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MINUTES

of a regular meeting of the City Council, City of Redlands, held in the Council Chambers, Safety Hall, 212 Brookside Avenue, on December 1, 1970 at 7:00 P.M.

Planning Commission Items 3:00 P.M. Regular Agenda 7:00 P.M.

PRESENT

Jack B. Cummings, Mayor
Charles G. DeMirjyn, Vice Mayor
Chresten M. Knudsen, Councilman
Ellsworth E. Miller, Councilman
Sam S. Sewall, Councilman

Ralph P. Merritt, Jr., City Manager
Edward F. Taylor, City Attorney
Peggy A. Moseley, City Clerk
Erwin S. Hein, Redlands Daily Facts
Chuck Palmer, San Bernardino Sun

ABSENT

None

The meeting was opened with the pledge of allegiance, followed by the invocation by Reverend Ira K. Hall of the State Street Christian Church.

Mayor Cummings welcomed an overflow crowd present in the audience.

The minutes of the meeting of November 17, 1970 were approved as submitted.

PUBLIC HEARINGSAppeal to Planning Commission Denial of Zone Change No. 121 - L. L. and M. A. Handley and Herbert M. Piken

Zone Change No. 121 is a request for a change of zone from R-S Suburban Residential District to C-4 Highway Commercial District for approximately 7.7 acres of property located at the northeast corner of Redlands Boulevard and Palm Avenue. This request was unanimously denied by the Planning Commission at their meeting of November 10, 1970. The minutes of the Planning Commission meeting were received by each member of the City Council and included in the record as part of the evidence to be reviewed in this appeal. At this time, Mayor Cummings declared the meeting open as a public hearing, as advertised, for comments in favor of and against an appeal that Council reverse the decision of the Planning Commission, submitted by Mr. and Mrs. Handley and Mr. Herbert M. Piken.

On behalf of the applicant, Attorney Harry M. Dougherty introduced Developer Herbert M. Piken, who named certain interested potential occupants of the proposed shopping center and referred to persons in the audience who support this application. Mr. Piken then introduced Planning Consultant Ernest Mayer, Jr., who made an in-depth summary of the material presented to support this application. A copy of this report was filed as part of the appeal record on file in the office of the City Clerk. Mr. Piken then introduced Mr. Dave Duchane of Long's Drug-stores, who expressed an interest in establishing a drugstore in the area if developed.

Miss Cameron Cooper of 222 South Rexford Drive, Beverly Hills, spoke in favor of the application, giving estimates of property valuation before and after the development of grocery stores in Redlands, to show that properties in the City would not be adversely affected by the development.

Mr. Wade Walls of 708 Roosevelt Road made a comprehensive presentation against the zone change, including a map delineating the location of signers of the petition against the Zone Change. It showed they lived in a one-mile radius of the Palm and Redlands Boulevard site. He also gave statistics on sales tax within the City of Redlands, and explained the actual amount percentages received by the city from sales made within the city, and also explained the relative property value tax-wise to the city under various development uses. Mr. Walls requested that Council not disregard the Planning Commission's unanimous recommendation against the change, not break faith with the residents, and not table or postpone this decision.

Mrs. Lawrence Patton of 440 South Buena Vista addressed Council as a long-time Redlands resident and presented a detailed analysis of the problem facing Council as she sees it, which she filed with the City Council through the City Clerk. Mrs. Patton discussed the Zoning Ordinance, warned against "strip zoning", listed the number of business services of the type planned for this area already functioning in Redlands, and itemized some of the similar enterprises which have failed in the past few years.

Mr. John C. Mahoney of 690 East Palm addressed Council as a most-

PUBLIC HEARINGS (Continued)

affected property owner. Mr. James Gebbie of 716 East Palm Avenue pointed out the traffic problem at the Palm-Redlands Boulevard intersection. Mrs. F. D. Atkinson mentioned inaccurate figures which have been published in newspapers. She also displayed a chart showing the overlapping of grocery-market businesses within the City. Mrs. George A. Moore and Mr. Leon Armantrout also strongly recommend denial of the zone change. City Attorney Taylor explained the legal procedure on the appeal. He advised the Council that it could either uphold or reverse the Planning Commission's decision. In the event of a reversal, the matter must be referred back to the Planning Commission for recommendation. If the Commission is upheld, the application would be finally denied, he said. Mr. Piken described the telephone census he had conducted over the weekend of residents in the immediate area, and stated that he had spoken with seven residents, and found only one opposed to the development.

