

MINUTES

of a regular meeting of the City Council, City of Redlands, held in the Council Chambers, in the Edward F. Taylor Building, 212 Brookside Avenue, on February 5, 1985, at 3:00 P.M.

PRESENT

- Tim Johnson, Vice Mayor
- Charles G. DeMirjyn, Councilman
- Oddie J. Martinez, Jr., Councilman
- Richard N. Larsen, Councilman
- John E. Holmes, City Manager
- Michael T. Riddell, City Attorney
- Lorrie Poyzer, City Clerk
- Laura Wingard, Redlands Daily Facts
- Pat Brown, The Sun

ABSENT

- Carole Beswick, Mayor

The meeting was opened by Vice Mayor Johnson with the pledge of allegiance. In memory of an outstanding citizen who gave of himself unselfishly to the community, Councilman DeMirjyn asked those present to join him in a moment of silent prayer to honor our former City Attorney Edward F. Taylor, who died in an automobile accident on January 22, 1985.

Later in the meeting, Councilman Martinez moved to re-name Safety Hall, located at 212 Brookside Avenue, in honor and memory of Edward F. Taylor. Motion seconded by Councilman Larsen and carried by AYE votes of all present.

Minutes of the regular meeting of January 15, 1985, and the adjourned regular meetings of January 19, 1985 and January 22, 1985, were approved as submitted.

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

On behalf of the California Parks and Recreation Department, the Inland Valley Municipal Athletic Association, and the Redlands Community Services Department, Community Services Administrator Rodriguez presented the California Parks and Recreational Society's Annual Layman's Award for outstanding works and achievements within the community to Redlands' resident Will Costello.

PLANNING AND COMMUNITY DEVELOPMENT

Tentative Tract No. 12627 - University Ranches - Haghighi Partnership

Councilman Martinez moved to approve the Environmental Review Committee's Negative Declaration for Tentative Tract No. 12627 for the subdivision of approximately 10.33 acres of land into ten lots for property located on the south side of Sessums Drive, approximately 1,820 feet west of Wabash Avenue, I-P Zone pending, and directed staff to file and post a "Notice of Determination" in accordance with the City's guidelines. Motion seconded by Councilman Larsen and carried by AYE votes of all present.

Stating that Council finds that pursuant to Section 66473.5 of the California Government Code, Tentative Tract No. 12627 together with the provisions for its design and improvement is consistent with the City's General Plan and any applicable specific plans; that none of the conditions provided in California Government Code Section 66474 exist on this map; and that pursuant to California Government Code Section 66474.6, the discharge of waste from this subdivision apparently will not result in violation of existing requirements prescribed by the Santa Ana Regional Water Quality Control Board pursuant to Division 7 of the California Water Code, Councilman Martinez moved to approve Tentative Tract No. 12627 based on the findings of the Planning Commission and subject to the recommendations of all departments as contained in Planning Commission minutes dated January 22, 1985. Motion seconded by Councilman Larsen and carried by AYE votes of all present.

Conditional Use Permit No. 418 - Kindercare Learning Center, Inc.

Community Development Assistant Administrator Cozen presented the application for a proposed children's day care facility to be located on the northwest corner of Alabama Street and Barton Road, R-1 Zone. The facility will serve 156 children, including infants, from 6:00 A.M. to 6:00 P.M. The Planning Commission concurred with staff's concern about Barton Road's noise impacts on the children and required an additional block wall as a noise buffer. Mr. Cozen continued that there was a misunderstanding concerning the side views of the building and that after the Planning Commission meeting on January 22, 1985, Kindercare representatives and Planning staff met to clarify the elevation drawings. Kindercare has been very cooperative and offered several items to create the Spanish feeling of the rendering in the package as opposed to the standard elevations. The clarifications are as follows and should be incorporated in the official record:

PLANNING AND COMMUNITY DEVELOPMENT (Continued)

1. The front elevation shall have stucco walls, columns, and buttresses, with no brick;
2. The bell tower shall have Spanish arches and columns as in the rendering;
3. The roofing material shall be architectural fiberglass shingles throughout; and
4. The screen wall shall be plastered with a brick cap.

