

MINUTES

of a regular meeting of the City Council of the City of Redlands, held at the regular place of meeting, Safety Hall, 212 Brookside Avenue, on Tuesday, September 3, 1974 at 7:00 P.M.

Planning Commission Items 3:00 P.M.

Regular Agenda 7:00 P.M.

PRESENT

Jack B. Cummings, Mayor
Ellsworth E. Miller, Vice Mayor
Charles G. DeMirjyn, Councilman
Chresten M. Knudsen, Councilman
Bertha Rose Grace, Councilwoman

R. P. Merritt, Jr., City Manager
William Brunick, Deputy City Attorney
Alice G. Walls, Deputy City Clerk
Erwin S. Hein, Redlands Daily Facts
Rosemary Hite, San Bernardino Sun

ABSENT

None

The meeting was opened with the pledge of allegiance, followed by the invocation by Reverend Edward J. Connolly of St. Mary's Catholic Church. The minutes of the special meeting of July 30 and the adjourned regular meeting of August 14, 1974 were approved as submitted.

BIDS

The following bid for two trucks, GW cab and chassis, was opened and publicly declared in the office of the City Clerk at 10:00 A.M. on August 30:

BIDS (Continued)

Dieterich International Truck Sales
San Bernardino, California

Total Bid,
Two trucks: \$25,979.54
Delivery date - 210 to 240 days

Trucks

The bid was referred to the Purchasing Department for study and recommendation.

It is the recommendation of the Purchasing Agent and the Public Works Department that as this bid exceeds substantially the appropriated amount, in addition to the late delivery schedule, the bid be rejected and the Purchasing Agent be authorized to negotiate with local dealers, with the assistance of the Shop Superintendent, to attempt to purchase two vehicles which will meet the requirements of the Street Department, with total price not to exceed the budgeted amount. It is further recommended by the Director of Public Works that the Purchasing Agent also be authorized to negotiate for two trucks for the Water Department and one for the Sewer Department which have been authorized in the approved budget, the prices not to exceed the amounts that have been budgeted by the Council.

After brief discussion, Councilman DeMirjyn moved to reject the bid of Dieterich International Truck Sales and to authorize the Purchasing Agent to negotiate the price for these trucks, not to exceed budgeted amounts. The motion was seconded by Councilwoman Grace and unanimously approved.

PUBLIC HEARINGS

Ordinance
No. 1541
Zone Change

Public hearing was advertised for this time and place on Ordinance No. 1541, an ordinance amending Zoning Ordinance No. 1000 by adopting Zone Change No. 159 and effecting a change of zone from C-4 (Highway Commercial) District to C-3 (General Commercial) District for approximately 3.9 acres of property generally bounded by Redlands Boulevard, Eureka Street, Southern Pacific Railroad Tracks, and Orange Street. Mayor Cummings declared the meeting open as a public hearing for any questions or comments concerning this change of zone. None being forthcoming, the public hearing was closed and Ordinance No. 1541 was adopted, on motion of Councilman Miller, seconded by Councilman DeMirjyn, with waiver of the reading of the ordinance in full, by the following roll call vote:
AYES: Councilmembers Miller, DeMirjyn, Knudsen, Grace, Mayor Cummings
NOES: None
ABSENT: None

Ordinance
No. 1542
Zone Change

Public hearing was also advertised for this time and place on Ordinance No. 1542, an ordinance amending Zoning Ordinance No. 1000 by adopting Zone Change No. 160 and effecting a change of zone from M-1 (Light Industrial) District to C-M (Commercial Industrial) District for approximately 54 acres of property generally bounded by Colton Avenue, Alabama Street, Interstate No. 10 and Tennessee Street. Mayor Cummings again declared the meeting open as a public hearing for any questions or comments concerning this change of zone.
Mr. Richard Bartlett, 30 South Center Street, representing the Chamber of Commerce, stated that the Chamber of Commerce wished to go on record as supporting the August 13 decision of the Redlands Planning Commission, but did not want to go on record for the special Conditional Use Permit therewith. Mr. Lawrence Ridge, 217A Craig Court, presented a petition with the names of 59 people who would like to have a K-Mart store and food store located in that area.
There being no further comments, the public hearing was closed and Ordinance No. 1542 was adopted, on motion of Councilman Miller, seconded by

