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| MINUTES: | of the Planning Commission Meeting of the City of Redlands held Tuesday, December 13, 2011, at 2:00 p.m. are as follows: |
| PRESENT: | Gary Miller, Chairman<br>John James, Vice Chairman<br>Carol Dyer, Commissioner<br>Conrad Guzkowski, Commissioner<br>Jan Hudson, Commissioner<br>Ken Jeske, Commissioner<br>Julie Rock, Commissioner |
| ADVISORY STAFF PRESENT: | Oscar Orci, Development Services Director<br>Robert Dalquest, Assistant Development Services Director<br>Manuel Baeza, Principal Planner<br>Tabitha Kevari, Associate Planner<br>Sergio Madera, Associate Planner<br>Benjamin Matlock, Planning Intern |

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

Chairman Miller called the meeting to order, and opened up the Public Comment period. All members were present.

There were no Public Comments and the Public Comment period was closed.

II. CONSENT CALENDAR

A. None

III. OLD BUSINESS

A. None

Chairman Miller stated he had a conflict of interest and recused himself.

IV. NEW BUSINESS

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

1. Consideration of a recommendation to the City Council on a Negative Declaration.

2. **PUBLIC HEARING** to consider a recommendation to the City Council on **Specific Plan No. 40 (Amendment 40)** to modify Figure 1-1 relating to Planned Development Envelopes within the East Valley Corridor Specific Plan and delete the development envelop bounded by Pioneer Avenue on the north, San Bernardino Avenue on the south, Texas Street on the east, and the 210 Freeway on the west.

Principal Planner Manuel Baeza gave a brief overview and PowerPoint presentation. Staff recommended approval of the proposed project subject to the approved conditions of approval.

Vice Chairman James opened up the Public Hearing.

Commissioner Guzkowski requested clarification of the existing and proposed ownership of the building envelopes. Principal Planner Baeza stated the properties proposed are under two separate owners and if the envelope was eliminated it would require a Planned Residential Development (PRD). Assistant Director Robert Dalquest stated the General Plan designates the area as commercial.

Vice Chairman James inquired if there are disadvantages on leaving the envelopes as is and if by eliminating the envelopes does that set a precedence for the remaining envelopes. Assistant Director Dalquest indicated that maintaining the envelope could result in possible California Environmental Quality Act (CEQA) lawsuit and stated there are only a few envelopes left.

Commissioner Dyer inquired if there were any comments on the proposed envelope change by Mr. John Thomas from Trojan Groves. Principal Planner Baeza stated Mr. Thomas did attend the Environmental Review Committee and did not indicate any opposition to the changes,

Mr. Robert Levinson, representative, stated they understand they are subject to the General Plan and East Valley Corridor Specific Plan. Vice Chairman James inquired if the applicant had any plans for development. Mr. Levinson stated they do not have a project at this time.

Vice Chairman James closed the Public Hearing.

Commissioner Guzkowski expressed concern on the elimination of the envelopes.

Commissioner Hudson clarified if the purpose of the envelopes were to eliminate the citrus groves to make way for development. Principal Planner stated that the City established the envelopes with anticipation of commercial development in the future. Director Orci stated the City was annexing a wide range of properties and identified these areas. Director Orci stated the concept or purpose for the envelopes were lacking in details and direction.

Commissioner Rock requested clarification if the envelopes require the developers to prepare a concept plan prior to a planned development with or without a concept plan. Assistant Director Dalquest stated if the envelope had single ownership only a development plan would be required. If there were more than one owner then a development plan and concept plan would be required.

Commissioner Jeske requested clarification if the street realignment would be affected if the concept plan was eliminated. Assistant Director Dalquest stated the street alignment would occur with or without the envelopes.

Commissioner Guzkowski inquired if the nine acres would qualify for a unified concept plan on the balance on the owners or move forward independently. Assistant Director Dalquest stated the first owner to develop would be required to complete a concept plan for the entire envelope.

Vice Chairman James confirmed his support on the removal of the envelopes.

Commissioner Rock inquired if a developer wanted to develop one quadrate would they need a planned development for the entire site. Principal Planner Baeza confirmed all they would need is a planned residential development application. Commissioner Rock asked for the minimum parcel size. Principal Planner Baeza stated there is not a minimum parcel size for a planned development in the Special Development District.

Commissioner Guzkowski confirmed he was opposed to the project as proposed.

Commissioner Jeske expressed concern with the project as proposed.

Vice Chairman James re-opened the Public Hearing.

Mr. Levinson stated they prefer the removal of the envelope so history does not repeat itself.

Vice Chairman James closed the Public Hearing.

Commissioner Dyer stated that by splitting the envelopes into two pieces it would allow two master plans as a third option. Assistant Director Dalquest confirmed that could be another option.

