

MINUTES: of the Planning Commission Meeting of the City of Redlands held Tuesday, December 14, 2010, at 2:00 p.m. are as follows:

PRESENT: Gary Miller, Vice Chairman
Carol Dyer, Commissioner
Conrad Guzkowski, Commissioner
Jan Hudson, Commissioner
John James, Commissioner
Eric Shamp, Commissioner

ADVISORY STAFF Dan McHugh, City Attorney
PRESENT: Oscar Orci, Development Services Director
Robert Dalquest, Assistant Development Services Director
Manuel Baeza, Principal Planner
Tabitha Kevari, Associate Planner
Chris Boatman, Associate Planner

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

Vice Chairman Miller called the meeting to order, and opened up the Public Comment period. There were no comments forthcoming and the Public Comment period was closed. All members were present.

II. CONSENT ITEM – None

III. NEW BUSINESS

A. **PANGAHAMO MATERIALS INC., APPLICANT**
(PROJECT PLANNER: TABITHA KEVARI)

1. Consideration of a Mitigated Negative Declaration.
2. **PUBLIC HEARING** to consider **Conditional Use Permit No. 699** to operate a recycling operation for waste concrete, asphalt and rock for the production of road base on a 13.45 acre site located west of Texas Street and south of the Santa Ana River in the EV/SRP (Science Research Park) District of the East Valley Corridor Specific Plan and the O (Open Land) District.

Ms. Tabitha Kevari stated the applicant had requested a continuance to January 11, 2011, to allow time to review the projects conditions of approval.

Vice Chairman Miller opened the Public Hearing. There were no comments forthcoming and the Public Hearing was closed.

MOTION

It was moved by Commissioner Guzkowski, seconded by Commissioner Shamp and carried on a 6-0 vote that the Planning Commission continue the Conditional Use Permit No. 699 to January 11, 2011.

B. **BIXBY LAND, APPLICANT**
(PROJECT PLANNER: MANUEL BAEZA)

- I. Consideration of a Notice of Exemption pursuant to Section 15162 of the California Environmental Quality Act Guidelines.
2. **PUBLIC HEARING** to consider **Revision No. 1 to Minor Subdivision No. 283** (Parcel Map No. 16686) to amend the conditions of approval to change the responsibility for the care and maintenance of landscaping within an existing industrial/warehouse complex from the property owner's association to the individual property owners located on the west side of Research Drive, south of Almond Avenue and north of Lugonia Avenue, in Concept Plan No. 1 of East Valley Corridor Specific Plan.

Principal Planner Manuel Baeza stated the applicant had requested a continuance as they are unsure if they wanted to move forward with the request. Staff is recommending that the project be continued to the meeting of January 11, 2011, to give the applicant time to make their decision.

Vice Chairman Miller opened up the Public Hearing. There were no comments forthcoming and the Public Hearing was closed.

MOTION

It was moved by Commissioner Dyer, seconded by Commissioner James and carried on a 6-0 vote that the Planning Commission continue the Public Hearing for Revision No. 1 to Minor Subdivision No. 283 to the Planning Commission meeting of January 11, 2011.

C. **REFUGE CHURCH, APPLICANT**
(PROJECT PLANNER: MANUEL BAEZA)

1. Consideration of a Notice of Exemption pursuant to Section 15301 of the California Environmental Quality Act Guidelines.
2. **PUBLIC HEARING** to consider **Conditional Use Permit No. 974** for the establishment of a place of worship in a 3,363 square foot tenant space within an existing industrial building located at 2351 Lugonia Avenue in Specific Plan No. 42.

Principal Planner Manuel Baeza gave a PowerPoint presentation and overview of the proposed project. Staff recommended approval of the proposed Conditional Use Permit No. 974 subject to conditions of approval.

Vice Chairman Miller opened up the Public Hearing.

Mr. Steve Burnett and Mr. Mike Fallon, representatives, stated they were available for any questions.

Vice Chairman Miller closed the Public Hearing.

