

MINUTES: of the Planning Commission Meeting of the City of Redlands held Tuesday, October 23, 2007, at 2:00 p.m. are as follows:

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

ADVISORY STAFF: Jeffrey Shaw, Director
PRESENT: Robert Dalquest, Assistant Director
Michael Reiter, Assistant City Attorney
Tamara Alaniz, Associate Planner
Christopher Boatman, Junior Planner

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

Chairman Macdonald called the meeting to order. All Commissioners were present with the exception of Commissioner Foster.

II. CONSENT CALENDAR

A. **QUIEL BROTHERS SIGN COMPANY, APPLICANT**
(PROJECT PLANNER: TAMARA ALANIZ)

1. Planning Commission to consider approval of **COMMISSION SIGN REVIEW NO. 321**, a Uniform Sign Program for an approved commercial center on approximately 2.1 acres located on the southeast corner of Orange Tree Lane and California Street in the EV/CG, General Commercial District of the East Valley Corridor Specific Plan.
2. Planning Commission to consider approval of **COMMISSION SIGN REVIEW NO. 323** to construct a twenty-four (24) square foot monument sign for an approved commercial center on approximately 2.1 acres located on the southeast corner of Orange Tree Lane and California Street in the EV/CG, General Commercial District of the East Valley Corridor Specific Plan.

B. **ROSSMORE ENTERPRISES, APPLICANT**
(PROJECT PLANNER: TAMARA ALANIZ)

1. Planning Commission to consider approval of **COMMISSION SIGN REVIEW NO. 334**, a Uniform Sign Program for an approved industrial center on approximately 16.32 acres located on the southwest corner of Park Avenue and Nevada Street in the EV/IC, Commercial Industrial District of the East Valley Corridor Specific Plan.

MOTION

It was moved by Commissioner James, seconded by Commissioner Cook, and carried on a 6-0 vote to approve the Consent Calendar.

III. OLD BUSINESS

A. **REDLANDS CENTER LLC, APPLICANT** (PROJECT PLANNER: MANUEL BAEZA)

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. 838** to develop a commercial retail center consisting of an in-line set of retail businesses and one free standing restaurant with a combined floor area of 51,101 square feet on approximately 4.79 acres, located south of Interstate 10 Freeway on the west side of California Street in the EV/CG, General Commercial District of the East Valley Corridor Specific Plan.
4. **PUBLIC HEARING** for the Planning Commission to consider **Conditional Use Permit No. 893** to establish a drive-thru food establishment within a proposed retail center located south of Interstate 10 Freeway on the west side of California Street in the EV/CG, General Commercial District of the East Valley Corridor Specific Plan.

Chairman Macdonald opened the public hearing.

Project Planner Tamara Alaniz indicated that the applicant is currently making revisions to both the elevations and site plan. Staff recommended continuance of the project to the November 13, 2007 meeting.

Chairman Macdonald closed the public hearing.

MOTION

It was moved by Commissioner Dyer, seconded by Commissioner James, and carried on a 6-0 vote that the Planning Commission continue the Mitigated Negative Declaration, the Hearing on Commission Review and Approval No. 838 and the Public Hearing for the Socio-Economic Cost/Benefit Study and Conditional Use Permit No. 893 to November 13, 2007.

B. **SHERYL BRUZSKA, 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. 850** for the construction of a one-story, 7,000 square foot office building, associated parking areas and landscape elements on 0.55 acres, located on the north side of Brookside Avenue at 708 Brookside Avenue in the A-P, Administrative and Professional Office District.

Chairman Macdonald opened the public hearing.

Project Planner Tamara Alaniz gave a presentation on the proposed project. Staff recommended approval of the project subject to the conditions of approval.

Commissioner Miller indicated that he passed out a drawing for the Commission's review. Commissioner Miller stated that the revised plans were not a marked improvement over the previously submitted plans and indicated that there were problems with the architecture that needed to be addressed. Commissioner Miller stated that he could not support the building as proposed by the applicant.

Chairman Macdonald asked Commissioner Miller if he had specific suggestions on the items that needed to be addressed. Commissioner Miller indicated that the list was too long to resolve all the issues.

Commissioner Dyer indicated that the plans were vague with no commitment on the colors and that the design was a hodgepodge with a lack of focus of the building to the street.

Commissioner Cook commented that the design of the building did not fit into the neighborhood.

Commissioner Shamp concurred with Commissioner Miller's comments and indicated that the decorative element shown on the plans needs to be representational of the structure.

