MINUTES: of the Planning Commission Meeting of the City of Redlands held Tuesday, January 13, 2009, at 2:00 p.m. are as follows:

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

ADVISORY STAFF PRESENT:
Oscar Orci, Director
Robert Dalquest, Assistant Director
Michael Reiter, Assistant City Attorney
Manuel Baeza, Principal Planner
Sergio Madera, Associate Planner
Tabitha Kevari, Associate Planner
Chris Boatman, Assistant Planner

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

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

A. **ELECTIONS OF COMMISSION CHAIRMAN AND VICE-CHAIRMAN**

Chairman Macdonald opened up the nominations for Planning Commission Chairman.

It was moved by Commissioner James, seconded by Commissioner Miller and carried unanimously to elect Paul Foster for Chairman.

Chairman-Elect Foster requested that Chairman Macdonald continue the meeting as Chairman.

It was moved by Commissioner Dyer, seconded by Chairman-Elect Foster and carried unanimously to elect Gary Miller for Vice-Chairman.

II. CONSENT ITEMS

A. **QUIEL BROTHERS, APPLICANT**
(PROJECT PLANNER: TABITHA KEVARI)

Consideration of **COMMISSION SIGN REVIEW NO. 357** to construct a pedestal sign that is 6' in height with a sign area of 24 square feet for the Alta Vista Credit Union located at 1425 Lugonia Avenue in the EV/CG, General Commercial District of the East Valley Corridor Specific Plan.

B. **RICHARD BROWN, APPLICANT,**
(PROJECT PLANNER: MANUEL BAEZA)

TENTATIVE TRACT NO. 17675 (TIME EXTENSION) - Consideration of a request for an Extension of Time for an approved tentative tract map to subdivide 6.3 acres into eleven (11) residential lots for property located on the west side of Sunnyside Avenue and north side of Cypress Avenue in the R-S, Suburban Residential District.

C. **GEORGE SAUNDERS, APPLICANT,**
(PROJECT PLANNER: MANUEL BAEZA)

TENTATIVE TRACT NO. 17080 (TIME EXTENSION) – Consideration of a request for an Extension of Time for an approved tentative tract map to subdivide 7.2 acres into eight (8) residential lots and one (1) common area lot for property located on the west side of Wabash Avenue, south of the I-10 freeway and north of Sunset Drive in the R-E, Residential Estate District and O, Open Land District.

D. **SHARLYN K. ZIPRICK, APPLICANT**
(PROJECT PLANNER: CHRIS BOATMAN)

Consideration of **COMMISSION SIGN REVIEW NO. 356** to construct a 19.25 square foot monument sign for a dental/ medical office building on 0.43 acre located on the south side of Brookside Avenue, west

MOTION

It was moved by Chairman-Elect Foster, seconded by Commissioner James, and carried on a 7-0 to approve the Consent Calendar.

III. OLD BUSINESS

A. **SHAHAB NOURANI, APPLICANT**
(PROJECT PLANNER: TABITHA KEVARI)

1. Consideration of a Mitigated Negative Declaration.

2. **PUBLIC HEARING** to consider a Socio-Economic Cost/ Benefit Study.

3 **PUBLIC HEARING** to consider **CONDITIONAL USE PERMIT NO. 930** to construct a 4,800 square foot self service car wash on a 1.5-acre lot located on the south side of Redlands Boulevard, west of Kansas Street at 1417 West Redlands Boulevard in the EV/CG, General Commercial District of the East Valley Corridor Specific Plan.

Chairman Macdonald opened the public hearing.

Project Planner Tabitha Kevari indicated that the plans for the project need revisions due to changes required of the Water Quality Management Plan. The applicant and staff recommended continuance of the project to the February 10, 2009 meeting.

It was moved by Commissioner Shamp, seconded by Commissioner James and carried on a 7-0 vote that the Planning Commission continue the Hearing on the Mitigated Negative Declaration and the Public Hearings on the Socio Economic Cost/Benefit Study and Conditional Use Permit No. 930 to the meeting of February 10, 2009.

MOTION

B. **ESRI, APPLICANT**
(PROJECT PLANNER: CHRIS BOATMAN)

1. Consideration of a Negative Declaration.

2. Consideration of **COMMISSION REVIEW AND APPROVAL NO. 861** to construct an automobile parking lot containing 87 parking spaces on 1.03 acres located on the south side of Plum Lane, approximately 200 feet east of Idaho Street in the Office/Industrial District of Specific Plan 25.