Councilman Martinez moved to approve the Environmental Review Committee's Negative Declaration for Conditional Use Permit No. 418, and directed staff to file and post a "Notice of Determination" in accordance with the City's guidelines. Motion seconded by Councilman DeMirjyn and carried by AYE votes of all present.

Councilman Martinez moved to approve Conditional Use Permit No. 418 based on the findings of the Planning Commission; and subject to the recommendations of all departments as contained in Planning Commission minutes dated January 22, 1985; and incorporating the above stipulations as presented by Mr. Cozen. Motion seconded by Councilman Larsen and carried by AYE votes of all present.

Conditional Use Permit No. 373 (Revised) - Shirley Crook for Redlands Restoration and Historical Association, Inc.

Community Planner Atencio presented the application for the establishment of a meeting place for a non-profit civic group or community organization at 405 West Olive Avenue, R-3 Zone. He reported that the Planning Commission considered testimony from the neighboring property owners, the applicant, and concerned citizens at their meeting of January 22, 1985. The Planning Commission recommended that City Council approve their recommendation with findings as contained in their motion.

Councilman DeMirjyn moved to approve Conditional Use Permit No. 373 with findings as made by the Planning Commission and subject to the recommendations of all departments as contained in Planning Commission minutes dated January 22, 1985. Motion seconded by Councilman Larsen.

Attorney Riddell said that this location has already generated one lawsuit, and he wanted to make sure the record was complete in the event another lawsuit was initiated on the same location. He desired to go through each of the Planning Commission's findings to make sure they were understood and that the record was complete with respect to the items which already appear from the public hearing held before the Planning Commission which justified their making those findings and to make sure the City Council agrees.

Mr. Riddell went through the Planning Commission's findings, one by one. The first finding was that the use applied for at that location as set forth in the application is properly one for which a conditional use permit is authorized by this Ordinance [No. 1000]. Mr. Riddell looked at the Ordinance and determined this is a conditional use permit that can be permitted in any zone unless specifically excluded. He asked Community Planner Atencio if this was correct, that it was not specifically excluded from this zone. Mr. Atencio responded that was correct.

Mr. Riddell said the second finding that the Planning Commission made, and which the City Council should also make, is that the use is necessary or desirable for the development of the community, is in harmony with the various elements or objectives of the General Plan, and is not detrimental to the existing use, uses, or to the uses specifically permitted in the zone in which the proposed use is to be located. With respect to the statement that a use is necessary or desirable for the development of the community, Mr. Riddell asked Mr. Atencio to summarize what the Planning Commission found.

In response, Mr. Atencio stated the Planning Commission determined that this is a unique historical home and falls within the category of preservation, and the necessary findings for that were made. The Planning Commission also conditioned the project severely to take into consideration the general welfare of the neighborhood in terms of the conditions which are listed in the minutes of the Planning Commission which were included with the Council's agenda packet.

Mr. Riddell said that the finding also requires a statement that the conditional use permit is in harmony with the various elements or objectives of the General Plan and understands that Mr. Atencio felt that this served the purpose of historical preservation which is one of the elements of the General Plan. Mr. Atencio responded that was correct.

Continuing, Mr. Riddell noted that the conditional use permit was not detrimental to the existing uses or to the uses specifically permitted in the zone and he noted that Mr. Atencio referred to conditions that have been built into the conditional use permit to protect those residential uses in the neighborhood.

Mr. Atencio responded that the property has been conditioned to ensure that no unusual noise activity occurs, no amplified instruments can be used, the hours of operation are limited, the number of people is limited, the outdoor activities are limited to certain times, also evening sessions are limited to certain hours, and on-site parking has been taken into consideration.

PLANNING AND COMMUNITY DEVELOPMENT (Continued)

Mr. Riddell said the next finding that had to be made, and which the City Council should make, is that the site for the intended use is adequate in size and shape to accommodate the use and that all of the yards, set-backs, walls or fences, landscaping, and other features required in order to adjust the use to those existing or permitted future uses on the land in the neighborhood. He asked Mr. Atencio for his opinion and that of the Planning Commission if the site was adequate for the intended use in size and shape, yard, set-back, walls and fences, and landscaping?