MOTION

It was moved by Commissioner James, seconded by Commissioner Shamp and carried on a 6-0 vote that the Planning Commission determine that Conditional Use Permit No. 974 is exempt from the California Environmental Quality Act Guidelines pursuant to Section 15301.

MOTION

It was moved by Commissioner James, seconded by Commissioner Shamp and carried on a 6-0 vote that the Planning Commission approve Conditional Use Permit No. 974 based on the following findings, and subject to the attached Conditions of Approval:

1. The proposed church will not adversely affect the applicable land use plans of the City. In accordance with the principles of the General Plan land use designation of Commercial/Industrial calling for a wide range of uses, the approval of a second church at the Redlands Corporate Center will advance the objectives of the General Plan.
2. The proposed church will not be detrimental to the public health, safety and welfare. The project will be located in a freestanding building within an existing business park. The building has been designed to meet State and local standards for building safety and no structural changes are proposed to the building. In addition, conditions of approval have been placed on the project to insure safety.
3. The proposed church will comply with the regulations of the City's General Plan, the applicable land use district and the City's development standards because approval of the project will further the objectives of the Commercial/Industrial land use designation of the General Plan by expanding the wide range of uses found in these areas of the City. Furthermore, the project complies with the on-site parking requirements and is a permitted use with the approval of a conditional use permit; and,
4. The project is appropriate at the proposed location in that the use is conditionally permitted within Specific Plan No. 42; the applicant will have adequate parking facilities; and the church use will not create an adverse effect on surrounding properties or businesses.

D. **ESRI, APPLICANT**

(PROJECT PLANNER: CHRIS BOATMAN)

1. Consideration of a Mitigated Negative Declaration.
2. Consideration of **Commission Review and Approval No. 825 (Revision No. 7)** to construct a parking lot containing 78 spaces for an existing office complex and a portion of a public trail on 7 acres located on the southwest corner of Redlands Boulevard and Texas Street in the A-P (Administrative and Professional Office) District, C-4 (Highway Commercial) District and R-2 (Multiple-Family Residential) District.

Commissioner Guzkowski stated he had a conflict of interest, and recused himself.

Associate Planner Chris Boatman gave a PowerPoint presentation and overview of the proposed project. Staff recommended approval of the proposed Commission Review and Approval No. 825 Revision No. 7 subject to conditions of approval.

Commissioner Shamp asked when the American Legion Hall was built. Associate Planner Boatman stated the building was built fifty years ago and was right on the cusp to be reviewed by the Historic and Scenic Preservation Commission.

Commissioner Dyer requested clarification on the realignment of the Orange Blossom Trail. Associate Planner Boatman stated the realignment has not been installed. There is a portion of the trail that extends and terminates at the westerly driveway at Redlands Boulevard, and is reflected in the proposed site plan. Director Oscar Orsi stated when development comes in the City; they would require dedication and or development of the trail.

There was some discussion on the Orange Blossom Trail.

Commissioner Dyer stated the Commission had previously approved a different variety of parking lot trees and requested the applicant be consistent with the new parking lot trees. Associate Planner Boatman stated he would work with the applicant.

Mr. Dave Atchley, representative, stated he was available for any questions.

Vice Chairman Miller closed the hearing.

Commissioner Dyer said she was pleased with ESRI rehabilitating the old bridge on the property. Commissioner Dyer stated the City needs a parking structure in the City, and expressed her disappointment on the additional parking. ESRI is over parked by four hundred (400) spaces.

Vice Chairman Miller made some recommendations to the bridge and requested additional conditions that the tubular steel fencing proposed for the railroad bridge shall be designed to incorporate detail and character consistent with elements of the existing bridge.

The commission agreed with Vice Chairman Miller's recommendations.

Mr. Atchley stated they are open to suggestions. Vice Chairman Miller discussed the design details.

Vice Chairman Miller opened up the hearing.

MOTION

It was moved by Commissioner James, seconded by Commissioner Hudson and carried on a 6-0 vote that the Planning Commission approve the Mitigated Negative Declaration for Commission Review and Approval No. 825 (Revision No. 7), and direct staff to file and post a "Notice of Determination" in accordance with City guidelines.