Chairman Macdonald mentioned that there was prior discussion in turning two of the offices to address the street. Commissioner Shamp indicated that he did not see any reason why the two offices could not be turned to address the street and suggested putting a front entrance on the south elevation of the building and making it an entrance to the first suite.

Commissioner James commented that he did not find the building unattractive but would like to see renderings that would show what the building would look like when it is built including the landscaping.

Sheryl Brzuska, applicant, thanked the Commission for their input on the project. Ms. Brzuska stated that she will appeal the Commission's decision to continue the project since the Commission could not come to an agreement with what was presented.

Chairman Macdonald stated that a continuance was being recommended to give the applicant time to make the changes suggested or to work directly with the Commissioner's to make the project work.

Ms. Brzuska stated that she appreciated the opportunity but indicated that it would be best to appeal the project to the City Council for their consideration since they have tried three times to meet the satisfaction of the Commission.

Commissioner Dyer stated that the requirement for automatic irrigation was not acknowledged in the conditions of approval and should be included in the event the project is approved.

Chairman Macdonald closed the public hearing.

MOTION

It was moved by Chairman Macdonald, seconded by Commissioner Dyer, and carried on a 5-1 vote, (Commissioner James opposed), that the Planning Commission deny Commission Review and Approval No. 850 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 office building, however the site and architectural design does not properly relate to Brookside Avenue. While the building meets the minimum standards for the Administrative and Professional Office District including lot coverage, permitted uses, and required setbacks; the building elements are not well defined, there is a lack of stylistic clarity in the architectural design, and the building features are not in proportion to the

architecture;

2. The use is not desirable for the overall development of the community because the proposed project has a site and architectural design that is inconsistent with the neighborhood. Access and orientation of the building should be from Brookside Avenue, not from the side of the building. The building does not properly relate to Brookside Avenue. The presentation, graphics and the documentation presented lacks clarity, the features and building elements are not well defined, the building features are not in proportion to the architecture, and there is an inconsistency in the colors of the building. There is a lack of information on the plans in addition to a visual lack of harmony with the materials that were not clearly defined.

Chairman Macdonald indicated that the motion was moved and seconded with the findings as presented by Commissioner's Shamp, Miller, and Dyer and carried on a 5-1 vote, (Commissioner James opposed).

C. **STOR-N-LOCK, APPLICANT**
(PROJECT PLANNER: TAMARA ALANIZ)

1. Planning Commission to consider **Commission Review and Approval No. 854**, a request to construct a 68,314 square foot self storage facility with associated parking and landscape areas on 3.02 acres located on the east side of Wabash Avenue, approximately 315 feet south of Nice Avenue.

Project Planner Tamara Alaniz indicated that the project came before the Planning Commission on August 14, 2007 and was continued so that the applicant could make revisions to the elevations. Ms. Alaniz stated that the applicant needs additional time to work on the revisions. Staff recommended continuance of the project to the meeting of November 27, 2007.

MOTION

It was moved by Commissioner Dyer, seconded by Commissioner Miller, and carried on a 6-0 vote that the Planning Commission continue Commission Review and Approval No. 854 to November 27, 2007.

IV. NEW BUSINESS

A. **REDLANDS CYPRESS VILLAS, LLC, APPLICANT**
(PROJECT PLANNER: TAMARA ALANIZ)

1. **PUBLIC HEARING** for the Planning Commission to consider **REVISION NO. 1 to TENTATIVE TRACT NO. 16610** a revision to the conditions of approval to modify the requirement for the undergrounding of off-site utilities for an approved tentative tract map to merge five (5) parcels into one (1) parcel for a total of 4.79 acres located on the north side of Cypress Avenue, east of Hibiscus Drive in the R-2-2000, Multiple Family Residential District.
2. **PUBLIC HEARING** for the Planning Commission to consider **REVISION NO. 2 to CONDITIONAL USE PERMIT NO. 739** a revision to the conditions of approval to modify the requirement for the undergrounding of off-site utilities for an approved Conditional Use Permit

for an 82-unit apartment complex located at 528 Hibiscus Drive in the R-2-2000, Multiple Family Residential District.

Chairman Macdonald opened the public hearing.

Project Planner Tamara Alaniz gave an overview of the proposed revision to the Redlands Cypress Villas project. Staff recommended approval of the revision to the Tentative Tract Map and Conditional Use Permit, subject to the conditions of approval.

Joel Kuperberg, Rutan Law Offices, expressed his thanks to staff and the City management team. Mr. Kuperberg indicated that this has been a difficult infill project where there were a lot of unforeseen consequences that were uncovered as the project developed, but agreed to the \$350,000., since the cost would be a lot less than the undergrounding. Mr. Kuperberg stated that they are prepared to abide by the conditions of approval and was available to answer questions.