Mr. Atencio responded that the Planning Commission did make that finding. He noted that all the activities are to take place within the masonry wall around the property and are limited to 50 people; indoor activities are also limited to 50 people. The site provides for 12 tandem parking places which was also reviewed by the Planning Commission.

Mr. Riddell said the next finding is that the site relates to streets and highways properly designed and improved to carry the type and quantity of traffic generated or to be generated for the proposed use. He asked Mr. Atencio if the on-site parking would alleviate the traffic problem in the streets as far as the Planning Commission was concerned?

Mr. Atencio responded the Planning Commission felt the streets were now developed to their maximum and could handle any additional traffic that would occur from this particular activity. He repeated that 12 on-site parking places are required.

Mr. Riddell said the fifth and final finding that has to be made is that the conditions set forth in the conditional use permit and shown on the approved site plan are necessary to protect the public health, safety, and general welfare and felt that this point had been discussed.

Mr. Atencio noted that Conditions 11-21 were specific conditions that were attached to this particular project and were not applicable to any other conditional use permit in order to protect the general welfare of the public.

Mr. Riddell concluded by stating that City Council has received very complete records from the public hearing before the Planning Commission and that this has been a summary of all the testimony that was provided in that public hearing. He thanked Council for their time to review each of the findings, making sure they understood those findings, and are willing to make each of those findings.

CUP No. 373
Approved

There were no questions or comments from the members of the City Council and the motion to approve Conditional Use Permit No. 373 with the findings as made by the Planning Commission and subject to the recommendations of all departments as contained in the Planning Commission minutes dated January 22, 1985, was approved by AYE votes of all present.

Conditional Use Permit No. 419 - Al McDonald (Taco Tia)

Councilman Larsen moved to approve the Environmental Review Committee's Negative Declaration for Conditional Use Permit No. 419 for a proposed drive-thru restaurant to be located on the northeast corner of Orange Street and Union Street, C-4 Zone, and directed staff to file and post a "Notice of Determination" in accordance with the City's guidelines. Motion seconded by Councilman Martinez and carried by AYE votes of all present.

Councilman Larsen moved to approve Conditional Use Permit No. 419 based on the findings of the Planning Commission and subject to the recommendations of all departments as contained in Planning Commission minutes dated January 22, 1985. Motion seconded by Councilman DeMirjyn and carried by AYE votes of all present.

Tentative Tract No. 12863 - Merickal Development

Councilman Larsen moved to approve the Environmental Review Committee's Negative Declaration for Tentative Tract No. 12863 for the subdivision of approximately 7.1 acres of land into 27 lots for property located on the northeast corner of Lisa Lane and Dearborn Street, R-1 Zone, and directed staff to file and post a "Notice of Determination" in accordance with the City's guidelines. Motion seconded by Councilman DeMirjyn and carried by AYE votes of all present.

Stating that Council finds that pursuant to Section 66473.5 of the California Government Code, Tentative Tract No. 12863 together with the provisions for its design and improvement is consistent with the City's General Plan and any applicable specific plans; that none of the conditions provided in California Government Code Section 66474 exist on this map; and that pursuant to California Government Code Section 66474.6, the discharge of waste from this subdivision apparently will not result in violation of existing requirements prescribed by the Santa Ana Regional Water Quality Control Board pursuant to Division 7 of the California Water Code, Councilman Larsen moved to approve Tentative Tract No. 12863 based on the findings of the Planning Commission and subject to the recommendations of all departments as contained in Planning Commission minutes dated January 22, 1985. Motion seconded by Councilman Martinez and carried by AYE votes of all present.

PLANNING AND COMMUNITY DEVELOPMENT (Continued)

Transfer of Residential Development Allocations - Robert E. Osborne Company

Councilman DeMirjyn moved to approve the transfer of Residential Development Allocation No. 83-7B (35 units) and Residential Development Allocation No. 84-7A (34 units) for Tract No. 12635 to the Robert E. Osborne Company. Motion seconded by Councilman Larsen and carried by AYE votes of all present.

Tentative Tract No. 12635 - Robert E. Osborne Company - Final Approval

All requirements as contained in Council minutes dated February 21, 1984 having been complied with, it is the recommendation of the Planning and Community Development Office that final approval be given Tentative Tract No. 12635. On motion of Councilman Larsen, seconded by Councilman DeMirjyn, this recommendation was approved by AYE votes of all present.