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PUBLIC HEARINGS (Continued)

Councilwoman Grace, with waiver of the reading of the ordinance in full, by the following roll call vote:

AYES: Councilmembers Miller, Grace, Mayor Cummings

NOES: Councilmen DeMirjyn, Knudsen

ABSENT: None

At this time Council considered amendment No. 121 to Zoning Ordinance No. 1000, which was tabled from the meeting of August 14. This amendment would allow discount stores containing a minimum gross leasable area of 75,000 square feet and supermarkets containing a minimum gross leasable area of 25,000 square feet to be located in C-M Zones under Conditional Use Permit. This matter was not advertised for public hearing, but Mayor Cummings asked the staff to present their viewpoint and then invited comments from the audience.

Amendment
No. 121
Discount
Stores

City Manager Merritt summarized the sequence of events which had led to the proposal for a discount store and food market to be included in the auto center at Alabama and Tennessee Streets. Initially, the auto center was proposed to help relocate the Ford Agency automobiles so the McEwen's Furniture Store could build on the corner of Redlands Boulevard and Eureka Street. Studies indicated not enough auto-related activities available to occupy the whole 40 acres, so the proposal was amended to include a discount store and food market.

The Redevelopment Agency had approved use of City land on Eureka Street for temporary location of the Ford Agency cars, but because of demolition and construction schedules this land is not now available.

Agreement has been reached with the Ford Agency to move these vehicles to Colton Avenue just west of the Air Factors Plant. Temporary improvements are now being made and the cars will be moved when the work is completed. Negotiations with the land owners are being carried on so that construction of the new McEwen's Furniture Store can commence as quickly as possible.

Because of restrictions placed on municipal revenue which affect the City's capability to serve its citizens, the only approach a city now has to increase its income and service capability is through investment with private enterprise to obtain increased revenues.

Mr. Merritt presented the staff recommendation that in the near future the City Council consider amending the current offsite participation policy to include participation with new commercial and industrial development within the 500 acre project area where desirability, funding capability, and a realistic return of the Redevelopment Agency's investment can be demonstrated.

Mr. Ken Brown of Coldwell Banker enumerated some of the advantages of having a discount store at this location; Route 30 coming south from San Bernardino makes this a critical location to capture retail business; residents of Yucaipa, Beaumont, and Banning now go through Redlands to San Bernardino; tax increment from such a project would enable further work on Orange Street and the east end of State Street and possibly an industrial park.

Mr. Larry Funk, 4 E. Cypress, Mr. Cyril Litchman, a downtown property owner, and another gentleman presented their arguments against the proposed discount center; Mr. Funk urging "fiscal sanity" and Mr.

PUBLIC HEARINGS (Continued)

Discount
Stores
Continued

Litchman pointing out that competition with the Consortium project would not be good for the city.

Mr. Lawrence Ridge spoke for the proposed development, stating his belief that the competition would be good for the city.

Council then discussed the matter, considering the possible adverse effect of competition with the downtown area at some length. Councilman Miller then moved to table the matter for a period of eight months. The motion died for lack of a second.