MOTION

It was moved by Commissioner Guzkowski, seconded by Commissioner Rock and carried on a 6-0 vote (Chairman Miller recused) that the Planning Commission recommend approval to the City Council on the Negative Declaration for Amendment No. 40 to Specific Plan No. 40.

It was moved by Commissioner Guzkowski, seconded by Commissioner Rock and carried on a 6-0 vote (Chairman Miller, recused) that the Planning Commission adopt Planning Commission Resolution No. 1220 and recommend that the City Council approve Amendment No. 40 to Specific Plan No. 40 with the modifications that the current envelope be split to reflect the two separate ownerships creating two planning envelopes, as opposed to the one that currently exists.

Chairman Miller returned to the Planning Commission.

B. **DEREK WRAY, APPLICANT**
(PROJECT PLANNER: SERGIO MADERA)

1. Consideration of a recommendation to the City Council on a Notice of Exemption pursuant to Section 15301 of the California Environmental Quality Act Guidelines.

2. **PUBLIC HEARING** to consider a recommendation to the City Council on **Specific Plan No. 42 (Amendment 3)** to amend Section 3(A) "Permitted Uses" to include Theater arts and acrobatic studios as a conditionally permitted use in the Office/Industrial District of Specific Plan No. 42.

3. **PUBLIC HEARING** to consider a recommendation to the City Council on **Conditional Use Permit No. 993** to establish a theater arts and acrobatic studio in a 6,470 square foot tenant space of an existing industrial building located at 1280 Research Drive within Specific Plan No. 42.

Associate Planner Sergio Madera gave a brief overview and PowerPoint presentation. Staff recommended approval of the proposed project subject to the approved conditions of approval.

Commissioner Jeske stated there was conflicting information on the motion and the staff report. Associate Planner Madera confirmed he would make the revision.

Commissioner Dyer requested clarification on the operational characteristics. Associate Planner Madera clarified the operational characteristics.

Commissioner Guzkowski inquired if a gymnastic facility would be permitted in the center. Associate Planner Madera confirmed.

Chairman Miller opened the Public Hearing.

Associate Planner Madera stated the project would be subject to the building codes.

Commissioner Rock requested clarification if the hours of operation could vary and stated traffic could be hazardous and expressed concern for the student's safety. Associate Planner Madera stated the hours of operation are part of the conditions of approval and if the applicant requests a change on the hours of operation they would need to submit a revision for the Planning Commission's review and approval.

Commissioner Dyer requested clarification on the permitted uses for the surrounding areas. Associate Planner Madera stated some of the permitted uses were offices, research and development, manufacturing, and a childcare centers. Commissioner Dyer stated the building code limitations would require an applicant to provide the neighbors protection against any harmful toxins. Associate Planner Madera deferred the question to the Building Official.

Chairman Miller opened up the Public Hearing.

Mr. Derek Wray, applicant, stated he concurred with the conditions of approval and was available for any questions. Mr. Wray stated their facility requires high ceilings. Commissioner Guzkowski requested clarification of the maximum attendance. Mr. Wray stated the equipment is large and would not accommodate many children at one time. If their business grows to more than five children an hour, they would need to find a larger facility to accommodate more equipment and children.

Chairman Miller inquired if there was music involved. Mr. Wray confirmed there would be music at approximately 4:45 p.m. until 5:00 p.m. Mr. Wray stated the walls are ten inches thick and is a single speaker sound system. Assistant Director Dalquest stated the City has a noise ordinance which covers exterior and interior noise impacts. Assistant Director Dalquest confirmed an additional condition could be added if the Commission desired.

Chairman Miller closed the Public Hearing.

Commissioner Dyer inquired if the Building Official clarified the Commission's concerns on emissions. Associate Planner Madera confirmed the Building Official clarified the mechanical code required a certain amount of air exchange, and occupancy separation is needed so their neighbors would not be impacted.

Commissioner Jeske stated other agencies have their controls on emissions. Commissioner Jeske inquired if the individual units had their separate Heating Ventilation and Air Conditioning (HVAC) system. Mr. Wray confirmed the HVAC systems are separate for each unit. Mr. Wray stated they have four HVAC units in their facility.

Commissioner Rock expressed concern that Industrial Commercial Districts are being used for marginally compatible uses instead of the industrial market. When the market improves for industrial needs there may not be space available.

Chairman Miller inquired if the City is subject to exposure if there is a substance that is emitted from the industrial users and a facility that accommodates children. Director Orci deferred the question to the City Attorney. Director Orci stated impacts from emissions, and traffic can be mitigated through the environmental process to a less than significant level. Associate Planer Madera stated there is a condition of approval that was written by the City Attorney that protects the City and indemnifies them against any exposure.

Chairman Miller confirmed his support of the proposed project.