Resolution No. 4032 - Street Vacation No. 83

Resolution No. 4032, a resolution of the City Council of the City of Redlands declaring its intention to vacate a portion of Kansas Street and setting the public hearing on this street vacation for February 19, 1985, at 7:00 P.M. was approved by AYE votes of all present on motion of Councilman DeMirjyn, seconded by Councilman Martinez.

Resolution No. 4035 - Annexation No. 59

Resolution No. 4035, a resolution of the City Council of the City of Redlands initiating Annexation No. 59, LAFC No. 2287B, and setting the public hearing on this matter for March 19, 1985, at 7:00 P.M., was approved by AYE votes of all present on motion of Councilman Martinez, seconded by Councilman Larsen. It was noted that protests shall be filed with the City Clerk prior to and until the conclusion of the public hearing; protests shall be in writing showing the date of the signature and a sufficient description to identify the property.

Environmental Impact Report Contract - Redlands Community Hospital Helistop

Councilman Larsen moved to authorized the Mayor to sign a contract with Urban Environs for an Environmental Impact Report for the helistop project at Redlands Community Hospital. Motion seconded by Councilman Martinez and carried by AYE votes of all present.

Tentative Tract No. 12646 - Paxman Acres - A. D. John - Final Approval

All requirements as contained in Council minutes dated April 3, 1984 having been complied with, it is the recommendation of the Planning and Community Development Office that final approval be given Tentative Tract No. 12646. On motion of Councilman DeMirjyn, seconded by Councilman Martinez, this recommendation was approved by AYE votes of all present.

Tentative Tract No. 12174 - East Valley Partners - Final Approval

All requirements as contained in Council minutes dated July 3, 1984, having been complied with, it is the recommendation of the Planning and Community Development Office that final approval be given Tentative Tract No. 12174. On motion of Councilman Larsen, seconded by Councilman Martinez, this recommendation was approved by AYE votes of all present.

Council recessed at 3:30 P.M. to a Redevelopment Agency meeting and reconvened at 3:50 P.M.

<u>BIDS</u>	
Bid Call	On motion of Councilman DeMirjyn seconded by Councilman Larsen, the City Clerk was authorized to advertise for bids for the installation of 22 upgraded fire hydrants at various locations in the area generally north of Colton Avenue, between Herald and Lawton Streets, south of Lugonia Avenue. Community Development Block Grant funds in the amount of \$16,000.00 have been allocated to the City for this project.
Fire Hydrants	
	On motion of Councilman Martinez, seconded by Councilman DeMirjyn, Council authorized by AYE votes of all present advertising for bids to provide orange grove removal services for the following five abandoned groves:
Bid Call Grove Removal	Grove No. 1 Parcel No. 293-171-01 - 9.68 acres Parcel located on the southwest corner of Bellevue Avenue and Barton Road
	Grove No. 2 Parcel No. 170-211-20 - 1.26 acres Parcel located on the southwest corner of Grove Street and the intersection of the Santa Fe Railroad right-of-way
	Grove No. 3 Parcel No. 168-071-04 - 9.35 acres Parcel located on the north side of East San Bernardino Avenue, approximately 1/2 mile east of Judson Street

BIDS (Continued)

Grove No. 4 Parcel No. 168-051-13 - 4.75 acres
Parcel located on the northwest corner of East San Bernardino Avenue and Occidental Drive

Grove No. 5 Parcel No. 168-051-14 - 4.75 acres
Parcel located on the north side of East San Bernardino Avenue, approximately 300 feet east of Occidental Drive.

COMMUNICATIONS

Seminar

On motion of Councilman Larsen, seconded by Councilman Martinez, Mayor Beswick was authorized to attend the California Redevelopment Association seminar in Monterey on February 15-16, 1985, with Suzanne McIntyre, the Town Center Manager.

Meeting

Councilman Martinez moved to authorize Vice Mayor Johnson's attendance at a meeting of the Californians for Local Economic Development in Sacramento and to pay his registration fee. Motion seconded by Councilman DeMirjyn and carried by AYE votes of all present.