Councilman DeMirjyn then moved to deny Amendment No. 121. The motion was seconded by Councilman Knudsen and carried by the following roll call vote:

AYES: Councilmembers DeMirjyn, Knudsen, Grace
NOES: Mayor Cummings
ABSTAIN: Councilman Miller

ORAL PETITIONS FROM THE FLOOR

Youth
Concert

Mr. Jon Ellis, Mr. Richard Mott and Mr. John Vogt-Nilsen appeared in behalf of a proposed concert at Hidden Valley Ranch for the entertainment of Redlands' youth. Mr. Ellis, as spokesman, presented copies of an information brochure to each of the councilmen and stated their intention to work with the Police Department and any other department necessary in preparation for their concert. He asked that they be put on the next agenda to file a request for a permit for the event. They plan to ask for a waiver of the 60-day notification requirement since they have already contacted the Police Department and Recreation Department, and for a waiver of the \$100 application fee. He stated they would prefer to donate this amount to a charitable organization.

City Attorney Brunick asked them if they intended to comply with the rest of the ordinance in the event the Council granted their waivers, and was assured that they did intend to comply.

Mayor Cummings commended them on the detailed information they had prepared for their brochure and assured them they would be on the next agenda.

Mr. Sam Sewall, 419 Summit, and Mrs. Carol Adams, 1304 West Fern, spoke briefly in support of the youth concert.

Request
for
Stop Sign

Mr. Lawrence Ridge addressed Council again with a request for a STOP sign rather than a YIELD sign at the intersection of Ramona and Walnut, which was the scene of a traffic fatality during the past week. His request will be referred to the Traffic Commission for consideration.

Mr. Charles Holcombe and Mr. Bob Roberts also urged that a STOP sign be installed in an effort to avoid future accidents at this intersection.

COMMISSION RECOMMENDATIONS

Planning Commission recommendations from Planning meetings of July 23 and August 13, 1974, as considered by the City Council at a regular meeting thereof held September 3, 1974 at 3:00 P.M.

Present: Councilmembers Miller, DeMirjyn, Knudsen, Grace, Mayor Cummings; Deputy City Attorney Brunick
Absent: None

July 23 Agenda

1.

R.P.C. No. 406 - Precise Street Plan No. 14 - City of Redlands

That R.P.C. No. 406, a resolution of the Planning Commission recommending Precise (Specific) Street Plan No. 14, a specific plan to widen and realign Fern Avenue between Terracina Boulevard and San Timoteo Canyon Road, be adopted. Following brief discussion, on motion of Councilman DeMirjyn, seconded by Councilman Knudsen, R.P.C. No. 406 was adopted

PLANNING COMMISSION RECOMMENDATIONS (Continued)

and Resolution No. 3138, a resolution of the City Council of the City of Redlands adopting Precise (Specific) Street Plan No. 14, was introduced, with public hearing on the resolution set for 7:00 P.M., September 17, 1974.

2. C.U.P. No. 226 - Reverend Peter P. Staviski

That the request of Reverend Peter P. Staviski for a Conditional Use Permit to construct a community school for children on property located on the south side of Stillman Avenue, 500 feet east of Grove Street, be approved, subject to compliance with the requirements of the various departments as contained in Planning Commission minutes dated July 23, 1974.

Mr. Saul Eisenberg, of 1321 Stillman Avenue, has filed an appeal to this decision. Council also received petitions signed by most of the residents in the area and letters from individuals protesting the granting of this Conditional Use Permit.

Mayor Cummings read Mr. Eisenberg's appeal, and asked Father Staviski if he would care to comment on it. Father Staviski preferred to let the opponents of his project present their arguments first.

The following residents of the area spoke against this use in their R-2 zone: Mr. Eisenberg, 1321 Stillman; Mr. M. J. Smith, 1309 Stillman; Mr. Owen Zurcher, owner of the Cameo Apartments, 1351 Stillman; Mrs. Margie Daylstrom, 1311 Stillman; Mrs. M. J. Smith, and Mrs. Eisenberg. They stated their concern for this type of facility in a residential area and the possible impact of a project like this on the value of property in the area, questioned the type of children who would be attending the school and whether they would cause problems in the neighborhood, and reiterated their desire that the area be kept residential.