Mr. George Andrews and Mr. John Mahoney spoke against the zone change. Larry Myers, Vice President of Security Pacific National Bank, briefly restated the effort and study that had been put into this plan, reiterated his belief concerning the need, described the changes taking place in Redlands and requested Council approval of the application to reverse. Mayor Cummings also summarized four communications - three letters and a recommendation from the Traffic Commission that no vehicle traffic change be made on Redlands Boulevard south of Cypress Avenue. Mayor Cummings closed the public hearing and the Council discussed the matter further. Vice Mayor DeMirjyn briefly described a poll he conducted of 25 residents in the immediate neighborhood. Three people were not interested, two were in favor of the change and 17 residents were opposed to the zone change.

Following more discussion, Mr. DeMirjyn moved that Council uphold the decision of the Planning Commission and deny the request for Zone Change No. 121. Councilman Knudsen stated "We should explain to people why. Obviously it is in opposition to present codes and ordinances. Residents depend on present zoning to protect their homes"; stated that he believed homes were the best and highest use for this property; expressed faith in the Planning Commission and the Planning Director and their plan for a projected Redlands population of 90,000; stressed that there was need for redevelopment in Redlands; added that he was aware of the financial problems and City's need for tax revenue, but that he was unwilling to make these residents suffer for the financial problem; stated that the City should solve the financial problem in a forthright manner; stated that there was in the order of \$4,000 difference in income to the City between single family residences and Mr. Piken's proposal; and seconded the motion. Then Vice Mayor DeMirjyn stated that he would like to amend his motion to state that the decision of the Planning Commission should be upheld and that Zone Change No. 121 be denied upon the basis of the following findings of fact:

1. That the establishment of the shopping center would not contribute to the orderly development of the city, consistent with the Master Plan and Zoning Ordinance.
2. That a substantial number of residents of the neighborhood surround-

PUBLIC HEARINGS (Continued)

ing the site were opposed to the shopping center, and had testified that it was incompatible with their residential uses; and that they had built in the area in reliance upon the representation in the City Master Plan that no large commercial development would be placed near them.

3. That the estimated increase of income to the city from sales and property taxes from the development would not be sufficient to offset the objections to its location in the neighborhood.

Councilman Sewall added that the figures presented did not justify a need in this area, and said that he would vote AYE. Councilman Miller stated that he preferred to uphold the Planning Commission's decision as being factually sound and good planning.

The motion was adopted by the following roll call vote:

AYES: Councilmen DeMirjyn, Knudsen, Miller, Sewall
 NOES: Mayor Cummings (for the reason that he would prefer tabling this until the ordinances are further studied)
 ABSENT: None

Ordinance
 No. 1426
 Zoning

Public Hearing was also advertised for this time and place on Ordinance No. 1426, an ordinance of the City of Redlands approving the establishment of an R-1 (Single Family Residential) District for approximately 20 acres of land located on the southeast corner of Colton Avenue and Dearborn Street. At this time Mayor Cummings again opened the meeting as a public hearing for any questions or comments concerning this ordinance. None being forthcoming, the public hearing was declared closed. Ordinance No. 1426 was then adopted, with waiver of the reading of the ordinance in full, on motion of Councilman Sewall, seconded by Councilman Miller, by the following roll call vote:

AYES: Councilmen DeMirjyn, Knudsen, Miller, Sewall, Mayor Cummings
 NOES: None
 ABSENT: None

NEW BUSINESS

Redlands
 Coalition

Due to the lateness of the hour and the number of interested persons in the Council Chambers, the Redlands Coalition presentation was moved to this place on the agenda. Mayor Cummings briefly outlined the history of the "Mayor's Coalition", stating that it originated from a request made two years ago to the Council for establishment of a Human Relations Commission. After considerable study it was concluded that a Coalition was preferable to a Human Relations Commission. More than sixty citizens have been working every two weeks for the past three months to formulate the present material.

Dr. Donald Rusk, Chairman of the Ad Hoc Committee which was instrumental in formulating this document, thanked Mayor Cummings for his support and untiring efforts in this matter, and expressed the hope that this will become an effective instrument in making a greater Redlands. Jose Danny Martinez of 600 Baldwin Avenue expressed his opinion of the manner in which the Housing Task Force of the Redlands Coalition could be of assistance to the Housing Commission, and urged Council to approve the Coalition and give it the fullest possible support. Budget was discussed briefly, with the conclusion that only very limited funds would be needed at this present time as the only anticipated problem is secretarial time and duplicating service. Mr. Amos Isaac pointed out the advantages of such an instrument, and urged Council approval.

NEW BUSINESS (Continued)

On motion of Councilman Sewall, seconded by Councilman Miller, Council approved the Redlands Coalition in principle and requested that the City Attorney draw up a resolution formally approving this instrument.

