary Miller, Commissioner
Eric Shamp, Commissioner

ADVISORY STAFF
PRESENT:

Jeff Shaw, Director
Robert Dalquest, Assistant Director
Michael Reiter, Assistant City Attorney
Tamara Alaniz, Assistant Planner
Joshua Altopp, Assistant Planner
David Jump, Associate Planner
Manuel Baeza, Senior Planner

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

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

II. CONSENT CALENDAR - NONE

III. OLD BUSINESS

A. **TANDY HILL, APPLICANT**
(PROJECT PLANNER: TAMARA ALANIZ)

1. Planning Commission to consider a recommendation to the City Council on a Negative Declaration.
2. **PUBLIC HEARING** for the Planning Commission to consider a recommendation to the City Council on **AGRICULTURAL PRESERVE REMOVAL NO. 116** on approximately 12.43 acres located north of San Timoteo Canyon Road and west of Alessandro Road in the A-1, Agricultural District (Proposed change to A-2, Estate Agricultural District and FP-1, Floodplain District).
3. **PUBLIC HEARING** for the Planning Commission to consider a recommendation to the City Council on **ZONE CHANGE NO. 428** from A-1, Agricultural District to A-2, Estate Agricultural District and FP-1, Floodplain District on approximately 12.46 acres located north of San Timoteo Canyon Road and west of Alessandro Road.

Chairman Macdonald opened the public hearing.

Project Planner Tamara Alaniz stated that this project was brought before the Commission and continued several times. Ms. Alaniz stated that the applicant and his representative have been working with staff on a potential development plan but is not prepared to propose any subdivision or development on his property at this time. Ms. Alaniz addressed and clarified the concerns relative to the e-mails that were received from surrounding residents opposing the zone change. Staff recommended approval of the Agricultural Preserve Removal, Zone Change and both Resolutions.

Commissioner's Miller, Dyer and Shamp had questions relative to the Zone Change and Agricultural Preserve Removal. Ms. Alaniz addressed their questions.

Chairman Macdonald asked if the applicant wished to address the Commission.

Pat Meyer, representing the applicant, acknowledged that Mr. Hill was in the audience and gave the Commission a brief history with respects to why Mr. Hill submitted the Zone Change and Agricultural Preserve Removal. Mr. Meyer indicated that Mr. Hill was not in a position to do a subdivision map at this time. He stated that Mr. Hill was withdrawing his application for the Zone Change and Agricultural Preserve Removal but that he may come back in the future and reapply for something else or maintain the A-1 zoning and do a parcel map for two (2) lots.

Commissioner James asked about the status of the Cardinal property that is located near Mr. Hill's property. Director Shaw addressed Commissioner's James question.

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

Amanda Frye, Redlands resident, asked if both the Agricultural Preserve Removal and Zone Change were being withdrawn. Staff advised that the Agricultural Preserve Removal and the Zone Change were both withdrawn.

Bill Cunningham, representing the Redlands Association, stated that he appreciated the withdrawal of Mr. Hill's application.

Chairman Macdonald closed the public hearing and indicated that the application has been withdrawn with no further action.

B. CITY OF REDLANDS, APPLICANT
(PROJECT PLANNER: TAMARA ALANIZ)

1. Planning Commission to consider a recommendation to the City Council on a Negative Declaration.
2. **PUBLIC HEARING** for the Planning Commission to consider a recommendation to the City Council on **ORDINANCE TEXT AMENDMENT NO. 313** adding Chapter 18.170 to the Redlands Municipal Code establishing development standards for publicly displayed artwork, a public art program, and an inventory of existing public art located on public or private property.

Chairman Macdonald opened the public hearing.

Project Planner Tamara Alaniz stated that this project was continued from the meeting of February 27, 2007 in order to permit a joint meeting between the Planning Commission and the Cultural Arts Commission. Ms. Alaniz stated that the Cultural Arts Commission is not prepared to meet with the Planning Commission at this time and has requested a continuance to the June 26, 2007 meeting.

Chairman Macdonald asked if anyone in the audience wished to address the Commission. No comments were forthcoming and Chairman Macdonald closed the public hearing.

MOTION

It was moved by Commissioner James, seconded by Commissioner Miller, and carried on a 7-0 vote that the Planning Commission continue the Negative Declaration, and the Public Hearing for Ordinance Text Amendment No. 313 to June 26, 2007 meeting.

Commissioner Miller recused himself at 2:25 p.m. due to a conflict of interest on item III. C.

C. **PENCE CONSTRUCTION, APPLICANT**
(PROJECT PLANNER: JOSHUA ALTOPP)

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. 670 (REVISION 1)** to develop an 18,480 square foot addition to the existing Express Containers' facility for a combined total building area of 44,000 square feet with a 7,800 square foot-covered parking canopy on approximately 2.60 acres, located at 560 Iowa Street in the 'EV/IC', Commercial Industrial District of the East Valley Corridor Specific Plan.

Chairman Macdonald opened the public hearing.

Project Planner Joshua Altopp stated that the applicant is working out details relative to the Water Quality Management Plan and is requesting a two week continuance to the May 8, 2007 meeting.

Chairman Macdonald asked if the applicant or anyone in the audience wished to address the Commission. No comments were forthcoming and Chairman Macdonald closed the public hearing.

MOTION

It was moved by Commissioner Shamp, seconded by Commissioner James, and carried on a 6-0 vote, (Commissioner Miller excused), that the Planning Commission continue the Mitigated Negative Declaration, Socio Economic Cost/Benefit Study, and Commission Review and Approval No. 670 (Revision 1) to May 8, 2007 Planning Commission meeting.

Commissioner Miller returned to the meeting at 2:28 p.m.

D. **ELIZABETH FOLEY AND TED/MARGARET MOHR, APPLICANT**
(PROJECT PLANNER: JOSHUA ALTOPP)

PUBLIC HEARING for **Minor Subdivision No. 293** to subdivide a parcel totaling 36,854 square feet into two parcels one totaling 17,272 square feet with an existing single family dwelling and the other parcel totaling 17,050 square feet that is vacant within the R-1, Single Family Residential District located at 1135 Judson Avenue.

Chairman Macdonald opened the public hearing.

Project Planner Joshua Altopp indicated that this project was brought before the Planning Commission on April 10, 2007. Mr. Altopp stated that the Commission approved the Negative Declaration and Socio-Economic Cost/Benefit Study but continued the Minor Subdivision due to the applicant's objection to a Public Works Department condition of approval. Mr. Altopp stated that the Public Works Department explained the issue to the applicant's satisfaction and that no alterations were necessary to the existing conditions of approval. Mr. Altopp gave a brief PowerPoint presentation and overview of the proposed project. Staff recommended approval of the Minor Subdivision subject to the conditions of approval.