Project Planner Chris Boatman indicated that the applicant has requested that the project be continued to allow additional time to contact adjacent neighbors. Staff recommended continuance of Commission Review and Approval No. 861 to the January 27, 2009 meeting.

MOTION

It was moved by Commissioner Cook, seconded by Commissioner Shamp and carried on a 7-0 vote that the Planning Commission continue Commission Review and Approval No. 861 to the meeting of January 27, 2009.

C. **MEDIAFLO USA, APPLICANT**
(PROJECT PLANNER: SERGIO MADERA)

1. Consideration of a Mitigated Negative Declaration.

2. **PUBLIC HEARING** to consider **CONDITIONAL USE PERMIT NO. 940** to install a wireless telecommunication facility and Ultra High Frequency (UHF) broadcast antenna on an existing one hundred and fifty-four (154) foot tall tower located at 351 Alabama Street in the EV/IC, Commercial Industrial District of the East Valley Corridor Specific Plan.

Chairman Macdonald opened the public hearing.

Project Planner Sergio Madera indicated that the applicant and staff are requesting additional time to work out the nesting bird issue that was brought up during the Planning Commission meeting of December 9, 2008. Staff recommended continuance of Conditional Use Permit No. 940 to the meeting of January 27, 2009.

Commissioner Shamp asked if it was verified that a nest was located on the tower. Mr. Madera stated that a Redtail Hawk has made a nest on the tower and indicated that a biological report is being completed on how the nest will be dealt with during the installation of the proposed project.

MOTION

It was moved by Commissioner James, seconded by Commissioner Miller and carried on a 7-0 vote that the Planning Commission continue the Hearing on the Mitigated Negative Declaration and the Public Hearing on Conditional Use Permit No. 940 to the meeting of January 27, 2009.

D. **OMNIPOINT COMMUNICATIONS LLC, APPLICANT**
(PROJECT PLANNER: SERGIO MADERA)

1. Consideration of a Mitigated Negative Declaration.

2. **PUBLIC HEARING** to consider **CONDITIONAL USE PERMIT NO. 937** to install a sixty-five (65) foot high tower for a wireless telecommunication facility within an existing commercial center located at 1550 Orange Street in the C-2, Neighborhood Convenience Center District.

Chairman Macdonald opened the public hearing.

Project Planner Sergio Madera stated that the project was continued from the December 9, 2008 Planning Commission meeting so that the applicant could bring back revised architecture of the clock tower and complete a public outreach to the adjacent property owners about the proposed project. Mr. Madera indicated that the applicant has revised the architecture but is still completing the public outreach to the neighbors. Staff recommended continuance of Conditional Use Permit No. 937 to the meeting of January 27, 2009.

Commissioner Miller asked if there was progress made with the applicant relative to improving the maintenance on the property. Mr. Madera indicated that the Assistant City Attorney would address the question.

Assistant Attorney Michael Reiter stated that there is a nexus between the condition of the property and the tower and that the Commission can condition the maintenance of the landscaping with the Conditional Use Permit. Mr. Reiter advised the Commission that a complaint had been forwarded to Code Enforcement informing them of the Planning Commission's concerns relative to the maintenance of the center but did not know the status of the complaint.

Mr. Madera stated that the applicant is willing to update the landscaping of the entire site but was not sure that there was the ability to bring it up to the current code.

Commissioner Miller commented that the owner of the center should demonstrate some degree of pride of ownership of his property regardless whether the applicant is conditioned with maintaining or improving the property. He indicated that the kind of efforts that the owner of the center makes towards improving the condition of his existing landscape would influence his vote on the project. Mr. Madera stated that he would forward Commissioner Miller's concerns to the applicant.

Director Oscar Orci indicated that staff will encourage the property owner of the center to take measures to upgrade their landscaping irrespective of the proposed application.

MOTION

It was moved by Commissioner James, seconded by Chairman-Elect Foster and carried on a 7-0 vote that the Planning Commission continue the Hearing on the Mitigated Negative Declaration and the Public Hearing on Conditional Use Permit No. 937 to the meeting of January 27, 2009.

Chairman Macdonald indicated that he received a speaker slip from Mr. Rick Thomas relative to Consent Calendar item II A., Quiel Brothers.