Father Staviski attempted to dispel their concern with an explanation of the type of children who would be attending his school; they are children with learning problems, not disciplinary problems. He stated that he has been located in Mentone for three years and has never had a situation where the children have caused any difficulty at all with any of the neighbors, and that even the neighbors who opposed his first school in Redlands have no such feelings now. He introduced Dr. Maxine Smith of the Yucaipa School District, who described his successful work with children from that school district and asked that favorable consideration be given to his request. Next he introduced Mrs. Johnson of the Diagnostic Center at Franklin Elementary School, who has worked with some of his children, and refers children to him. She also urged Council to consider his request favorably.

Mayor Cummings summarized the dilemma facing the Council: a Conditional Use Permit is a special kind of permit to allow people to go into an area for approved purposes, and by the nature of their positions they must pay some attention to people who live there.

Father Staviski pointed out that he is restricted by city ordinances to put this type of facility in an R-2 zone, and added that he was sorry he had not been able to dispel the neighbors' fears about his school because the property would have fitted his needs beautifully.

Councilman DeMirjyn moved to deny approval of Conditional Use Permit No. 226. The motion was seconded by Councilman Miller and unanimously adopted.

Councilman Knudsen then suggested that perhaps consideration should be given to the possibility of permitting such a home in an agricultural district, or in areas which have not been developed, so that future development will occur with the home already there. He cited the location of the Terracina Convalescent Home as an example of this type of planning.

3. Lot Split No. 455 - James Schmitt

That the request of James Schmitt for permission to split property located at the southeast corner of Cajon Street and Garden Street, R-E Zone, be approved subject to the recommendations of all departments as contained in Planning Commission minutes dated July 23, 1974.

Mr. Schmitt has appealed the following engineering items:

- No. 5 - design of traffic island
- No. 6.C. - relocation of palm trees
- No. 9 - reduction in number of street lights
- No. 10 - reconstruction of drainage facilities

PLANNING COMMISSION RECOMMENDATIONS (Continued)

Council discussed the items in Mr. Schmitt's request, with Director of Public Works Shefchik answering their questions about the reasons for the requirements. Councilman DeMirjyn then moved to approve Lot Split No. 455 with deletion of Item 5 of engineering division requirements, but subject to all other requirements. The motion was seconded by Councilman Miller and unanimously approved.

August 13 Agenda

1. Lot Split No. 456 - Albert-Whitlock-Hansberger

That the request of Albert-Whitlock-Hansberger for permission to split property located on the south side of Smiley Heights Drive west of Sunnyside Avenue, R-A District, be approved subject to the recommendations of all departments as contained in Planning Commission minutes dated August 13, 1974. On motion of Councilman DeMirjyn, seconded by Councilwoman Grace, this recommendation was unanimously approved.

2. Tentative Map - Tract No. 8916 Revised - W.J.E. Corporation

That the revised tentative map of Tract No. 8916, located on the north and south sides of Smiley Heights Drive west of Sunnyside Avenue, R-A District, be approved subject to the recommendations of all departments as contained in Planning Commission minutes dated August 13, 1974. On motion of Councilman DeMirjyn, seconded by Councilman Knudsen, this recommendation of the Planning Commission was unanimously approved.

3. C.U.P. No. 227 - Victor Ray

That the request for a Conditional Use Permit for a beauty school to be located on the southeast corner of Sixth Street and Stuart Avenue, M-1 Zone, be approved subject to the requirements of all departments as contained in Planning Commission minutes dated August 13, and subject to the understanding that any canopy added to the west end of the building be approved by the Architectural Advisory Commission. On motion of Councilman Knudsen, seconded by Councilman DeMirjyn, this recommendation of the Planning Commission was unanimously approved.

ADDENDA

Appeal of Empire Bowl, Inc. - Request for Deferral of Landscaping Requirements.

Empire Bowl, Inc., has requested temporary relief from the installation of landscaping in the parking lot on the south side of Empire Bowl until such time as they are able to build the remaining four industrial buildings which they have planned. Two buildings have been completed.