Chairman Macdonald asked if the applicant wished to address the Commission.

Louis Flores, Project Engineer, stated that the applicants worked out their concerns with the Public Works Department and was available to answer any questions.

Chairman Macdonald closed the public hearing.

MOTION

It was moved by Commissioner Foster, seconded by Commissioner James, and carried on a 7-0 vote that the Planning Commission approve Minor Subdivision No.293 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-1', Single Family Residential District, providing 2.38 dwelling 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 2 lots and conforms to lot development standards for the 'R-1', Single Family Residential District 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-1', Single Family 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.

E. **RON SIMUS, 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 **Zone Change No. 427** to pre-zone two contiguous assessor parcels in the unincorporated area of San Bernardino County to the

City of Redlands M-1, Light Industrial District on a 6.68-acre parcel (APN: 0298-052-09) located on the northeast corner of Wabash Avenue and Nice Avenue, and to pre-zone a 6.37-acre parcel (APN: 0298-051-07) to C-4, Highway Commercial District, located on the southeast corner of Wabash Avenue and Naples Avenue.

4. **PUBLIC HEARING** for Planning Commission to consider a recommendation to the City Council on **Annexation No. 88** an Annexation of two contiguous assessor parcels that total 13.05 acres and contiguous San Bernardino County right-of-way totaling approximately 2.6 acres located on the east side of Wabash Avenue, between Naples Avenue and Nice Avenue (APNs: 0298-051-07 and 0298-052-09) within an unincorporated area of the County of San Bernardino and the City of Redlands Sphere of Influence area.
5. **PUBLIC HEARING** for Planning Commission to consider a recommendation to the City Council on **Street Vacation No. 140** to vacate a portion of right-of-way along the west side of Jasper Avenue, between Nice Avenue and Naples Avenue.
6. Planning Commission consideration of **Commission Review and Approval No. 837** to develop 6.68 acres with a mini-storage facility containing 60,857 square feet of building area, two industrial buildings that are each 11,880 square feet in size, and a 14,285 square foot industrial building located on the northeast corner of Wabash Avenue and Nice Avenue (APN: 0298-052-09) in the unincorporated area of the County of San Bernardino (Proposed for Pre-Zoning to the City of Redlands M-1, Light Industrial District).

Chairman Macdonald opened the public hearing.

Project Planner Joshua Altopp gave a PowerPoint presentation and overview of the proposed project. Mr. Altopp indicated that there were issues that needed further addressing that were relative to the architecture, landscaping, site design and the ingress/egress locations along Wabash Avenue. Staff recommended continuance of the project for thirty (30) days to allow the applicant time to address the issues.

Chairman Macdonald asked to see the schematic for the shared driveway and asked for an explanation on how the shared driveway would work. Mr. Altopp stated that the two driveways would be combined and that each project would have a joint access agreement to use the shared driveway.

Chairman Macdonald had concerns relative to the driveway being large enough to accommodate a truck waiting for access to the storage facility and allow room for other vehicles to go around to the other development areas. Mr. Altopp indicated that the applicant could address that concern. Chairman Macdonald asked if the shared driveway was recommended by staff. Mr. Altopp stated that staff recommended the shared driveway to limit the ingress/egress along the arterials to maintain the flow of traffic.

Chairman Macdonald indicated that the traffic going in and out of the two projects could easily cause traffic jams. Director Shaw referred to the storage facility on Redlands Boulevard indicating that staff recommended the shared driveway at that location and that no problems have been noted.

Chairman Macdonald asked if the dimensions were the same as the Redlands Boulevard location. Director Shaw indicated that he was not sure of the dimensions but that Chairman Macdonald raised an issue relative to access by trucks and that there may be some design issues if trucks are accessing the industrial portion to the south.

Commissioner Shamp referred to the drive aisle access to the light industrial area onto Jasper Avenue and asked how wide the aisle would be and if it would be an exit only. Mr. Altopp addressed Commissioner Shamp's question.

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

Bud Thatcher, Thatcher Engineering representing the applicant, thanked staff for all their work on the project. Mr. Thatcher indicated that he felt that the original design of the two driveways was superior to the alternative single driveway. He stated that the two driveways would allow traffic to come in and out since there would be two independent uses. Mr. Thatcher responded to staff's request in flipping building "A" and stated that putting in a combination driveway in that area could cause potential concerns with a U-Haul truck or truck and trailer backing up at the gate and trying to get into the mini storage which could preclude the use of that driveway. Mr. Thatcher commented on the architecture stating that both architects were available to get direction from the Commission relative to the mini-storage and industrial buildings.

Chairman Macdonald asked if there were elevations for the industrial buildings. Mr. Thatcher stated that staff was provided with black and white renderings.

Mr. Thatcher indicated that the landscape architect was also available to address the Commission and that the applicant agrees in meeting the Commission's request to upsize the trees. Mr. Thatcher stated that he looks forward to the Commission's direction on the items that need addressing and agrees with the continuance to allow them time to come back with a project that is worthy to the City of Redlands.

Commissioner Shamp suggested providing one drive aisle access with room for queuing on the driveway going east and west out of the industrial complex and asked if that was a possibility. Mr. Thatcher indicated that it was a possibility but had concerns with traffic coming into the project.

Mr. Thatcher reiterated his concerns relative to the shared driveway indicating that it was not a superior design and that this driveway issue needs to be revisited.

Commissioner Dyer indicated that she would like to see the southerly driveway be the main access area. She commented on flipping the manager's office/residence, putting in the parking off to the north, and provide access to the mini storage area. Commissioner Dyer stated that she felt that the trucks would go off the arterial street since it was the most obvious entrance to the site. Mr. Thatcher indicated that he could meet those requirements.

Chairman Macdonald commented on the factor of the people using the industrial buildings and the quantity of traffic coming and going out of the entrances and exits and felt that there should be two ingress and egresses available.

Commissioner Shamp asked if the drive aisle entrance into the light industrial area coming off Jasper Avenue would be a two way or an exit only. Mr. Thatcher indicated that it would be a two-way driveway.

Commissioner Miller asked how deep the bio-swales would be at the front of the storage facility. Mr. Thatcher stated that they would be no more than two feet deep.