MOTION

It was moved by Commissioner James, seconded by Commissioner Hudson and carried on a 6-0 vote that the Planning Commission approve Revision No. 7 to Commission Review and Approval No. 825, subject to the following findings and subject to the attached Conditions of Approval:

1. The site for the proposed use is adequate in size and shape to accommodate the use; the parking lot will be developed in accordance with all City standards for parking stalls, two-way drive aisles, landscape setbacks and parking area planters.
2. The parking lot has been designed to relate with the surrounding streets in that it has been designed with shared accessed with the existing land uses. The parking lot will serve to provide ancillary parking to the adjacent office complex and training center; no additional traffic will be generated by these improvements. A Class I multi-use bikeway will be installed in accordance with the requirements of the General Plan which will encourage non-motorized transportation and the reduction of vehicle trips.
3. The conditions of approval proposed for Revision No. 7 to Commission Review and Approval No. 825 are necessary to protect the public health, safety and general welfare; Conditions of approval have been placed on the project that mitigate impacts generated by the project to a level of less than significant including impacts in the categories of Aesthetics, Air Quality, Noise, Water Quality, and Public Services.

This includes the addition of Conditions of Approval No. 40 and 41 as follows:

40. The tubular steel fencing proposed for the railroad bridge shall be designed to incorporate detail and character consistent with elements of the existing bridge. Final design shall be approved by the Development Services Director.
41. Parking lot shade tree species shall be consistent with trees planted around the new parking lot to the east (Commission Review and Approval No. 825 (Revision No. 4)).

E. MICHAEL PURIC, APPLICANT
(PROJECT PLANNER: CHRIS BOATMAN)

1. Consideration of a Notice of Exemption pursuant to Section 15061(B)(3) of the California Environmental Quality Act Guidelines.
2. **PUBLIC HEARING** to consider **Variance No. 761** from Section 18.40.110 of the Redlands Municipal Code to exceed the thirty five (35) feet maximum building height requirement in the R-S (Suburban Residential) District by one foot, nine inches (1'9") located at 261 E. Crescent Avenue.

Associate Planner Boatman stated staff had found that the single family residence met the requirements for building height based on recent information received from the applicant. A variance is required however to exceed the two (2) story limit. A revised notice will be prepared. Staff is recommending that the project be continued to the meeting of January 11, 2011.

Vice Chairman Miller opened the Public Hearing. There were no comments forthcoming and the Public Hearing was closed.

MOTION

It was moved by Commissioner Shamp, seconded by Commissioner Hudson and carried on a 6-0 vote that the Planning Commission continue Variance No. 761 to January 11, 2011.

IV. OLD BUSINESS

A. **T-MOBILE, APPLICANT** (PROJECT PLANNER: TABITHA KEVARI)

1. Consideration of a Mitigated Negative Declaration
2. **PUBLIC HEARING** to consider **Conditional Use Permit No. 967** to install a sixty-five (65) foot high wireless telecommunications tower disguised as a netting pole within the driving range of the Redlands Country Club at 1749 Garden Street in the R-A (Residential Estate) District.

Associate Planner Tabitha Kevari gave a PowerPoint presentation and overview of the proposed project. Staff recommended approval of the proposed Conditional Use Permit No. 967 subject to conditions of approval.

Commissioner Dyer requested clarification on the shed materials proposed as well as the materials used for the existing building. Associate Planner Kevari stated the equipment shed has sahara tan corrugated metal proposed, which matches the maintenance shed. The Commission had recommended they match the clubhouse instead of the maintenance shed.

Vice Chairman Miller opened the Public Hearing.

Ms. Monica Moretta, representative, stated they concurred with the Conditions of Approval, and is available for any questions. Ms. Moretta stated they had started the federal filing and has completed the Cultural Records Research. Ms. Moretta stated the Cultural Records Research report did not find any buildings that would be affected historically, and submitted the report for the Commission's review.