Mr. Richard Olinger of 743 Esther Way questioned the legal status of a coalition and was assured that the coalition would not be responsible for spending monies or drawing up laws. Mr. Fred Ford spoke in favor of the motion.

Following the unanimous approval, Mayor Cummings thanked the Council and thanked all the people present in the audience who had worked so diligently on this.

TRAFFIC COMMISSION RECOMMENDATIONS

Cypress
Avenue &
Redlands
Boulevard
Inter-
Section

Due to the lateness of the hour and the interested persons in attendance, Council took under consideration Traffic Commission recommendations - the intersection of Cypress Avenue and Redlands Boulevard. Director of Public Works Shone reported that in the past year twenty-three accidents have occurred at Cypress Avenue and Redlands Boulevard and it is the recommendation of the department that cement dividers be placed from Redlands Boulevard east and west to prevent the crossover of the median line for the left turn entrance into the Baptist Church on east side of Redlands Boulevard or entrance into Sage's on the west side of Redlands Boulevard. Mr. Shone added that the \$23,000 necessary for the change of traffic signals is not presently available in the budget. Mr. John Sandifer and Mr. Leonard Jones spoke in behalf of the Temple Baptist Church to request some assistance in this problem. Mr. Robert Pillow, of 624 East Cypress, complained concerning the red curbing in front of his house which would prevent the parking of guests and visitors. Reverend Ira K. Hall of 320 East Cypress addressed Council with a suggestion that exit from the east driveway at Sage's be designated for right turn only to relieve the traffic congestion created when people are waiting to make a left turn to travel west on Cypress Avenue. Following discussion, Council elected to table this matter due to the insufficiency of funds.

At the regular meeting of the Traffic Commission on November 23, 1970, the following recommendations were sent for Council consideration:

SECTION ONE: Pursuant to Article 678, Section 67801 (b) of the Redlands Traffic Ordinance:

1. Remove twenty-foot long loading zone located on south side of Redlands Boulevard forty-one feet east of 3rd Street.

SECTION TWO: Pursuant to Article 678, Section 67805 (a) 1. of the Redlands Traffic Ordinance:

1. Establish no parking zone on the east side of Church Street from Citrus Avenue north to railroad tracks.

SECTION THREE: Pursuant to Article 677, Section 67709 (a) of the Redlands Traffic Ordinance:

1. Establish a one hour parking limit on the west side of Church Street from State Street extending to a point 125' south of Citrus Avenue.

Following discussion, the Council moved to accept the above recommendations, and unanimously adopted Resolution No. 2845 which implements the above recommendations, on motion of Councilman Miller, seconded by Councilman DeMirjyn.

Resolution
No. 2845
Traffic

TRAFFIC COMMISSION RECOMMENDATIONS (Continued)

On motion of Councilman Sewall, seconded by Councilman Knudsen, the Council agreed to revise the ordinance establishing the Traffic Commission in order that lay citizens may be voting members and the city employees only advisory members, with the City Attorney directed to prepare an ordinance establishing this procedure.

PLANNING COMMISSION RECOMMENDATIONS

As considered by the City Council at a regular meeting thereof held on December 1, 1970 at 3:00 P.M.

Present; Councilmen DeMirjyn, Knudsen, Miller, Sewall, Mayor Cummings; Attorney Bill Brunick

1. Conditional Use Permit No. 171 - Jehovah's Witnesses, Inc.

That the request of Jehovah's Witnesses of Redlands, Inc. for a Conditional Use Permit in an R-S zone to construct a meeting hall (church) on property located at the northwest corner of Ford Street and Fifth Avenue be approved subject to the recommendations of all departments as contained in Planning Commission minutes dated November 23, 1970. On motion of Councilman DeMirjyn, seconded by Councilman Knudsen, this recommendation of the Planning Commission was adopted by the City Council.

2. Street Vacation No. 57 - Jehovah's Witnesses, Inc.

That the request of Jehovah's Witnesses of Redlands, Inc. for vacation of that portion of Fifth Avenue (Contour Street) lying adjacent and east of the existing Redlands Freeway right-of-way line and lying northerly of the north line of Fifth Avenue extended between Ford Street and the Freeway right-of-way be approved as recommended in Planning Commission minutes dated November 23, 1970. On motion of Councilman DeMirjyn, seconded by Councilman Miller, unanimous approval was given to the recommendation of the Planning Commission.

3. Lot Split No. 424 - Jehovah's Witnesses, Inc.

That the request of Jehovah's Witnesses of Redlands, Inc. for permission to split property located at the northwest corner of Ford Street and Fifth Avenue (Contour Street) - Lot Split No. 424 - be approved subject to the recommendations of all departments as contained in Planning Commission minutes dated November 23, 1970, and reconfirming Engineering Division item #2 that applicant request closure of the north one-half of Fifth Avenue. On motion of Councilman DeMirjyn, seconded by Councilman Sewall, this recommendation of the Planning Commission was adopted by the City Council.