Commissioner Miller asked if the purpose of the wall at the west side of the parking lot in front of parcel two (2) was to screen the pavement. Mr. Thatcher indicated that the wall would screen the pavement and parking. Commissioner Miller had concerns with people backing up and hitting the wall and asked if it was possible to serpentine the wall to create a little interest and not make it so readily available to damage. Mr. Thatcher indicated that it would be possible to serpentine some of the wall to give it some architectural interest.

Commissioner Miller asked if it was possible to shield the back or east side of the buildings of parcel two with a three foot wall. Mr. Thatcher stated that he would like to see a six foot wall or green landscaping throughout that area since it is the only back service area visible from a public street.

Commissioner Miller referred to a drawing that he prepared and forwarded to Director Shaw that modified the drive aisle access and moved the manager's office/residence to the west side of the drive. Mr. Thatcher indicated that he looked at that idea but was not sure where to put the four parking spaces for the office. Commissioner Miller stated that the office may need to move north to accommodate the parking.

Commissioner Miller indicated that he was comfortable with the two driveways since there would not be a lot of traffic going in and out of the development during the weekdays and that it was a better alternative than the combined driveway.

Commissioners James, Foster and Cook concurred that the two driveways would work since there is minimal traffic during the week.

Commissioner Cook indicated that she would like the applicant to reconsider using tilt-up buildings and would like to see more landscaping.

Mr. Thatcher introduced Roy Palmer who is the architect for the mini-storage facility.

Roy Palmer, Engineer for the self-storage facility, commented that the tilt-up construction would be in line with the industrial buildings.

Commissioner James stated that he liked the examples of the different types of architecture that staff showed during their presentation and suggested using a Craftsman style that would be usual to the Mentone area. Commissioner James also recommended using river rock instead of stone so that it blends in with the history of the town. Mr. Palmer indicated that Commissioner James suggestions would not be a problem.

Commissioner Miller concurred with Commissioner James stating that a Mission style would also be suitable for the site. He indicated that the proportion of the overall massing of the structures are high and narrow and does not suit either the Craftsman or Mission style.

Commissioner Shamp had questions relative to the roof materials, design and the type of paving that would be used. Mr. Palmer addressed Commissioner Shamps questions. Commissioner Shamp indicated that the white metal roof and concrete paving would mitigate the heat factor.

Commissioner Miller asked if the building floors would slope or step. Mr. Palmer stated that they normally slope the floors since steps are not desirable for a self-storage facility.

Commissioner Miller stated that he liked Commissioner James idea of introducing the heritage of Mentone into the architecture and that river rock would be appropriate for that part of town. Commissioner Miller indicated that the windows were random and would like to see more uniformity and consistency in the elevation.

Commissioner Dyer indicated that she had concerns with the four sided treatment of the building and would like to see a belt course on the right elevation with a similar pilaster treatment along with more balance to the windows and detailing.

Chairman Macdonald stated that the buildings were not attractive.

Commissioner James stated that he did not like the design which is why he was proposing the Craftsman style with river rock. Commissioner Cook concurred with Commissioner James stating that she liked the idea of using river rock.

Gary Stegmann, Architect for the warehouse/office buildings, was available for questions.

Commissioner Miller commented on the canopy on the building and stated that bringing it out further would be a great improvement.

Commissioner James commented that any architectural elements relative to Craftsman style would be welcome.

Commissioner Shamp asked the color of the glass. Mr. Stegmann stated that the windows would be clear glass .

Charles Rothenberger, STB Landscape Architects, indicated that he was available to answer questions.

Commissioner Dyer stated that the Camphor trees that are located across the street from the project would be a good replacement for the Crape Myrtles on Wabash Avenue. She indicated that the Italian Cypress along the back of building "B" would not provide enough screening along the wall and would like to see a vertical screening tree such as a Canary Island Pine or bottle tree as a replacement for the proposed Cypress trees. Commissioner Dyer recommended placing vines on the back wall of buildings "B" and "C" to prevent graffiti and that large shrubs and trees need to be planted on the westerly building facing Wabash Avenue to screen the loading bays.

Commissioner Miller suggested putting pilasters that are punched out slightly on the back wall of buildings "B" and "C" and place a grid of trellis for the vines to grow onto between each of the two pilasters.

Mr. Rothenberger commented on the bio-swales and indicated that the tall creeping fescue would be aesthetically appealing and that its deep roots would deter flood waters from coming through and washing it away.

Chairman Macdonald closed the public hearing.

Commissioner Miller asked that the applicant make an effort to combine the two driveways.

Chairman Macdonald opened the public hearing.

Mr. Thatcher stated that he appreciated the time and effort that the Commission put into this project and would incorporate as many of the ideas as possible.

Chairman Macdonald closed the public hearing.

Commissioner Shamp stated that he did not see conditions of approval from the Police Department. Mr. Altopp stated that typically staff does not get feedback from the Police Department on projects such as this one. Commissioner Shamp stated that he would like to see several conditions of approval added that would require the installation of security cameras and that the storage units can not be used for band rehearsal space due to the close proximity of residential neighborhoods.

Commissioner Dyer indicated that she could not find building elevations for building "E" in the packet and asked that the elevations be available when the project comes back to the Commission.

MOTION

It was moved by Commissioner Miller, seconded by Commissioner Foster, and carried on a 7-0 vote that the Planning Commission continue the Mitigated Negative Declaration, the public hearings for Zone

Change No. 427, Annexation No. 88, Street Vacation No. 140 and Commission Review and Approval No. 837 to the May 22, 2007 meeting.

IV. NEW BUSINESS

Commissioner Miller recused himself at 3:40 p.m. due to a conflict of interest on item IV. A.

A. **PCH ARCHITECTS, LLP, APPLICANT** (PROJECT PLANNER: TAMARA ALANIZ)

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. 849** for the construction and operation of a one-story, 8,132 square foot architectural firm's office building with a loft area, associated parking areas and landscape elements on 0.78 acre site located on the northeast corner of Plum Lane and Idaho Street in the Office Industrial District of Specific Plan No. 25.

Chairman Macdonald opened the public hearing.

Project Planner Tamara Alaniz gave a PowerPoint presentation and overview of the proposed project. Ms. Alaniz passed around a sample of the corrugated metal siding to the Commission for their review. Staff recommended approval of the project subject to the conditions of approval.

Chairman Macdonald asked if the applicant wished to address the Commission.

Greg Chapman, PCH Architects, commented on the metal corrugated exterior stating that it would probably be gray in color to match the rendering and that the small corrugated design would be to the outside of the building. He indicated that the reducing the parking was fine.