Council discussed this request at some length, and agreed that there should be a time limit on deferral. Councilman Miller then moved to grant relief from installation of landscaping requirements in the parking lot on the south side of Empire Bowl subject to the furnishing of a two-year bond. The motion was seconded by Councilman DeMirjyn and unanimously approved.

Request for Relief from Offsite Improvement Requirements - Wayne Bohrnstedt

Council considered the request of Mr. Wayne Bohrnstedt for relief from offsite improvements at the location of the new Tartan Restaurant; these improvements consist of closing the driveway approaches. After some discussion, it was agreed that these are improvements which the City normally requires of a developer. Councilman Knudsen moved to deny relief from closing the driveways. The motion was seconded by Councilman DeMirjyn and unanimously approved.

Traffic Commission - At the Traffic Commission meeting of August 15, 1974, the Commission made the following recommendations for Council consideration:

Resolution
No. 3141

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

Traffic

1. Establish 10 minute parking limit on the west side of Orange Street at the first parking space south of the red curb beginning at Colton Avenue.

Traffic Commission (continued)

2. Establish 10 minute parking limit on the south side of Colton Avenue at the first parking space west of the red curb beginning at Orange Street.
3. Prohibit parking on the north side of Pearl Avenue from Orange Street to Sixth Street.

SECTION TWO: Pursuant to Article 676, Section 67603 of the Redlands Traffic Ordinance:

Resolution
No. 3141
Traffic

1. Install sign to stop traffic on Pioneer Avenue at intersection with Tennessee Street.
2. Install sign to stop traffic on Crescent Avenue at intersection with Serpentine Drive.
3. Install sign to stop traffic on Hilton Avenue at intersection with Cajon Street.
4. Install sign to stop traffic on Country Club Drive at intersection with Sunset Drive North.
5. Install stop sign to stop traffic on New York Street at intersection with State Street.
6. Install stop signs to stop traffic on Garden Hill at both entrances to Garden Street.

On motion of Councilman DeMirjyn, seconded by Councilman Knudsen, Resolution No. 3141, a resolution authorizing the above changes, was unanimously adopted by the Council.

Recreation
Agreement

Recreation Commission - City Manager Merritt presented for approval the amended agreement with the Redlands Unified School District. This agreement incorporates the changes approved by the City Council at the Council meeting of June 18, 1974. On motion of Councilman Knudsen, seconded by Councilman Miller, this amended agreement was unanimously approved by the City Council.

APPLICATIONS AND PETITIONS

U.N. Fair

On motion of Councilman Knudsen, seconded by Councilwoman Grace, the City Council unanimously granted the request of the League of Women Voters for waiver of business license for a U. N. Fair to be held outdoors at 1333 West Highland Avenue on Sunday, October 6, 1974, from 12:00 - 5:00 P.M.

Thrift
Shop

On motion of Councilman Miller, seconded by Councilman DeMirjyn, Council unanimously authorized waiver of business license for a Thrift Shop to be operated by the United Cancer Research Society at 702F West Colton Avenue, all profits to be used for research grants.

Councilman Knudsen was granted permission to be absent from the United States at various times between now and the end of the year.

Councilwoman Grace was granted permission to be out of the state for the next Council meeting.

Mrs. F. D. Atkinson questioned the status of the ordinance establishing a Redevelopment Advisory Commission which Council had directed the City Attorney to prepare. Mayor Cummings assured her that this matter would be considered at the next Council meeting.

Mrs. Ruth Patton addressed Council again with her concern for the plans of the downtown redevelopment project. She asked Council why the La Posada Hotel had not been retained as a part of the project, and cited other cities which had incorporated old hotels into their plans very successfully. Mayor Cummings explained to Mrs. Patton that the time for saving the La Posada was three years ago when public hearings on the redevelopment project

APPLICATIONS AND PETITIONS (Continued)

were being held; it is too late now because the contracts have been signed.