Rick Thomas, representing Quiel Brothers Sign Company for Alta Vista Credit Union, commented that the design of the pedestal sign that the Planning Commission approved under the Consent Calendar was not the design that was requested by them. He indicated that the pedestal sign was designed by Planning staff. Mr. Thomas passed around two designs exhibiting the pedestal and monument signs for the Commissions review.

Chairman Macdonald asked staff for their input relative to Mr. Thomas' comments. Director Oscar Orci indicated that staff identifies what the code provisions are relative to signage and does not design projects. Director Orci asked Assistant Director Bob Dalquest to elaborate on the difference between a pedestal and monument sign which was the issue being addressed.

Assistant Director Dalquest gave an overview of the difference between a pedestal and monument sign. Mr. Dalquest indicated that the applicant was proposing a monument sign that was taller than four feet and to what was similar to what was on the north side of Lugonia Avenue and the County. Mr. Dalquest went over the sign code regulations with the applicant and stated that staff did not steer them in any specific direction.

Commissioner Dyer asked if there was an opportunity for a variance for a larger sign. Mr. Dalquest indicated that the applicant could apply for a variance but would need to meet the four required findings.

Chairman Macdonald commented that Mr. Thomas was aware of the sign code requirements and asked why there was a difficulty with this particular applicant. Mr. Thomas indicated that the customer would like to have a monument sign comparable to those located across the street.

Chairman Elect Foster stated that he would have no problem if the applicant wanted to come back with a variance. He indicated that there were no guarantees that the decision would be any different than what has been presented today.

Nancy Parker, representing Quiel Brothers Signs, commented that the first issue came about when they were trying to add some architectural elements to the sign to match the building. Ms. Parker indicated that architectural elements cannot be added if you want to meet the square footage requirements and in this case, they had to make the sign smaller. She indicated that adding architectural elements are common in the sign industry in having it match the building without getting penalized for the sign area.

Chairman Macdonald indicated that the applicant could not come before the Planning Commission under this format and that they would need to file for a variance of the sign code in order for the Commission to review it and decide if they could make the requested change.

Mr. Thomas stated that he understood that a variance would be the next step in the process but that it would cost another $5,000 to the customer in addition to the fee for the initial review. Mr. Thomas indicated that it is money chasing after each other with no guarantees in place.

Director Orci indicated that the applicant could file for a variance, a zone text amendment or an alteration to the design of the sign to conform to the code provisions or a combination of thereof.

Commissioner Shamp commented that there is development happening around the doughnut hole and this is not the only time that we will run into this situation again. Commissioner Shamp's preference would be to have a zone text amendment applied to the entire perimeter of the doughnut hole area or at least that which is adjacent to commercially zoned land.

Director Orci indicated that staff can do the required analysis to look at the properties in and around the doughnut hole and with this particular land use designation. Director Orci stated that staff would need to look at all the impacts and ramifications of having an additional or different sign program around the doughnut hole and in the East Valley Corridor Specific Plan.

Ms. Parker reiterated that not including the architectural elements in with the sign area is the issue that needs to be addressed.

Chairman Macdonald asked Ms. Parker and Mr. Thomas what they wanted to do regarding the sign issue. Mr. Thomas concurred with Commissioner Shamp's recommendation of looking into a zone text amendment that would involve all future businesses that would be located across from the doughnut hole area. He indicated that they would be more than happy in helping the City write it.

Chairman Macdonald indicated that a zone text amendment would delay their sign request significantly. Director Orci concurred with Chairman Macdonald.

Chairman Macdonald indicated that they have an approved sign now which could be installed. Director Orci stated that the applicant could reopen or reconsider the sign request and continue it or let the current action stand. He indicated that if the applicant wants to change the sign at a later date and is willing to take time to work with staff to come up with the changes, they can do so and then come back to the Commission with a recommendation.

Chairman Macdonald asked the applicant if they would accept the approved sign and the action taken today. Mr. Thomas indicated that they would accept the action taken by the Commission today.

Chairman Macdonald closed the hearing and indicated that the motion stands.