Commissioner Cook asked for applicant's thoughts relative to using the corrugated material for the building exterior. Mr. Chapman stated that it was an old type of material that was being used in a modern fashion and liked the appearance of the corrugated material.

Commissioner Cook asked about the yellow material being used along the corrugated exterior. Mr. Chapman indicated that the yellow material would be plaster and that the canopies would be steel which would give it an industrial modern look. Mr. Chapman stated that they are also obtaining certification for energy efficiency.

Commissioner Shamp thanked Mr. Chapman for getting LEED (Leadership in Energy and Environmental Design) Certification for energy efficiency. He stated that the proposed building sets an example of what other developments should pursue on their projects. He appreciated the outdoor water feature, the public art, the outdoor dining, and liked the corrugated metal exterior. Commissioner Shamp suggested using a "deep ribbon" font for the address. Commissioner Shamp asked if there was any possibility of thinning down the thickness of the overhangs on the building. Mr. Chapman indicated that he would take a look into it.

Commissioner Dyer stated that she initially was concerned about the colors but stated that the color board shows a more subdued purple color than shown on the rendering. Commissioner Dyer commented on how nice the entire street is developing and that this project would be consistent with the rest of the area. Commissioner Dyer asked why there were no triangular planters in front of the building. Mr.

Chapman indicated that they did not want trees in front of the building but could put in a few planters if it was required.

Commissioner Dyer commented on the street improvements on the corner of Idaho and Plum stating that the cul-de-sac bulb was not in place and asked if they would install it. Mr. Chapman stated that there was a knuckle planned for that area. Ms. Alaniz indicated that the Public Works Department has conditioned the project to submit a plan for the street construction and that the street design is specific to the plan and would be required.

Commissioner Dyer stated that she would like London Plain trees added along the street and would like to see some screening shrubs at the entrance to the site.

Chairman Macdonald closed the public hearing.

Ms. Alaniz asked Commissioner Dyer if she had a specific suggestion relative to the planter area at the entrance. Commissioner Dyer stated that she would like to see three foot high screening shrubs at the entrance.

Commissioner James commented on the parking issue and the calculation used relative to the interpretation between the difference of the Specific Plan and the zoning ordinance. He indicated that he did not have a problem with the number of spaces that the applicant has proposed but had concerns relative to being consistent with our own regulations and ensuring that we give future applicants the same benefit. Director Shaw stated that all the Specific Plans needed an amendment relative to parking.

Ms. Alaniz stated that the differentiation between the calculations of the spaces was three spaces whereas the original calculation is .8 short of the parking requirement and the 1 space per 250 square foot calculation gives two spaces over the parking requirement.

Chairman Macdonald asked for a consensus from the Commission relative to the revision of the parking and acknowledged that the Commission approved of the revision.

MOTION

It was moved by Commissioner Shamp, seconded by Commissioner Cook, and carried on a 6-0 vote, (Commissioner Miller excused), that the Planning Commission approve the Mitigated Negative Declaration for Commission Review and Approval No. 849 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 and the California Department of Fish and Game fee shall be paid.

MOTION

It was moved by Commissioner Shamp, seconded by Commissioner Cook, and carried on a 6-0 vote, (Commissioner Miller excused), that the Planning Commission approve the Socio-Economic Cost Benefit Study for Commission Review and Approval No. 849, 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 Shamp, seconded by Commissioner Cook, and carried on a 6-0 vote, (Commissioner Miller excused), that the Planning Commission approve Commission Review and Approval No. 849 subject to the following findings and attached Conditions of Approval:

1. The site for the proposed use is adequate in size and shape to accommodate the proposed architectural office building and is designed to comply with all property development standards for the Office Industrial District of Specific Plan No. 25 including lot coverage, permitted uses, and required setbacks;
2. The site properly relates to Plum Lane and Idaho Street which are designed and improved to carry the type and quantity of traffic to be generated by the proposed development because these streets will be constructed at City-prescribed standards to their ultimate half-widths through compliance with project conditions of approval and the applicant has been conditioned to perform other street improvements which will accommodate traffic movement and flow;
3. The Conditions of Approval proposed for Commission Review and Approval No. 849 are necessary to protect the public health, safety and general welfare; and,
4. The use is desirable for the overall development of the community because the proposed project conforms with both the General Plan land use designation and Specific Plan requirements regarding site design and permitted uses within the zoning district and land use designation.

This included the additions to the conditions of approval as follows:

29. Prior to the issuance of a certificate of occupancy, the applicant shall install and landscape triangular tree well planters every three (3) parking spaces along the western parking area located adjacent to the front entrance of the office building. The final site and landscaping plans shall indicate these planter areas.
30. Prior to the issuance of a certificate of occupancy, the applicant shall substitute London Plane street trees for the proposed Crape Myrtle street trees along Plum Lane. The final landscaping plan shall indicate the substitution.
31. Prior to the issuance of a certificate of occupancy, shrubbery of a minimum three foot (3') height shall be installed to the west of the driveway entrance for the purpose of additional parking lot screening. The final landscaping plan shall indicate this revision.

Adding condition of approval numbers 29, 30, and 31 was moved by Commissioner Shamp, seconded by Commissioner Cook and carried on a 6-0 vote (Commissioner Miller excused).

Commissioner Miller returned to the meeting at 4:08 p.m.

B. LEON ARMANTROUT, APPLICANT
(PROJECT PLANNER: TAMARA ALANIZ)

PUBLIC HEARING for the Planning Commission to consider **CONDITIONAL USE PERMIT NO. 723 (REVISION NO. 1)** for the construction of a five-foot, seven-inch (5'7") high columbarium containing one-hundred, twenty six (126) niches within an existing six-foot (6') high masonry-walled courtyard on the south side of the First United Methodist Church located at 1 East Olive Avenue in the A-P, Administrative and Professional Office District.

Chairman Macdonald opened the public hearing.

Project Planner Tamara Alaniz gave a PowerPoint presentation and overview of the proposed columbarium. Staff recommended approval of the project subject to the conditions of approval.

Chairman Macdonald asked if the applicant wished to address the Commission.

Leon Armantrout, architect for applicant, introduced Kelly Kunz, church committee member, who was available to answer any questions from the Commission.

Kelly Kunz gave a brief overview of the columbarium.

Commissioner Dyer stated that she had concerns relative to possible vandalism to the columbarium and asked if the site was well secured. Ms. Kunz indicated that there is very little activity in the memorial garden and that the street side entrance would be sealed as part of the project.