Commissioner Dyer stated industrial uses are down according the Husing's Report, and the proposed use may be a trend and viable alternative.

Commissioner Hudson expressed concern for the children's safety concerning traffic from the delivery trucks.

Mr. Don Young, Engineering Manager, stated the traffic calming would be internal and would be the property owner's responsibility to install. If there are public safety issues on the public street it would be deferred to the Police Department. The Municipal Utilities and Engineering would implement any traffic calming issues with the public street.

Commissioner Dyer requested clarification on Commissioner Rock's concerns with traffic. Commissioner Rock stated there were many delivery trucks circulating the site.

Commissioner Rock recommended designated parking along the building side with parental education to exercise caution.

The Commission agreed to add an additional condition to designate five parking stalls in front of the tenant space for their use to the extent feasible.

MOTION

It was moved by Vice Chairman James, seconded by Commissioner Jeske and carried on a 7-0 vote that the Planning Commission recommend that the City Council find that Amendment No. 3 to Specific Plan No. 42 and Conditional Use Permit No. 993 are categorically exempt from the California Environmental Quality Act Guidelines, pursuant to section 15301.

MOTION

It was moved by Vice Chairman James, seconded by Commissioner Jeske and carried on a 7-0 vote that the Planning Commission approve Planning Commission Resolution No. 1221 recommending to the City Council approval of Amendment No. 3 to Specific Plan No. 42.

MOTION

It was moved by Vice Chairman James, seconded by Commissioner Jeske and carried on a 7-0 vote that the Planning Commission recommend approval of Conditional Use Permit No. 993 based on the following findings, and subject to the attached Conditions of Approval:

1. The proposed theater arts and acrobatic studio will not adversely affect the applicable land use plans of the City. The site has a Commercial/Industrial land use designation of the General Plan and Specific Plan No. 42. The land use designation allows a wide range of uses including professional offices, light manufacturing, restaurants, and child-care centers. These uses are similar to and not more objectionable than the proposed use in that all activities will be conducted within the tenant space and the use is consistent with the General Plan Policies cited in the staff report and will be conditionally permitted with the adoption of the Specific Plan Amendment.

2. The theater arts and acrobatic studio will not be detrimental to the public health, safety and welfare. The project will be located within an existing freestanding building within a fully developed project. As conditioned herein, there is sufficient parking to accommodate the use. 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 applied to the project that regulates the proposed use's operational characteristics which include hours of operation, number of students and permitted activities.

3. The theater arts and acrobatic studio will comply with the regulations of the City's General Plan, the applicable land use district and the City's development standards. As indicated in the staff report, the site is adequate in size to accommodate the physical requirements, including parking. The current improvements comply with the applicable development standards no alternations are proposed;

4. The project is appropriate at the proposed location and will not create an adverse effect on surrounding properties or businesses in that the theater arts and acrobatic studio is located within an area surrounded by other commercial and office uses. The site is fully serviced by existing facilities. The activities will be conducted completely inside the building, no exterior changes are proposed. As conditioned herein parking will be provided on the site.

This includes the additional Condition of Approval No. 13 as follows:

13. The applicant shall (to the extent feasible) designate a minimum of five (5) parking stalls in front of the tenant space for exclusive use by the patrons of the theater arts and acrobatic studio commencing at 4:00 P.M.

C. **CITY OF REDLANDS, APPLICANT**
(PROJECT PLANNER: BENJAMIN MATLOCK)

1. Consideration of a recommendation to the City Council on a Negative Declaration.

2. **PUBLIC HEARING** to consider a recommendation to the City Council on **Ordinance Text Amendment No. 333** to add Section 18.195 to the Redlands Municipal Code to establish regulations for temporary sales and special event facilities.

Planning Intern Benjamin Matlock gave a brief overview and PowerPoint presentation. Staff recommended that the Planning Commission recommend approval to the City Council of Ordinance Text Amendment No. 333 and to adopt Resolution No. 1221.

Commissioner Dyer inquired if there were more qualifying characteristics on the special events. Assistant Director Dalquest stated an applicant would submit a fully dimensional site plan and staff would consider any impacts including circulation, and parking.

Commissioner Hudson requested clarification on the type of special events the ordinance would allow. Assistant Director Dalquest clarified the type of events that would be included.

Commissioner Jeske inquired if this ordinance would include events on top of the parking structure or on the streets downtown. Assistant Director Dalquest confirmed it would apply to private property.

Commissioner Guzkowski requested clarification on the duration of the special events. Assistant Director Dalquest stated the duration of a special event would be no more than three days. If an applicant wanted a duration longer than three days the applicant would need to submit a revised entitlement for the Planning Commission's review.

Commission Rock inquired if food trucks would qualify as a special event. Assistant Director Dalquest confirmed.