UNFINISHED BUSINESSOrdinance
No. 1860Zone Change
No. 268

Ordinance No. 1860, an ordinance effecting Zone Change No. 268, a change of zone from R-S (Suburban Residential) District to R-1 (Single Family Residential) District for approximately 14.62 acres of property located on the north side of Colton Avenue, west and east of Dearborn Street extended, was given its second reading of the title by City Clerk Poyzer, and on motion of Councilman Martinez, seconded by Councilman Larsen, further reading of the ordinance was waived. Ordinance No. 1860, an ordinance amending Ordinance No. 1000 of the City of Redlands by adopting an additional Land Use District Map as part of the Official Land Use Zone Map and effecting Zone Change No. 268, was adopted on motion of Councilman Martinez, seconded by Councilman Larsen, by the following vote:

AYES: Councilmen Johnson, Martinez, Larsen

NOES: Councilman DeMirjyn

ABSENT: Mayor Beswick

Ordinance
No. 1861Zone Change
No. 269

Ordinance No. 1861, an ordinance effecting Zone Change No. 269, a change of zone from R-S (Suburban Residential) District to R-1 (Single Family Residential) District for approximately ten acres of property located on the north side of Colton Avenue, approximately 330 feet east of Dearborn Street was given its second reading of the title by City Clerk Poyzer, and on motion of Councilman Martinez, seconded by Councilman Larsen, further reading of the ordinance was waived. Ordinance No. 1861, an ordinance amending Ordinance No. 1000 of the City of Redlands by adopting an additional Land Use District Map as part of the Official Land Use Zoning Map and effecting Zone Change No. 269, was adopted on motion of Councilman Martinez, seconded by Councilman Larsen, by the following vote:

AYES: Councilmen Johnson, Martinez, Larsen

NOES: Councilman DeMirjyn

ABSENT: Mayor Beswick

Ordinance
No. 1862Zone Change
No. 270

Ordinance No. 1862, an ordinance effecting Zone Change No. 270, a change of zone from A-1 (Agricultural) District to R-1 (Single Family Residential) District for approximately 4.3 acres of property located at the northeast corner of Texas Street and Pennsylvania Avenue, was given its second reading of the title by City Clerk Poyzer, and on motion of Councilman Larsen, seconded by Councilman Martinez, further reading of the ordinance was waived. Ordinance No. 1862, an ordinance of the City of Redlands amending Ordinance No. 1000 of the City of Redlands by adopting an additional Land Use District Map as part of the Official Land Use Zoning Map and effecting Zone Change No. 270, was adopted on motion of Councilman Larsen, seconded by Councilman Martinez, by the following vote:

AYES: Councilmen Johnson, DeMirjyn, Martinez, Larsen

NOES: None

ABSENT: Mayor Beswick

NEW BUSINESSInmate Work
Program

Councilman Larsen moved to direct the City Manager to look into the County of San Bernardino Sheriff's Inmate Work Program for clean up work in our City and to report back to the Council. Motion seconded by Councilman Martinez and carried by AYE votes of all present.

Invitation

Council asked the City Manager to extend an invitation to the California Conservation Corps workers that have been in Redlands working these past months to join us at this year's Employee's Picnic on March 10, 1985.

NEW BUSINESS (Continued)

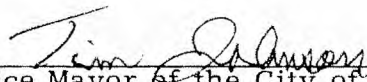
Appointment Councilman DeMirjyn moved to appoint Mrs. Mary Dodd to the Rent Review Board and to appoint Gerald W. Hanson as an alternate for the Rent Review Board. Motion seconded by Councilman Martinez and carried by AYE votes of all present. Councilman Larsen thanked Councilman DeMirjyn for his efforts in soliciting applications to serve on this Board.

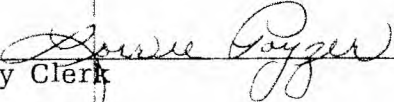
Claim On motion of Councilman Martinez, seconded by Councilman DeMirjyn, the claim of Thomas Churchill in the amount of \$10 Million was found not to be a proper charge against the City and therefore rejected.

Council recessed at 4:00 P.M. to a closed session for the purpose of discussing personnel matters.

Next regular meeting, February 19, 1985.

ATTEST:


Vice Mayor of the City of Redlands


City Clerk

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