Commissioner Dyer was more concerned about the durability of the columbarium. Ms. Kunz indicated that the columbarium would be composed of granite and limestone and would have a concrete foundation.

Mr. Armantrout thanked Ms. Alaniz for her good work on this project.

Chairman Macdonald closed the public hearing.

MOTION

It was moved by Commissioner Foster, seconded by Commissioner James, and carried on a 7-0 vote that the Planning Commission approve Revision No. 1 to Conditional Use Permit No. 723, subject to the following findings, submitted plans, and attached conditions of approval:

Conditional Use Permit Findings:

1. The columbarium applied for at this location is permitted in any district, subject to approval of a Conditional Use Permit.
2. The columbarium 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 is not detrimental to existing uses or to uses specifically permitted in the zone.
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 existing or permitted future uses on land in the neighborhood.
4. That the site for the columbarium 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 church complex was originally designed to handle all traffic generated by various uses allowed within the center and the columbarium will not result in a significant increase in traffic.
5. The conditions for the proposed use are reasonably related to the proposed columbarium 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. **JOSEPH IBRAHIM, APPLICANT**
(PROJECT PLANNER: TAMARA ALANIZ)

PUBLIC HEARING for the Planning Commission to consider **VARIANCE NO. 747**, a request to grant a variance from Section 18.44.140 to allow a five foot (5') reduction in the required ten foot (10') garage side yard on the south side of a proposed single family

residence located on the southwest corner of Lawton Street and Union Avenue in the R-1, Single Family Residential District.

Chairman Macdonald opened the public hearing.

Ms. Alaniz gave a PowerPoint presentation and overview of the proposed project. Staff recommended approval of Variance No. 747 subject to the conditions of approval.

Commissioner Shamp stated that we should be in the practice of doing everything we can to help landowners with infill projects like this one. He asked if the ten foot setback applied to the garage portion only. Director Shaw stated it relates to the entire side yard setback.

Commissioner Dyer commented that the fence on the southerly side of the property did not appear substantial and asked if there was a zoning code requirement or if there could be a condition added to repair or replace the fence. Ms. Alaniz concurred that the fence was not sturdy but commented that it would be difficult to condition a requirement to put up a new fence since the property owner to the south may or may not agree to have it done.

Commissioner Miller stated that it would appear more home-like if the garage was moved to the back of the property. Assistant Bob Dalquest indicated that the applicant was putting the garage in front of the property so that he could have a larger backyard. Commissioner Miller indicated that he had concerns relative to an appearance standpoint.

Commissioner Miller referenced the long wall facing Union Street and suggested adding a condition that would require an offset along the wall. Ms. Alaniz questioned if staff could add a condition for a variance relative to the architecture of the home. Director Shaw stated that staff has added conditions in the past but would like feedback from the applicant relative to what he was proposing on that elevation.

Chairman Macdonald asked if the applicant was available to address the Commission. No comments were forthcoming and Chairman Macdonald closed the public hearing.

Commissioner Cook referenced the fence and commented that it would be nice if the applicant could bring forward a fence exception for consideration along with the variance. Ms. Alaniz concurred with comprehensively addressing issues for the entire site.

Chairman Macdonald commented on Commissioner Miller's suggestion relative to the side wall and asked staff if they would be meeting with the applicant. Ms. Alaniz indicated that she would contact the applicant to discuss the Commission's direction relative to the elevation along Union Street and the fence and suggested an alternative motion to continue the project.

Director Shaw commented that variances have been conditioned for architectural treatment in the past when the applicants have been present to discuss it. He suggested continuing the variance so that we could request that the applicant attend the next meeting and present some elevations for the Commission's consideration.

Commissioner Cook reiterated that staff should ask the applicant where they want to place the fence and bring in a fence exemption along with the variance. Director Shaw indicated that staff will explore the ability to condition the variance application.

Commissioner James stated that he concurred with Commissioner Shamp in moving forward with this project but would also like to hear from the applicant and favored the continuance.

Commissioner Shamp commented that he was in favor of moving forward with the project based on the merits of the variance. He stated that we need to see more projects like this and not burden a low budget project with a lot of conditions.

Commissioner Miller stated that the Commission is not against this project but recommended that the project be continued to give the applicant the opportunity to hear the concerns relative to the fence, garage placement, and the wall. Commissioners Cook concurred with Commissioner Miller.

Commissioner Foster supported the continuance. Commissioner Dyer supported the continuance but had more concerns with the fencing issue than adding a financial burden to the construction of the home.

Chairman Macdonald indicated that the majority of the Commission was in favor of a continuance and wondered if the Commission was overstepping their bounds by expanding this request for a variance with the changes that have been discussed. He stated a continuance would allow the applicant to address the Commission.

MOTION

It was moved by Commissioner James, seconded by Commissioner Foster, and carried on a 6-1 vote, (Commissioner Shamp opposed), that the Planning Commission continue Variance No. 747 to the May 22, 2007 meeting.

Chairman Macdonald moved item IV. G. forward due to special circumstances requested by the applicant

G. **KENSINGTON REDLANDS NO. 2, LLC, APPLICANT**
(PROJECT PLANNER: DAVID JUMP)

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. Planning Commission to consider **COMMISSION REVIEW AND APPROVAL NO. 846** for an industrial development consisting of a 327,790 square foot concrete tilt-up building on a 15.37 acre site located on the east side of Marigold Avenue approximately 1,120 feet north of San Bernardino Avenue in Concept Plan No. 2 of the East Valley Corridor Specific Plan.

Chairman Macdonald opened the public hearing.

Project Planner David Jump passed around a color board for the Commission's review. Mr. Jump gave a PowerPoint presentation and overview of the proposed project. Staff recommended approval of the project subject to the conditions of approval.

Commissioner Dyer asked if there was a moratorium on large warehousing facilities. Mr. Jump stated that the Commission was not going to do too many more buildings below San Bernardino Avenue and that this project was located above San Bernardino Avenue in an area that has significant amounts of these warehousing style buildings.

Chairman Macdonald asked if the applicant wished to address the Commission.

Gary Ryerson, RKZ Architects, appreciated the Commission moving their project forward on the agenda and was available to answer questions.

Commissioner Shamp asked what type of roofing material would be used on the building. Mr. Ryerson indicated that it would be a cool roof with sky lighting and that the building could run light free during an average day.

Commissioner Miller commented that the building appeared plain and asked Mr. Ryerson if he would consider introducing more color, possibly a wainscoting just above the mandoor, and increasing the

center section of the west elevation. Mr. Ryerson indicated that Commissioner Miller's recommendations would not be a problem.