UNFINISHED BUSINESS

Resolution
No. 3137
Housing
Commission

On motion of Councilman Miller, seconded by Councilman Knudsen, Council unanimously adopted Resolution No. 3137, a resolution of the City Council of the City of Redlands amending Resolution No. 2822 and changing the number of Housing Commission members from nine to seven.

Parking
Require-
ments

Councilman Knudsen commented that while he was on vacation Council had adopted Ordinance No. 1539 relating to parking requirements in the A-P District. He pointed out that in his opinion this will work a hardship on some properties. He would prefer a performance type of ordinance; one by which a developer must provide for the vehicles brought into the area by a particular use. Certain professions that are allowed in the district, such as engineers, architects, accountants, and law firms do not bring in business like the Social Security Building. Councilman Knudsen concluded his remarks by stating that he wished Council would direct the Planning Commission to try to come up with a performance amendment. Community Development Director Schindler pointed out that performance system has been tried and does not work when there is a change of occupants.

NEW BUSINESS

Resolution
No. 3139

Purchase
CHP Cars

On motion of Councilman Knudsen, seconded by Councilman Miller, the City Council unanimously adopted Resolution No. 3139, a resolution of the City of Redlands authorizing the Department of General Services of the State of California to purchase six 1975 CHP vehicles for the use of the Police Department.

CITY MANAGER

Bid Call

Sprinkler
System

The City Clerk was authorized to advertise for bids for the design, fabrication and installation of a fire sprinkler system in the basement of Smiley Library, on motion of Councilman DeMirjyn, seconded by Councilman Miller.

Chamber of
Commerce

Fiesta de
Mexico

On motion of Councilman Miller, seconded by Councilman DeMirjyn, Council unanimously authorized expenditure of \$400 from Prior Year's Surplus Funds to be used in hiring a Mariachi band to play for the Chamber of Commerce La Fiesta de Mexico which will be held from September 7 - 14, 1974.

Mexican
Independence
Day Cele-
bration

On motion of Councilman Miller, seconded by Councilwoman Grace, Council unanimously granted the request of the Brown Beret Chapter #53 for use of Texonia Park on September 15 for celebration of Mexican Independence Day, and also granted permission for the sale of food and beverages in the park. In their request they stated they would clean up the park afterwards.

Ecology
Center

City Manager Merritt suggested to Council that they give approval for the Ecology Task Force to use a 42' x 42' area adjacent to the west end of the building in the old City Yard for their recycling center. The area will be fenced off. A separate gate exists at that point for their use. Staff concern has been that this is not a really compatible use with an equipment yard. There is no building they can occupy; there is no protection for the papers they collect. The Ecology Group has indicated they will pay for fences and the backboards to contain glass.

CITY MANAGER (Continued)Ecology
Center

The Center will only be open on Saturdays and there may be a problem with people leaving things in the alley. The Ecology Group will work with us to keep the area clean. This is not an ideal solution to their problem and it is appropriate that this use be on a temporary basis, to be reviewed annually by the Council.

Councilman Knudsen pointed out that this area is visible from Redlands Boulevard, and would create an unsightly condition to be viewed from one of the main entrances to the city.

Councilman De Mirjyn moved to deny use of this property. The motion was seconded by Councilman Knudsen and adopted by the following roll call vote:

AYES: Councilmembers Miller, DeMirjyn, Knudsen, Grace
NOES: Mayor Cummings
ABSENT: None

City Manager Merritt suggested that staff work up an estimate of the cost of putting up a board fence to screen the material, and present it at the next meeting. Council concurred.

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

There being no further business to come before Council, Council adjourned, on motion, at 9:40 P.M.

Next regular meeting, September 17, 1974.

ATTEST:

Peggy A. Moseley
City Clerk

Jack B. Cummings
Mayor of the City of Redlands

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