Hien Huynh, resident at 347 E. Cypress Avenue, commented on the history of the project and his interaction with City staff.

Chairman Macdonald closed the public hearing.

Commissioner James indicated that he agreed with the applicant and is in favor of supporting the amended condition of approval that staff has proposed.

Commissioner Miller stated that he supports the compromise but would be reluctant in delaying the payment of the in-lieu fee.

Commissioner Dyer indicated that she did not see any value in moving the existing trees and would vote against the project as proposed.

Director Shaw indicated that staff looked at ways in saving the trees but the trees are still growing and would eventually need to have their crowns cut and then the trees would die. The topping would ultimately kill the trees which is why staff recommended replacing the trees with street trees that would not grow up into the lines.

Chairman Macdonald asked if there was any value in going to the Street Tree Committee on this issue. Commissioner Dyer commented that the Street Tree Committee should have some say in this situation.

Chairman Macdonald opened the public hearing.

Joel Kuperberg stated that they were informed by Edison that the trees are growing and would come into contact with the wires within the next few years. They would be more than happy not having to relocate the trees due to the expense involved.

Commissioner Shamp asked if any of the people contacted were licensed arborists. Director Shaw indicated that this project was reviewed by the City's contractor who is an arborist.

Joel Kuperberg indicated that they spoke with Edison and their engineers and got the impression that they had substantial expertise.

Commissioner Shamp stated that he would like to see a report that verifies what we are talking about is true. He indicated that he did not have an issue with not replacing the palm trees with new palm trees and would like to see them replaced with trees that would provide urban shade.

Chairman Macdonald closed the public hearing.

Commissioner Cook stated that it should go to the Street Tree Committee and should be part of the proviso.

Chairman Macdonald asked if the project should come back to the Commission for review. Commissioner Cook indicated it should come back as an informational item.

Commissioner Dyer asked that the applicant provide an arborist report on the trees.

Chairman Macdonald opened the public hearing.

Joel Kuperberg indicated that they would go to an independent arborist and have a report prepared relative to this issue.

Commissioner James indicated that he is comfortable in moving this item forward with the changes as suggested by the applicant and staff. He is comfortable supporting this with the proviso that the Street Tree Committee get an arborist's report but that it did not need to come back to the Commission before a decision can be made is on this item.

Commissioner Dyer supported moving forward with the proviso that the street tree issue gets resolved and that the Street Tree Committee and the independent report are prepared by the applicant so that a final determination can be made by them. Commissioner Dyer indicated that it did not need to come back to the Planning Commission. Commissioner Shamp concurred with Commissioner Dyer.

Ms. Alaniz read revised condition of approval number five (5).

Chairman Macdonald closed the public hearing.

MOTION

It was moved by Commissioner Miller, seconded by Commissioner James, and carried on a 6-0 vote that Revision No. 1 to Tentative Tract Map No. 16610 and Revision No. 2 to Conditional Use Permit No. 739 do 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; there are no new environmental effects beyond those previously identified.
- B. No substantial changes have occurred with respect to the circumstances under which the project will be undertaken; the project will be undertaken 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 James, and carried on a 6-0 vote that the Planning Commission approve Revision No. 1 to Tentative Tract No.16610 subject to conditions of approval, and based upon the following findings:

- A. The proposed map remains consistent with the City's General Plan and Municipal Code with the approval of the revision to the required public improvements for the subdivision. The project has a General Plan land use designation of High Density Residential and a zoning of R-2-2000, Multiple Family Residential and is consistent with both the General Plan and Municipal Code;
- B. The site, which is located on the north side of Cypress Avenue and east Of Hibiscus Drive, is physically suitable for this type of development;
- C. The site is physically suitable for the density of development proposed with the five lot merger and revision to the required public improvements for the subdivision;
- D. The design of the proposed revision to the required public improvements for the subdivision 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;
- E. The design of the subdivision or type of revision to required public 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;
- F. The design of the merger or the type of revision to required public improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed merger; public streets and pedestrian access will be provided throughout the project site;
- G. 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 under Williamson Act Contract.

MOTION

It was moved by Commissioner Miller, seconded by Commissioner James, and carried on a 6-0 vote that the Planning Commission approve Revision No. 2 to Conditional Use Permit No. 739, subject to the following findings, submitted plans, and attached conditions of approval:

- A. The revision to the required public improvements for the apartment development applied for at this location is permitted in any district, subject to approval of a Conditional Use Permit.
- B. The revision to the required public improvements for the apartment development 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.
- C. The project site is sufficient in size and shape to accommodate the proposed revision to the required public improvements for the apartment development, 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.
- D. That the site for the revision to the required public improvements for the apartment development 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 complex was originally designed to handle all traffic generated by the apartment use and the

amendment will not result in an increase in traffic.