APPLICATIONS AND PETITIONS

City Manager Merritt presented three requests for transfer of water stock with Option B. These requests were approved unanimously on motion of Councilman DeMirjyn, seconded by Councilman Miller.

Manager Merritt also brought for Council information notification of an application for an on-sale beer license at 220 Orange Street.

COMMUNICATIONS

Request -
Parking
Place
Commission-
ers

Mayor Cummings acknowledged receipt of a communication from the Board of Parking Place Commissioners requesting that they be invited to future meetings called for the discussion of the City's Master Plan or zone changes which may have an adverse affect on commercial development in downtown Redlands, thereby materially affecting future planning consideration of the Parking Place Commission.

City Manager Merritt brought notice of a request for rate increase by the Western Union Telegraph Company of San Francisco.

UNFINISHED BUSINESS

Ordinance No. 1425, an ordinance of the City of Redlands establishing rules and regulations for granting of franchises for tow truck service and authorized storage garages within the City of Redlands, was given

UNFINISHED BUSINESS (Continued)

Ordinance No. 1425 second reading of the title and adopted with the following roll call vote on motion of Councilman Miller, seconded by Councilman Knudsen:

Tow Truck Franchise AYES: Councilmen DeMirjyn, Knudsen, Miller, Sewall, Mayor Cummings
 NOES: None
 ABSENT: None

Resolution No. 2844 On motion of Councilman Miller, seconded by Councilman DeMirjyn, Resolution No. 2844, a resolution of intention to vacate portions of a certain street (Fern Avenue) in the City of Redlands was unanimously adopted and public hearing on this resolution set for January 5, 1971 at 7:00 P.M. in the Council Chambers.

NEW BUSINESS

Resolution No. 2841 On motion of Councilman Sewall, seconded by Councilman Miller, Resolution No. 2841, a resolution of the City of Redlands establishing tow truck and storage garage rates within the City of Redlands, was unanimously adopted. This resolution implements Ordinance No. 1425, which was given second reading and adoption at this evening's meeting.

CITY MANAGER

Awards Fire Department City Manager Merritt presented two awards to the Redlands Fire Department in gratitude for service in the recent disastrous fires, the first from the San Bernardino County Board of Supervisors, a token of esteem for service in connection with the Myer Canyon fire, and the second the President's service award in appreciation for services in the recent disastrous fire in San Diego County.

Resolution No. 2842 Salary Resolution No. 2842, which was adopted at the last Council meeting, also included a section in which the rating of the Junior Civil Engineer was raised from 30 to 31. This resolution was reapproved on motion of Councilman Miller, seconded by Councilman DeMirjyn.

Resolution No. 2843 Tax Deeded Property On motion of Councilman DeMirjyn, seconded by Councilman Miller, the City Council authorized the City Manager to sign the necessary agreements to purchase a parcel of land which is approved for sale at public auction, and which is in actuality a portion of a Redlands street, and unanimously adopted Resolution No. 2843, which requests the Board of Supervisors to deed this piece of property to the City of Redlands.

Bid Call Paving Material On motion of Councilman Knudsen, seconded by Councilman Sewall, authorization was given for the City Clerk to advertise for bids for paving material and equipment, bids to be opened December 15, 1970.

Grant Deed Crestview Associates A grant deed from Crestview Associates and C.B.R. Investment Company Associates for street right-of-way in connection with Commission Review and Approval No. 255 was unanimously adopted on motion of Councilman Miller, seconded by Councilman DeMirjyn, with the City Manager authorized to execute the certificate of acceptance in behalf of the City.

Fund Transfer Transfer of \$49,730 to Legal and Capital Fund from the Parking Authority Fund in repayment of a loan for purchase of Parking Lot #4, was authorized on motion of Councilman DeMirjyn, seconded by Councilman Miller.

Dearborn Reservoir On motion of Councilman Sewall, seconded by Councilman Knudsen, more latitude was unanimously authorized for the City Manager in the purchase of property for the expanded facilities at the Dearborn Reservoir, in order that negotiations may be made with the Flood Control to obtain a favorable site for this development.

Bills and salaries were ordered paid as approved by the Finance Committee.

No further business demanding attention at this time, on motion the Council adjourned at 11:10 P.M.

Next regular meeting, December 15, 1970.

ATTEST:

Deanna A. Murphy
City Clerk

Jack B. Cummings
Mayor of the City of Redlands

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