IV. NEW BUSINESS

A. **HOSSEIN AFSHARI, APPLICANT**
(PROJECT PLANNER: SERGIO MADERA)

Consideration of **COMMISSION REVIEW AND APPROVAL NO. 834 (REVISION 1)** for a medical office development consisting of three buildings totaling 122,604 square feet on an 8.90-acre site located at the southwest corner of Alabama Street and Park Avenue within the EV/IC, Commercial/Industrial District of the East Valley Corridor Specific Plan.

Project Planner Sergio Madera gave a PowerPoint presentation and overview of the proposed project. Staff recommended approval of Commission Review and Approval No. 834 (Revision 1) subject to the conditions of approval.

Commissioner Miller referred to the grading plan and commented on the three retention/detention basins in front of the building. He indicated that the landscape architecture plans call for trees to be planted there and in one case, a tree is planted exactly where a catch basin is located and that tree could be moved. Commissioner Miller indicated that it is not a huge conflict but that the larger conflict is that you have a fair amount of water that is going to be flowing in on a regular basis. Commissioner Miller stated that the landscaping would not survive under those circumstances and some attention needs to be directed toward that condition. Commissioner Miller also commented on the large underground filtering and detention area on the northwest corner of the property that could be slightly enlarged to help deal with what he considers an unacceptable condition at the entrance to the main building. He commented on the change relative to the planters and indicated that the grading plan shows the planters as being paved or having handicap access onto the property. Commissioner Miller stated that making that change would be in violation of our landscaping code which requires a certain amount of trees per parking place.

Commissioner Miller commented on the one story element and indicated that the working drawings show the thickness of the entrance feature to be approximately two (2) to three (3) inches which is different from what the rendering showed. He stated that it would look cheap and spindly if it were to be constructed as the documents appear to imply.

Commissioner Shamp indicated that the Commission approved the project on October 10, 2006 and the construction documents in front of them were date August 17, 2007. He indicated that some changes have taken place but did not know the nature of the changes. Commissioner Shamp indicated that he is no longer approving the original project in 2006 but what is in front of him today. He indicated that if the applicant wants to resubmit the original drawings, documents and applications for approval, then the working drawings in front of him were no longer relevant. Commissioner Shamp stated that the applicant simply needs to comply what was shown to the Planning Commission in 2006.

Commissioner Miller stated that the license on the civil engineering drawings expired on June, 2008.

Director Oscar Orci referred to Commissioner Shamp statement and indicated that the Commission is aware that they now have the opportunity revisit a project and look at it as a new project.

Chairman-Elect Foster concurred with Commissioner Shamp stating that the Commission would need to have the plans that were originally submitted in 2006. He asked Mr. Afshari if he would like to continue this item to another meeting to address the issues brought forward by Commissioner Miller.

Hossein Afshari, applicant, indicated that they missed the deadline by one week but paid $300. to extend the approval. Mr. Afshari stated that they had not changed the drawings or the scope of the project and that any changes or revisions to the original plans have been done through the Planning Department.

Chairman Macdonald asked if those changes are what are before the Commission now. Director Orci was uncertain and asked Mr. Madera to answer his question.

Mr. Madera indicated that the changes shown where probably required by the Building and Safety Department through the plan check process. The plans before the Commission are plans that were approved in the plan check process and were found to be substantially consistent with what the Planning Commission approved in 2006.

Mr. Afshari stated that a lot of things happen when the plans go from preliminary to working drawings.

Commissioner Miller agreed with Mr. Afshari but indicated that in the process of fine tuning, we may have lost some of the intent of the original approval such as what used to be planters are no longer planters but paved walkways or what the intention of the basins are. He indicated that we need to confirm that we are going to get a landscaped area and not a basin that will not support landscaping. Commissioner Miller consider these minor adjustments and did not have a problem either moving this project forward or continuing it to see what was originally approved.

Mr. Afshari stated that the walkways were added because of the Americans with Disabilities Act requirement. Mr. Afshari stated that the project overall had not changed drastically and the changes that were made were to make the project work. He indicated that they are losing the project to the bank and are trying to sell it to another developer.

Commissioner Miller indicated that the changes made were in response to the requirements of the Americans with Disabilities Act and that that Act was in place when the original design was done. Commissioner Miller indicated the Mr. Afshari knew that he would need to provide access from the public way to the building and did not think eliminating the planters accomplished that and deviating from what was approved is not an excuse. Commissioner Miller recommended seeing what was originally approved to ensure from his standpoint that he has done his due diligence in protecting what was originally approved.