- E. The conditions for the proposed use are reasonably related to the proposed required public improvements for the apartment development 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.

This includes the modification of condition of approval number five (5) as follows:

- 5. Utilities are not required to be placed underground due to specific physical characteristics that are unique to the project site, which make undergrounding infeasible. Prior to the approval of the final map, the applicant shall instead pay a sum of \$350,000.00 to the City, which will be placed in a utility undergrounding fund to be used for City-prioritized utility undergrounding projects. Additionally, prior to the approval of the final map, the applicant shall **provide a certified arborist's report to the Street Tree Committee to assist in the determination of whether to relocate five (5) Palm trees from the right-of-way along Cypress Avenue to the project site frontage. Seven (7) street trees shall be located in accordance with the approved tree relocation plan, including three (3), 36" box St. Mary's Magnolia trees. However, the proposed four (4), 36" box Red Crape Myrtle may be replaced with another staff approved deciduous street tree from the City approved street tree list.**

B. DON TUNE, APPLICANT
(PROJECT PLANNER: CHRIS BOATMAN)

- 1. **PUBLIC HEARING** for the Planning Commission to consider **VARIANCE NO. 748**, a request to grant a variance from Section 18.20.160 to allow a two foot five inch (2', 5") reduction in the required five foot (5') side yard setback on the west side of a proposed addition to an existing detached garage located at 914 Chestnut Avenue in the R-S, Suburban Residential District.

Chairman Macdonald opened the public hearing.

Project Planner Chris Boatman gave a presentation on the proposed variance. Staff recommended approval of Variance No. 748 subject to the conditions of approval.

Don Tune, applicant, indicated that he was available to answer questions.

Chairman Macdonald closed the public hearing.

MOTION

It was moved by Commissioner Dyer, seconded by Commissioner Shamp, and carried on a 6-0 vote that the Planning Commission determine that Variance No. 748 is categorically exempt from the California Environmental Quality Act, under a Class 5(a) Categorical Exemption of Minor Alterations in Land Use Limitations.

MOTION

It was moved by Commissioner Dyer, seconded by Commissioner Shamp, and carried on a 6-0 vote that the Planning Commission approve Variance No. 748 subject to the following findings and attached conditions of approval:

- A. 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 existence of a permitted structure and subsequent addition creates an exceptional condition that affects the property.

- B. 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 properties in the vicinity and zone that contain side yards for detached structures less than five feet.
- C. That the granting of the variance will not be detrimental to the public welfare or injurious to the property or improvements of others in the vicinity; the project is spaced a sufficient distance away from surrounding structures.
- D. That the granting of the variance will not adversely affect the General Plan of the City of Redlands; the General Plan Land Use Designation of Low Density Residential will not be affected by the project.

V. ADDENDA

- A. Discussion and possible action regarding joint meeting and future study sessions.

Director Shaw indicated that the Planning Commission requested staff to set up dates for a joint study session with the Cultural Arts Commission, and workshops on site landscape issues and architectural design guidelines.

Commissioner's Shamp, James and Miller indicated that they could attend the joint study session with the Cultural Arts Commission on October 30, 2007.

Chairman Macdonald stated that he would not be able to attend the joint meeting with the Cultural Arts Commission November 13, 2007.

Director Shaw indicated that staff is recommending that the landscaping workshop be scheduled at 1:00 p.m. at the November 27, 2007 meeting.

Director Shaw indicated that the architectural design workshop could be scheduled at the December 11, 2007 meeting at a time to be determined.

VI. MINUTES

- A. September 25, 2007

MOTION

It was moved by Commissioner James, seconded by Commissioner Shamp, and carried on a 6-0 vote to approve the minutes of September 25, 2007 with one correction.

- B. October 9, 2007

MOTION

It was moved by Commissioner James, seconded by Commissioner Miller, and carried on a 6-0 vote to approve the minutes of October 9, 2007 with one correction.

VII. LAND USE AND CITY COUNCIL ACTIONS OF OCTOBER 16, 2007

Director Shaw gave a brief presentation on the City Council Actions of October 16, 2007

VIII. ADJOURN TO NOVEMBER 13, 2007

Chairman Macdonald adjourned the meeting at 3:55 p.m. to November 13, 2007.

Christine Szilva
Senior Administrative Assistant

Jeffrey L. Shaw, Director
Community Development Department