Vice Chairman Miller stated he had several speaker sign up sheets. Vice Chairman Miller called Christine Molinaro forward to address the Commission.

Ms. Christine Molinaro stated she would like to read Ms. Barbara Landpric's letter of opposition to the Commission. The letter is on file in the Development Services Department, under Planning Commission Staff Reports and Minutes 12.15.10.

Vice Chairman Miller called Ms. Mary Jane Auerbacher forward to address the Commission.

Ms. Auerbacher, resident, stated she would like to read her letter of opposition of the proposed cell tower. Ms. Auerbacher submitted pictures to the Commission on the effects the cell tower and equipment shed will have on her property's view. The letter is on file in the Development Services Department, under Planning Commission Staff Reports and Minutes 12.15.10.

Vice Chairman Miller called Ms. Nancy Garrett forward to address the Commission.

Ms. Garrett, resident, stated she lives across the street from the proposed cell tower site. Ms. Garrett read her letter of opposition. The letter is on file in the Development Services Department, under Planning Commission Staff Reports and Minutes 12.15.10.

Vice Chairman Miller called speaker Ms. Pamela Smyth forward to address the Commission.

Ms. Smyth confirmed her opposition of the cell tower. Ms. Smyth read her letter. The letter is on file in the Development Services Department, under Planning Commission Staff Reports and Minutes 12.15.10.

Vice Chairman Miller called Ms. Gillian Block forward to address the Commission.

Ms. Block read a letter of opposition from Richard and Dion Neutra Architects and Associates. Ms. Block confirmed their opposition of the proposed cell tower and stated there were two (2) homes under consideration for Heritage Awards and three (3) homes under consideration for Historical Resources in the neighborhood.

Mr. Scott Reading, country club representative, stated the neighborhood does not like the poles, netting or the maintenance shed. The netting is necessary for safety reasons. The country club has added additional landscaping to help conceal the maintenance shed. Mr. Reading confirmed the lease agreement will not have exterior equipment.

Vice Chairman Miller stated the Commission does not have the authority to request the country club to add additional landscaping to the maintenance shed, and inquired if the country club would consider adding additional trees to block the view. Mr. Reading stated he will take it back to the board for consideration.

Commissioner Guzkowski inquired if the proposed cell tower was an existing pole. Mr. Reading stated the range is surrounded by eighteen (18) sixty (60) foot poles, and at each end there are two (2) forty-seven (47) foot poles. This cell tower will replace one of the forty-seven (47) foot poles, with a sixty-five (65) foot pole. Commissioner Guzkowski requested a material board for the pole and equipment shed. Ms. Moretta stated T-Mobile will provide a material board for staff to review.

Commissioner Dyer requested clarification on the existing material of the clubhouse and the type of roof. Mr. Reading stated it is tan stucco, and the roof is tile.

Commissioner Shamp stated the country club receives a lease payment for having the cell tower on their property, and inquired if the neighbors would receive compensation. Mr. Reading confirmed the neighbors would not receive any compensation. Commissioner Shamp inquired if they had considered another location or design. Mr. Reading stated T-Mobile had designed the cell tower to blend in with their driving range poles. Commissioner Shamp stated the photographs that Ms. Auerbacher had shared clearly showed the poles obstructing her views.

Commissioner James inquired if the antenna could be placed on one of the taller poles. Commissioner James requested clarification on the pole materials and construction. Ms. Moretta stated the antenna will extend the pole and if they were to use one of the taller poles it would be higher than the existing poles. Commissioner James inquired if the services would extend outside of the country club area. Ms. Moretta confirmed it would.

Mr. Paul Girsh, representative, stated the fiberglass pole could not support the netting, and there can not be any metal near the antenna because it would interfere with the signal. If reinforcement was added to the pole would increase the diameter. The original design was to install the antenna to one of the taller poles; the engineers stated the pole would be twice the size in diameter than the proposed pole.