Chairman Macdonald asked if this could be addressed with a two week continuance. Director Orci indicated that it could be addressed in two weeks.

Mr. Afshari asked if the Planning Department had a set of the approved plans in the file. Director Orci indicated that the approved plans were in the file.

Director Orci indicated that Mr. Afshari had the option of using the original 2006 plans or the plans that are before the Commission today.

Mr. Afshari indicated that extra sets of drawings were given to all of the departments for their approval including Planning. They reviewed them and approved them and asked why they needed to come back to the Commission and start the process again.

Commissioner Miller stated that changes did not necessarily occur but that they did see some conflicts and indicated that it would be wise to get to the bottom of it.

Chairman Macdonald stated that he did not have to start the process again and with a continuance of a few weeks, staff will be able to provide answers to questions that have been raised about the differences between the original and revised plans without any great inconvenience to Mr. Afshari.

Director Orci stated that the Commission wants staff to take a look at the approved plans and identify if there are any differences in what was originally approved previously versus what is currently in front of them. Director Orci asked the Commission to identify some of the concerns they may have with the plans presented so that they can get them back to the original process.

Commissioner Shamp stated that the Commission is being asked procedurally to look at this as a new project and would need to see more documentation than what has been presented.

Commissioner Dyer commented that she appreciated some of the issues that Commissioner Miller noticed relative to the landscaping and Water Quality Management areas. Commissioner Dyer indicated that the issue with the tree where the catch basin is located is not a good one and would need to change the location in the field but that the elevation drop is quite shallow and did not think that there was a landscaping issue there. She commented on the two walkways that were required for the Americans with Disabilities Act and agreed that there is a loss of landscaping there which affects the plan but suspects that the Planner looked at it and took the trees from there and counted them somewhere else on the property during the plan check review. Commissioner Dyer stated that she did not see substantial changes made to the building elevations.

Mr. Afshari stated that they submitted drawings a few months ago where staff had the chance to look and compare them with the original plans. Mr. Afshari indicated that he was sure that staff reviewed the plans since they are recommending approval. He indicated that he was fine with coming back to the Commission in a few weeks.

Commissioner Dyer commented that this project opens up more of a review for the Commission since it came back as a new project instead of a Time Extension. Commissioner Dyer indicated that the Commission wants to ensure that the changes made reflect the original approval.

Commissioner Shamp asked that staff provide the original documents and identify the changes when the project returns in two weeks.

MOTION

It was moved by Commissioner Foster, seconded by Commissioner Miller, and carried on a 7-0 vote that the Planning Commission continue Commission Review and Approval No. 834 (R1) to the meeting of January 27, 2009.

B. **REDLANDS CHRISTIAN HOME, APPLICANT**
(PROJECT PLANNER: SERGIO MADERA)

PUBLIC HEARING to consider **TENTATIVE TRACT No. 18699** to subdivide approximately 20.33 acres containing a Senior Congregate Care facility into twenty-one (21) residential lots and one (1) lettered lot located at the northeast corner of Fifth Avenue and Wabash Avenue within Specific Plan 54.

Chairman Macdonald opened the pubic hearing.

Project Planner Sergio Madera indicated that staff is requesting additional time to complete the analysis and report for the project. Mr. Madera stated that the additional time would also allow the applicant to resolve some outstanding issues with the Municipal Utilities and Engineering Department. Staff recommended continuance to the meeting of January 27, 2009.

MOTION

It was moved by Commissioner James, seconded by Commissioner Shamp and carried on a 7-0 vote that the Planning Commission continue the Public Hearing on Tentative Tract No. 18699 to the meeting of January 27, 2009.

V. ADDENDA - None

VI. MINUTES

A. December 9, 2008

MOTION

It was moved by Commissioner Shamp, seconded by Commissioner James and carried on a 7-0 vote to approve the minutes of December 9, 2009.

VII. LAND USE AND CITY COUNCIL ACTIONS OF DECEMBER 16, 2008 AND JANUARY 6, 2009.

Director Oscar Orci gave a brief presentation on the City Council Actions of December 16, 2008 and January 6, 2009.

VIII. ADJOURN TO JANUARY 27, 2009

Chairman Macdonald adjourned the meeting at 3:12 p.m. to January 27, 2009.

Christine Szilva	Oscar Orci, Director
Senior Administrative Assistant	Community Development Department