Chairman Macdonald closed the public hearing.

Chairman Macdonald asked if this was the last area available for a large warehouse above San Bernardino Avenue. Mr. Jump stated that he believed that this was the last one within the City's jurisdiction.

MOTION

It was moved by Commissioner Dyer, seconded by Commissioner Miller, and carried on a 7-0 vote that the Planning Commission approve the Mitigated Negative Declaration for Commission Review and Approval 846 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 Dyer, seconded by Commissioner Miller, and carried on a 7-0 vote that the Planning Commission approve the Socio-Economic Cost Benefit Study for Commission Review and Approval 846 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 Dyer, seconded by Commissioner Miller, and carried on a 7-0 vote that the Planning Commission approve Commission Review and Approval No. 846 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 industrial warehouse building because the projects meets all property development standards contained within the Regional Industrial zoning district of Concept Plan No. 2;
2. The site properly relates to Marigold Avenue which is designed and improved to carry the type and quantity of traffic to be generated by the proposed development because the street has been constructed to city prescribed standards to their ultimate half widths through compliance with the previously approved master plan for Concept Plan No. 2;
3. The Conditions of Approval proposed for Commission Review and Approval No. 846 are necessary to protect the public health, safety and general welfare;
4. The use is desirable for the overall development of the community because the proposed project conforms with both the General Plan Designation, East Valley Corridor Specific Plan, and Concept Plan requirements.

This included the addition of conditions of approval numbers forty-two (42) and forty-three (43) as follows:

42. Paint the wainscot up to the score line of the mandoor.
43. Increase the height of the middle architectural element of the west elevation approximately two feet.

Adding conditions of approval numbers forty-two (42) and forty-three (43) was moved by Commissioner Dyer, seconded by Commissioner Miller and carried on a 7-0 vote.

D. **ENTERPRISE COMMERCIAL DEVELOPMENT, APPLICANT**
(PROJECT PLANNER: DAVID JUMP)

1. **PUBLIC HEARING** for the Planning Commission to consider a Socio-Economic Cost/Benefit Study.
2. **PUBLIC HEARING** for the Planning Commission to consider **MINOR SUBDIVISION NO. 309** a request to allow the subdivision of an office and commercial center consisting of 14 individual buildings into 31 separate condominium units located on 7.19 acres at the southeast corner of Redlands Boulevard and Nevada Street within the EV/CG, General Commercial District of the East Valley Corridor Specific Plan.

Chairman Macdonald opened the public hearing.

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

Chairman Macdonald asked if the applicant wished to address the Commission.

Hossein Afshari, applicant, indicated that he was available for questions.

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

MOTION

It was moved by Commissioner Miller, seconded by Commissioner Foster, and carried on a 7-0 vote that the proposed condominium parcel map does not require further environmental processing, pursuant to Section 15162 of the California Environmental Quality Act Guidelines, based on the following findings:

- A. The proposed project would not result in new significant environmental effects or a substantial increase in the severity of previously identified effects; no changes to the approved project will occur or are proposed through the creation of condominium space.
- B. No substantial changes have occurred with respect to the circumstances under which the project will be undertaken; the project will be constructed and operated in the same manner as the previously approved project and,
- C. There is no new information of substantial importance with respect to this project's environmental consequences that was not known at the time the previous Mitigated Negative Declaration was adopted; no new information is available that would have an impact on the proposed project's environmental consequences."

MOTION

It was moved by Commissioner Miller, seconded by Commissioner Foster, and carried on a 7-0 vote that the Planning Commission recommend approval of the Socio-Economic Cost Benefit Study for Minor Subdivision No. 309 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 7-0 vote that the Planning Commission approve Minor Subdivision No. 309, subject to the conditions of approval, and based upon the following findings:

1. The proposed map is consistent with the East Valley Corridor Specific Plan and General Plan. The project has a General Plan land use designation of Commercial and a zoning of EV/CG, General Commercial District of the East Valley Corridor Specific Plan which allows for both commercial and office uses.
2. The site is physically suitable for the type of development. The site meets all development standards relating to height, size, and area and can accommodate the subdivision of interior airspace.
3. The site will be physically suitable for commercial/office development. The site allows for two-way travel at all locations, has sufficient emergency access, includes multiple ingress and egress points, all off-site improvements have or will be completed to avoid future traffic impacts, and all East Valley Corridor Specific Plan development standards have been met.
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 commercial/office project and is not likely to cause any serious public health problems, as pedestrian access ways will be installed, no offensive emissions or odors will be associated with the development, nor will noise affect any surrounding receptors as all uses will be conducted within an enclosed building.
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.

E. ENTERPRISE COMMERCIAL DEVELOPMENT, APPLICANT
(PROJECT PLANNER: DAVID JUMP)

1. **PUBLIC HEARING** for the Planning Commission to consider a Socio-Economic Cost/Benefit Study.
2. **PUBLIC HEARING** for the Planning Commission to consider **MINOR SUBDIVISION NO. 313** a request to allow the subdivision of three separate medical office buildings into individual tenant spaces on a 8.52 acre site, one building, a two-story, 83,100 square foot building containing forty (40) separate condominium units, and the second and third buildings comprising 19,752 square feet each and comprising twelve (12) individual condominium suites per building located at the southwest corner of Alabama Street and Park Avenue within the EV/IC, Industrial Commercial District of the East Valley Corridor Specific Plan.

Chairman Macdonald opened the public hearing.

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

Chairman Macdonald questioned why these requests for subdivisions were not done at the time the facility is approved. Mr. Jump addressed Chairman Macdonald's question.

Chairman Macdonald asked if the applicant wished to address the Commission.

Hossein Afshari, applicant, indicated that he was available for questions.

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

MOTION

It was moved by Commissioner Cook, seconded by Commissioner James, and carried on a 7-0 vote that the proposed condominium parcel map does not require further environmental processing, pursuant to Section 15162 of the California Environmental Quality Act Guidelines, based on the following findings:

- A. The proposed project would not result in new significant environmental effects or a substantial increase in the severity of previously identified effects; no changes to the approved project will occur or are proposed through the creation of condominium space.
- B. No substantial changes have occurred with respect to the circumstances under which the project will be undertaken; the project will be constructed and operated in the same manner as the previously approved project and,
- C. There is no new information of substantial importance with respect to this project's environmental consequences that was not known at the time the previous Mitigated Negative Declaration was adopted; no new information is available that would have an impact on the proposed project's environmental consequences."