Commissioner Hudson expressed concern on the color of the pole and the maintenance needed in the future. Ms. Moretta stated there will be a maintenance schedule to make sure the pole matches the color of the other poles. Commissioner Hudson requested clarification on the materials proposed for the equipment shed. Ms. Moretta stated the clubhouse has earth tone colors and a tile roof, and confirmed T-Mobile will match the clubhouse materials.

Associate Planner Kevari stated there were new conditions added. Condition of Approval No. 19 states, the tower should be maintained in good condition throughout the life of the tower. Associate Planner Kevari stated additional language can be added to the condition. Commissioner Hudson requested more specificity. Assistant Director Robert Dalquest stated staff can add additional language on the quality of paint for the tower.

Ms. Ruth Jamron, resident, stated there are no issues with coverage in the area with Verizon Wireless. The proposed location is not a good fit for the cell tower. Ms. Jamron requested clarification on the following matters:

- Inquired if the tower can be collocated.
- Can outside providers add additional poles?
- Requested clarification if a fence and equipment will surround the pole.

Dr. Victor Blankenship, resident, stated the Commission should get more information on the proposed cell tower to make an informative decision.

Vice Chairman Miller closed the Public Hearing.

Associate Planner Kevari stated if another provider wanted to add another pole they would have to submit a new Conditional Use Permit and go through the approval process. It is possible to collocate as long as it does not change the size of the pole per the conditions of approval. Associate Planner Kevari stated the equipment shed will match the materials used on the clubhouse, and the cell tower does not have a fence around it.

Director Oscar Orci stated if there are changes proposed in the future for additional antennas or collocation, there is a level of discretionary review from staff including but not limited to the Planning Commission. Collocating is strongly encouraged; staff would make sure it does not interfere with the approval from the Planning Commission.

Commissioner Dyer stated they have heard many testimonies and have seen many cell tower designs in the past. Commissioner Dyer said the proposed cell tower and its design is not visibly obtrusive and is well designed, and the impact to the community is minimal. The major impact to the community is the maintenance shed and piles of equipment in the area.

Commissioner Shamp stated T-Mobile, the country club, and their members will benefit from the cell tower. There is no benefit for the neighbors. The residents have been mistreated by the country club with the maintenance shed, the poles and netting, and their piles of debris in the area. The proposed cell tower is the last straw. Commissioner Shamp confirmed his opposition of the proposed cell tower.

Commissioner Guzkowski concurred with Commissioner Dyer's comments. Commissioner Guzkowski stated he was in support of the proposed cell towers design and location.

Commissioner James concurred with Commissioner Dyer's comments. Commissioner James inquired if their views are protected with the designation of Historic Resource No. 104 or if it is specific to the home owner's property and structures. Director Orci confirmed the historic designation was for the structure and not their view. Director Orci stated Section 106 has to consider the atmospheric impacts to the surrounding properties. Commissioner James stated the FCC regulates the EMI output. Landlines are being replaced by wireless facilities, and the City is required to provide services to their citizens. The view of the equipment shed is a problem and hopes the country club will do as promised. Commissioner James stated the Commission approved a bell tower at Christ the King Church, and they did not build the tower as approved. Christ the King Church had to tear it down and rebuild as approved by the Commission. Commissioner James recommended T-Mobile build the cell tower if approved and stated he is in favor of the proposed cell tower.

Commissioner Hudson stated there are members of the community that do not have coverage in the area. Commissioner Hudson concurred with Commissioner Dyer's comments.

Vice Chairman Miller stated people pay a premium and the City should preserve those views and their assets. The golf course is an asset to the community which should be preserved as well. A reasonable position is to accommodate business and minimize the impacts on views. Vice Chairman Miller stated he was in favor of the proposed cell tower with the mitigation proposed.

Commissioner Guzkowski recommended additional conditions of approval as follows:

1. The materials are to be reviewed by the Development Services Director prior to pulling permits.
2. To require a biennial review.
3. Requested the equipment shed match the clubhouse in color and materials.
4. The country club will work with staff and will install trees and shrubs to block the view of the maintenance shed.