Commissioner Dyer inquired if the Tri-City Center's Snowtacular would qualify as a special event. Assistant Director Dalquest confirmed.

Chairman Miller requested a renewal fee if the special event is conducted every year. Assistant Director Dalquest stated they would consider their request and will convey their wishes to the City Council.

Chairman Miller called speaker sign up Ms. Amber Wallick to address the Commission.

Ms. Wallick, Olive Market owner, stated the market hosts many events such as; Week of the Unchild, art shows, Dias Los Muertos celebration, and Halloween. Ms. Wallick stated they are looking forward to the special events ordinance in order to be in compliance with the City. Ms. Wallick shared photographs of events they had at the Olive Market.

Commissioner Guzkowski inquired how the taxes are taken care of. Ms. Wallick stated if the artist has a business license they would take care of the taxes, if not the Olive Market would take care of the taxes. Commissioner Guzkowski inquired if there was a mechanism to allow events to intrude in the public right of way.

Assistant Director Dalquest confirmed he was working with the Municipal Utilities and Engineering department on events in the public right of way.

Commissioner Jeske recommended consolidating the permits into one.

Chairman Miller closed the Public Hearing.

Vice Chairman James confirmed his support of the special event ordinance and recommended the special event, and the private and public right of ways as one permit process.

The Commission confirmed their support.

MOTION

It was moved by Commissioner Dyer, seconded by Commissioner Jeske and carried on a 7-0 vote that the Planning Commission recommend approval to the City Council of the Negative Declaration for Ordinance Text Amendment No. 333.

MOTION

It was moved by Commissioner Dyer, seconded by Commissioner Jeske and carried on a 7-0 vote that the Planning Commission adopt Planning Commission Resolution No. 1221 and recommend that the City Council approve Ordinance Text Amendment No. 333 adding Section 18.195 of the Redlands Municipal Code.

V. ADDENDA

A. **HOWARD INDUSTRIAL PARTNERS, APPLICANT**
(PROJECT PLANNER: TABITHA KEVARI)

Significant Project presentation by Howard Industrial Partners who is the applicant for a proposed 812,000 square foot warehouse distribution center on 35.5 gross acres located on the north side of Palmetto Avenue, the west side of Nevada Street and the east side of California Street within the EV/OS (Open Space) District of the East Valley Corridor Specific Plan.

Associate Planner Tabitha Kevari stated Mr. Tim Howard will give a presentation on the project.

Mr. Howard gave a brief overview and PowerPoint presentation on the proposed project. Mr. Howard stated he was available for any questions.

Commissioner Guzkowski inquired if the building roof is reinforced in anticipation of solar panels in the future. Mr. Howard stated they use a stronger roof truss system in anticipation of solar panels.

Commissioner Dyer requested clarification on the Palmetto Avenue building setback and inquired what was the building height proposed. Mr. Howard stated the setback is twenty-five feet and the height of the building is thirty-six feet. Commissioner Dyer expressed concern on the height of the building and its small setback.

Commissioner Jeske requested clarification on the location of the Compressed Natural Gas (CNG). Mr. Howard clarified the location of the filling station.

Chairman Miller recommended a dry creek bed detention basin design. Mr. Howard stated they will minimize the depth of the detention basins and will surround it with native grasses and is open to the dry creek bed design. Chairman Miller expressed concern on the minimum landscape setback. Mr. Howard stated he will not cut corners on the building frontage and plan to focus on the Palmetto Avenue frontage.

Commissioner Dyer inquired if the applicant planned on preserving the palms. Mr. Howard stated they plan on preserving the palms and will take every measure possible to keep them healthy.

## VI. MINUTES

### A. Planning Commission Minutes of October 11, 2011

MOTION

It was moved by Commissioner Rock, seconded by Vice Chairman James and carried on a 6-0 vote (Commissioner Hudson abstained) that the Planning Commission approve the minutes of October 11, 2011.

## VII. LAND USE AND CITY COUNCIL ACTIONS OF NOVEMBER 15, 2011 AND DECEMBER 6, 2011.

Assistant Director Dalquest stated the City Council approved the RV and Boat Storage on Kansas as well as the IP District Ordinance with amendments.

Commissioner Dyer requested clarification on the City's objection letter sent to the County of San Bernardino on a warehouse. Assistant Director Dalquest stated there was a development proposed on the southeast corner of Almond Avenue and Nevada Street for a big box warehouse. Assistant Director Dalquest stated some of the City Councilmember's expressed concern on large distribution centers being constructed south of Almond Avenue. The City requested the County deny the proposal south of Almond Avenue.

## VIII. ADJOURN TO JANUARY 10, 2012

Chairman Miller adjourned the meeting at 4:15 p.m. to the January 10, 2012 meeting.

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| Linda McCasland | Oscar Orci |
| Senior Administrative Technician | Development Services Director |