MOTION

It was moved by Commissioner Cook, seconded by Commissioner James, and carried on 7-0 vote that the Planning Commission approve of the Socio-Economic Cost Benefit Study for Minor Subdivision No. 313 as it has been determined that this project will not create unmitigable physical blight or overburden public services in the community, and no additional information or evaluation is needed.

MOTION

It was moved by Commissioner Cook, seconded by Commissioner James, and carried on a 7-0 vote that the Planning Commission approve Minor Subdivision No. 313, subject to the conditions of approval, and based upon the following findings:

- 1. The proposed map is consistent with the East Valley Corridor Specific Plan and General Plan. The project has a General Plan land use designation of commercial/industrial and a zoning of EV/IC, Industrial Commercial District of the East Valley Corridor Specific Plan which allows for the medical office uses.
- 2. The site is physically suitable for the type of development. The site meets all development standards relating to height, size, and area and can accommodate the subdivision of interior airspace.
- 3. The site will be physically suitable for medical office development. The site allows for two-way travel at all locations, has sufficient emergency access, includes multiple ingress and egress points, all off-site improvements have or will be completed to avoid future traffic impacts, and all East Valley Corridor Specific Plan development standards have been met.

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 medical office project and is not likely to cause any serious public health problems, as pedestrian access ways will be installed, no offensive emissions or odors will be associated with the development, nor will noise affect surrounding receptors as all uses will be conducted within an enclosed building.
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.

F. **GHODRAT SHARIFZADEH**
(PROJECT PLANNER: DAVID JUMP)

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. **PUBLIC HEARING** for the Planning Commission to consider **CONDITIONAL USE PERMIT NO. 897** to allow the re-model of an existing Chevron station to include a new 2,920 square foot food mart along the west property line and an 840 square foot carwash along the southern property line located at 120 The Terrace Drive within the C-3, General Commercial District.
4. **PUBLIC HEARING** for the Planning Commission to consider **VARIANCE NO. 741** a request to waive the development standard contained in Section 18.156.190 (H) requiring that the roof over a pump area and the service station roof form one continuous roofed structure for the Chevron gas station at 120 The Terrace Drive in the C-3, General Commercial District.

Chairman Macdonald opened the public hearing.

Project Planner David Jump passed out color boards showing the proposed roofing materials and the cultured stone that would be placed as a wainscot along the base of the building for the Commissions review. Mr. Jump gave a PowerPoint presentation and overview of the proposed project. Staff recommended approval of the project subject to the conditions of approval.

Commissioner Shamp referred to finding number one of the proposed variance stating that a fifty (50) foot span is a perfectly feasible span and did not understand why it was a limiting factor and would adversely affect public safety. Mr. Jump indicated that adding the fifty foot span would add substantial cost to the project and that public safety would be a concern if a post obscured the view of a customer walking to their car.

Chairman Macdonald commented on how service stations configurations have changed and that parts of the current ordinance needs to be eliminated and amended. He indicated that the canopy on this service station is significantly higher than any of the surrounding structures and would be difficult to connect a canopy fifty (50) feet over to a building that is a completely different design.

Commissioner Shamp asked why we were addressing an obsolete ordinance given the configuration of today's service stations. Mr. Jump indicated the Ordinance Text Amendments require a significant amount of staff time to research and prepare and usually applicants propose the amendments.

Director Shaw stated that we ought to be initiating an Ordinance Text Amendment and would be glad to put it on our work program since it is an outdated document.

Commissioner Shamp stated that he does not want this Commission getting into the practice of using a variance to get around an ordinance that needs to be changed.

Commissioner Shamp asked if there were any concerns about the traffic flow with people coming off the freeway and darting across the street to the service station. Chairman Macdonald addressed Commissioner Shamp's question indicating the need for north and south entrances and exits for the facility. He stated that having one driveway would limit access and create many problems for the service station.

Director Shaw stated that the single driveway was suggested at the Environmental Review Committee after looking at several alternatives. Public Works Director Ron Mutter had issues relative to the number of turning movements based on the two driveways as well as the turning movements coming off the freeway ramp across the street and that it presented some real traffic safety concerns. Director Shaw stated that the applicant concurred with the recommendations of Director Mutter to consolidate the entrance into a single driveway and that this was a much safer design than what currently exists.

Chairman Macdonald stated that the single driveway is unsafe the way it is proposed and would create more traffic problems and congestion. He indicated that Chevron gets involved with these issues because they want to protect their fuel delivery vehicles and is surprised that they have allowed this plan to happen.

Commissioner Shamp stated that his primary concern was at the intersection of Sixth Street and Colton Avenue where there could be a potential for broadside collisions as drivers approach the drive aisle.

Chairman Macdonald had concerns with drivers heading north on Sixth Street that are unfamiliar with The Terrace and Colton Avenue and how they will stop where the crosswalk is on The Terrace and create traffic problems at the new proposed single driveway.

Director Shaw concurred with the Public Works Director that the single drive is a better design and suggested a continuance so Director Mutter could address the Commission about the pro's and con's of modifying the driveways.

Commissioner Miller stated that the sidewalk along Sixth Street appeared to be awfully wide for what is a lightly traveled pedestrian walkway and would rather have more landscaping than paved surface. Mr. Jump stated that Commissioner Miller was looking at existing conditions rather than what was being proposed and that it may be possible to have a planter area there.

Commissioner Shamp commented that everything possible needs to be done to improve pedestrian connections and would not want to pinch down the sidewalk and eliminate the possibility of a wider and safer pedestrian connection from being established from the north side to the downtown area. Mr. Jump stated that he is not aware of the plans relative to the landscaping of the freeway underpass and agrees that it should not be a requirement of the applicant to install a sidewalk under the freeway.

Commissioner Miller stated that there is a five foot standard for our sidewalks and asked Commissioner Shamp if that was an acceptable width. Commissioner Shamp indicated that five feet was not an acceptable sidewalk width and would rather see eight feet with a guard rail on the curb side but was

aware that there are limitations as to what could be done and that it would need to be negotiated with Caltrans.

Chairman Macdonald asked if the applicant would like to address the Commission.

Nasser Moghadam, representing the applicant, addressed Commissioner Shamp's concerns relative to the variance and agreed that the existing ordinance is obsolete. Mr. Moghadam commented on the canopy design and wanted to move forward with the variance. Mr. Moghadam concurred with Chairman Macdonald's concerns relative to the traffic flow and the driveway. He stated that he respects the Public Works Director's concerns relative to the driveway and wants to ensure public safety and welfare. He indicated that he is fine with the one driveway but would rather keep the two driveways if traffic records show that an insignificant number of accidents have occurred at that corner. Mr. Moghadam appreciated the Commission's comments but would like to continue the project in order to meet with Public Works and the Planning Department to resolve the driveway issue.