Vice Chairman Miller stated he was under the impression that the Commission could not condition the maintenance shed because it was not a part of this approval.

City Attorney Dan McHugh would like to hear the country club views on the condition.

Vice Chairman Miller reopened the Public Hearing.

Mr. Reading stated the country club is willing to work with staff and T-Mobile to add additional trees and shrubs in order to block the view of the maintenance shed.

MOTION

It was moved by Commissioner Dyer, seconded by Commissioner Guzkowski and carried on a 5-1 vote (Commissioner Shamp opposed) that the Planning Commission approves the Mitigated Negative Declaration for Conditional Use Permit No. 967 and direct staff to file and post a "Notice of Determination" in accordance with City guidelines.

MOTION

It was moved by Commissioner Dyer, seconded by Commissioner Guzkowski and carried on a 5-1 vote (Commissioner Shamp opposed) that the Planning Commission approve Conditional Use Permit No. 967 based on the following findings, and subject to the attached Conditions of Approval:

1. The proposed development will not adversely affect the applicable land use plans of the City as Wireless Service Facilities are permitted in any zone within the City, subject to approval of a Conditional Use Permit, and the proposed facility complies with all of the development standards contained in Chapters 18.20 and 18.178 of the Redlands Municipal Code; and
2. The proposed development will not be detrimental to the public health, safety, and welfare as the project includes mitigation measures and conditions of approval that minimize any potential visual and aesthetic impacts, and potential noise or public safety impacts on surrounding land uses and has been designed to be integrated with existing development at the subject site to the greatest extent feasible; and
3. The proposed development does not conflict with the regulations of the City's General Plan, the applicable development standards of the R-A (Residential Estate) District with respect to setbacks and those of Chapter 18.178, Wireless Service Facilities with respect to stealth treatment and separation requirements to residential uses; and
4. The proposed development is appropriate at the proposed location as the project has been designed to be completely compatible with its surroundings and will utilize a stealth treatment as a netting pole within the club's driving range to minimize any visual impacts.

This includes the added Conditions of Approval Nos. 21, 22 and 23 as follows:

21. The applicant shall submit a materials board to the Development Services Department that provides examples of all materials and colors to be used for the equipment shelter and tower. The materials board must be approved by the Development Services Department prior to the issuance of building permits.

22. The equipment shelter shall match the materials and colors of the Redlands Country Club's Clubhouse.
23. The applicant shall submit a request for a biennial review for the life of the permit. The first review shall be submitted prior to December 14th 2012 to the Development Services Department. The review shall indicate the condition of the project and any maintenance that has been completed. This review shall also request an inspection of the site by the Development Services Department to insure that the tower and maintenance shelter have been maintained and are in good condition.

V. ADDENDA

- A. NONE

VI. MINUTES

1. November 9, 2010

MOTION

It was moved by Commissioner James, seconded by Commission Hudson and carried on a 6-0 vote that the Planning Commission approve the minutes of November 9, 2010, with two corrections.

VII. LAND USE AND CITY COUNCIL ACTIONS OF NOVEMBER 16, 2010 AND DECEMBER 7, 2010.

Vice Chairman Miller inquired if there were City Council actions to report for November 16, 2010 and December 7, 2010.

Director Orci stated there were no reportable actions.

Vice Chairman Miller recommended the Planning Commission nominate an Interim Chairman and Interim Vice Chairman for the Commission.

Commissioner Shamp nominated Mr. Gary Miller as the Interim Chairman, seconded by Commission Hudson and carried on a 6-0 vote that the Planning Commission approve Mr. Miller as the Interim Chairman.

Commissioner Dyer nominated Mr. John James as the Interim Vice Chairman, seconded by Commission Hudson and carried on a 6-0 vote that the Planning Commission approve Mr. James as the Interim Vice Chairman.

ADJOURN TO JANUARY 11, 2011

Interim Chairman Miller adjourned the meeting at 4:40 p.m. to the January 11, 2011 meeting.

Linda McCasland
Senior Administrative Technician

Oscar Orci
Development Services Director