Chairman Macdonald commented on the driveway and that the applicant may need to bend or compromise in order to move the project forward.

Mr. Moghadam stated that he has sent the revised plan of the driveway access to Chevron but has not received approval from them at this time. Chairman Macdonald asked what would happen if Chevron did not approve of the revised driveway design. Director Shaw indicated that staff could look at other design alternatives.

Commissioner Dyer commented that Director Shaw remarked on future signalization at the off-ramp and questioned if it was where the north driveway is aligned with that off-ramp. Director Shaw indicated that he did not recall but knew that there is a proposal for the south side of the freeway at Sixth Street at the on-ramp but did not know if it involved signalization of the off-ramp. Assistant Director Dalquest indicated that the Promenade project that will come before the Commission on May 8th will require signalization at the corner of Sixth and Pearl Street and that there would be re-striping on Sixth Street but not at the off-ramp.

Mr. Moghadam commented on the undergrounding of utilities stating that Public Works is concerned that anything below 66KV needs to go underground. He indicated that they have a few lines that are not 66KV and that they may be required to put those lines underground and was informed by Edison that the cost would be substantial for the applicant. Mr. Moghadam requested leniency in not having to underground the lines due to the substantial costs that would result.

Director Shaw indicated that this was initially a Planning Division condition and decided that Public Works should be more directly involved since they review the utility plans. He indicated that Planning coordinates with Public Works on this issue.

Commissioner Miller referred to the site plan and asked staff to point out where these lines are located to get a sense of distance. Mr. Moghadam addressed Commissioner Miller's question by pointing out the areas on the site plan.

Commissioner Miller commented on the variations in costs relative to undergrounding the lines.

Director Shaw indicated that development projects have been required to underground utilities for the frontage of their property. Director Shaw indicated that this issue is coming forward more frequently since undergrounding costs have gone up significantly which is why this issue keeps becoming more critical to the development community. Director Shaw stated that they are exploring the possibility of adopting a fee City wide for all infill projects to participate in and that the City would take that money and provide undergrounding for higher priority locations.

Commissioner Miller stated that he would like to know the complete impact for the undergrounding of the utilities and would like the driveway concerns addressed in addition to introducing more planting by the sidewalk before he could vote on this project.

Commissioner Dyer indicated that the landscape plans were inferior and needs to be redone by a registered landscape architect.

Chairman Macdonald closed the public hearing and indicated that it was the consensus of the Commission to continue the project for thirty days.

Director Shaw stated that there are considerable concerns relative to the landscape plan, driveway, sidewalk, and undergrounding of the utilities, and indicated that staff would request Public Works Director Ron Mutter to attend the next meeting.

MOTION

It was moved by Commissioner James, seconded by Commissioner Miller, and carried on a 7-0 vote that the Planning Commission continue the Mitigated Negative Declaration, the Public Hearing for the Socio-Economic Cost Benefit Study, the Public Hearing for the Conditional Use Permit No. 897 and the Public Hearing for Variance No. 741 to the May 22, 2007 meeting.

V. ADDENDA

- A. Planning Commission determination of General Plan conformity for **Street Vacation No. 127 (Revision No. 1)** to vacate an additional 81 ± feet of New York Street for an overall distance of 550 ± feet located north of the intersection of State Street and New York Street in the A-P, Administrative and Professional Office District.

Project Planner Manuel Baeza provided handouts to the Commission showing the approved and revised Street Vacation. Mr. Baeza gave a PowerPoint presentation and overview of the proposed project. Staff recommended approval of the Street Vacation revision.

Commissioner James asked where the street currently ends relative to the Post Office driveways. Mr. Baeza stated that the applicant could address Commissioner James question.

John Egan, Principal Engineer and Consultant to ESRI, indicated that the entrance of the Post Office is approximately 150 feet to the north of the proposed cul-de-sac. Commissioner James asked if that was the revised proposal. Mr. Egan indicated that it was the new proposal. Commissioner James asked if there was a driveway that goes off of New York Street. Mr. Egan referred the question to Don Berry.

Don Berry, ESRI, stated that the new cul-de-sac would be approximately half way between the driveway that is just north of the cafeteria and the south driveway of the Post Office.

MOTION

It was moved by Commissioner Foster, seconded by Commissioner Cook, and carried on a 7-0 vote that the Planning Commission recommend to the City Council that Revision No.1 to Street Vacation No. 127 does not require further environmental processing, pursuant to Section 15162 of the California Environmental Quality Act Guidelines, based on the following findings:

1. The proposed vacation of 81± additional feet of New York Street would not result in new significant environmental effects or a substantial increase in the severity of previously identified effects;

2. No substantial changes have occurred with respect to the circumstances under which the project will be undertaken; and,
3. There is no new information of substantial importance with respect to this project's environmental consequences that was not known at the time the previous Mitigated Negative Declaration was adopted.

MOTION

It was moved by Commissioner Foster, seconded by Commissioner Cook, and carried on a 7-0 vote that the Planning Commission approve Planning Commission Resolution No. 1130 determining that the vacation of additional City Right-of-Way on New York Street is in conformity with the City's General Plan and recommending approval of Revision No. 1 to Street Vacation No. 127.

- B. Introduction of CD (compact disc) with PDF files for Planning Commission packets.
(DIRECTOR SHAW)

Director Shaw gave an overview of the new procedure that the Planning Department introduced in providing a CD (Compact Disc) to the Planning Commissioners that will be composed of staff reports and attachments for each meeting. Director Shaw received positive feedback from the Commissioners along with suggestions relative to the new process.

VI. MINUTES

A. APRIL 10, 2007

It was moved by Commissioner James, seconded by Commissioner Foster, and carried on a 7-0 vote to approve the minutes of April 10, 2007.

MOTION

VII. LAND USE AND CITY COUNCIL ACTIONS OF APRIL 17, 2007

Mr. Shaw gave a brief presentation on the City Council Actions of April 17, 2007.

VIII. ADJOURN TO MAY 8, 2007

Chairman Macdonald adjourned the meeting at 6:45 p.m. to May 8, 2007.

Christine Szilva
Senior Administrative Assistant

Jeffrey L. Shaw, Director
Community Development Department

