

MINUTES of a regular meeting of the City Council of the City of Redlands held in the Council Chambers, Civic Center, 35 Cajon Street, on September 6, 2005, at 3:00 P.M.

PRESENT Susan Peppler, Mayor  
Gilberto Gil, Mayor Pro Tem  
Pat Gilbreath, Councilmember  
Gary George, Councilmember  
Jon Harrison, Councilmember

ABSENT None

STAFF John Davidson, City Manager; Daniel J. McHugh, City Attorney; Lorrie Poyzer, City Clerk; Beatrice Sanchez, Deputy City Clerk (evening session); Michael Reynolds, City Treasurer; Jim Bueermann, Police Chief (afternoon session); Cletus Hyman, Deputy Police Chief (evening session); Jim Drabinski, Fire Chief; Don Gee, Redevelopment Agency Director; Tina Kundig, Finance Director; Ronald C. Mutter, Public Works Director; Marjie Pettus, Administrative Services Director; Gary G. Phelps, Municipal Utilities Director; and Jeffrey L. Shaw, Community Development Director

The meeting was opened with an invocation by Mayor Peppler followed by the pledge of allegiance.

#### CONSENT CALENDAR

Minutes - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the minutes of the regular meetings of August 2, 2005, and August 16, 2005, and the special meetings of August 22, 2005, and August 30, 2005, were approved as submitted.

Bills and Salaries - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, payment of salaries and bills was acknowledged.

Planning Commission Actions - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the report of the Planning Commission meeting held on August 9, 2005, was acknowledged as received.

Notice of Environmental Actions - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the report on pending environmental actions received from surrounding jurisdictions was acknowledged as received.

Ordinance No. 2616 - Specific Plan No. 33 - Signage - Ordinance No. 2616 an ordinance of the City of Redlands amending Ordinance No. 1850 (Specific Plan No. 33) relating to permitted signage by allowing pedestal signs to identify up

to three tenants in a commercial center, was unanimously adopted on motion of Councilmember Gilbreath, seconded by Councilmember Gil.

Pre-Annexation Agreement No. 05-03 - Mark Buoye - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved Pre-Annexation Agreement No. 05-03 for a 2.82 acre parcel located on the east side of Wabash Avenue, approximately 420 feet north of Panorama Drive in the Crafton Area and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Funding Agreement - Standard Pacific Homes - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved an environmental consulting funding agreement with Standard Pacific Homes for an application for the development of a single family planned residential development which requires the preparation of an Initial Study Environmental Checklist and may require an Environmental Impact Report and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Agreement - Standard Pacific Homes - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved a contract with ECORP Consulting, Inc. for preparation of an Environmental Impact Report for Agricultural Preserve Removal No. 107, Williamson Act Contract Removal Nos. 8 and 9, Zone Change No. 409, Conditional Use Permit No. 840, Tentative Tract No. 16689, and Demolition No. 111.

Subdivision Improvement Agreement - Pence Construction, Applicant - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved a subdivision improvement agreement for Parcel Map No. 16164 for Minor Subdivision No. 266 to subdivide an approximately 1.66 acre site into three commercial lots located on the north side of Plum Lane and west of Alabama Street and east of Idaho Street and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Trails - Flood Control Right-of-Way - Councilmember Peppler expressed concerns about the future financial liability of the City if we proceeded with the request to enter into a common use agreement addressing responsibility for maintenance, operations and liability for trails constructed in flood control right-of-way. Community Development Director Shaw explained the City currently has two development projects that have been approved subject to a condition that they construct a trail adjacent to their property. Before they can proceed for issuance of a building permit, a Memorandum of Understanding with the San Bernardino County Flood Control District must be approved by both the City and the County. Subsequent to this Memorandum of Understanding, it will be necessary for the City to enter into a common use

agreement for each individual Flood Control permit requested. Councilmember Pepler felt we should continue this matter until the City Attorney is comfortable with the language. Community Development Director Shaw noted the common use agreement will probably be before the City Council with better information very soon. Councilmember Pepler moved to table this matter tentative for two weeks. Motion seconded by Councilmember Harrison and carried unanimously.

Fee Waiver - American Heart Association - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved a waiver of fees for use of the City's stage and Redlands Police Department officers as requested by the American Heart Association for the "Heart Walk" to be held on September 25, 2005.

The 2005 American Heart Walk - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously authorized the Mayor to send a letter to all Inland Empire mayors encouraging participation in "The 2005 American Heart Walk" to be held in Redlands on September 25, 2005.

Honorary Tree Program - Complimenting the hard work of the Street Tree Committee, Councilmember Harrison moved to approve their adopt the City of Redlands Honorary Tree Program to provide a method of collecting funds for planting of new and/or replacement trees at specified locations in parks and parkways. Motion seconded by Councilmember Pepler and carried unanimously.

Funds - Agreement - Street Improvement Project - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved an appropriation of \$13,996.00 to the Public Works Department account from Municipal Utilities account and to approve the first amendment to the consultant services agreement with Parsons Brinckerhoff Quade & Douglas, Inc. to provide engineering design services for the Redlands Boulevard, Alabama Street and Colton Avenue Improvement Project and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Agreement - Underground Utilities - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved an agreement with the California Department of Transportation for positive location of underground utilities and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Ordinance No. 2615 - Recycled Water Service - Ordinance No. 2615, an ordinance of the City of Redlands adding Chapter 13.58 of the Redlands Municipal Code to establish regulations relating to recycled water service, was

unanimously adopted on motion of Councilmember Gilbreath, seconded by Councilmember Gil.

San Timoteo Creek Project Funding - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously authorized the Mayor to sign and submit a letter to Congressman Jerry Lewis regarding funding for the U. S. Army Corps of Engineers San Timoteo Creek Project.

Agreement - Property Appraisal - Following brief discussion, Councilmember Gil moved to approve an agreement with James Smothers for appraisal of real property for the proposed Tate Water Treatment Plant Effluent Pipeline and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City. Motion seconded by Councilmember George and carried unanimously.

Lease Agreements - Farming Operations - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved lease agreements with Jae Il Lee and Jose Gabino Cordero Meneses for farming operations on Assessor's Parcel Nos. 0292-041-08, 09, 17 and 38 on City-owned property contiguous to the City's Water Reclamation Facilities on Nevada Street and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Grant Application - Refuse/Recycling Trucks - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously authorized the Municipal Utilities Director to act as the City's "responsible party" to submit a grant application to the South Coast Air Quality Management District for the purchase of low-emission refuse/recycling trucks.

Agreement - Fire Department Training - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved the renewal of an agreement with Crafton Hills Community College identifying the Redlands Fire Department as a paramedic clinical/field internship-training site and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Funds - Grant Award - U-WIN Project - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously authorized acceptance of the FEMA FY 2003 Pre-Disaster Mitigation Competitive Project grant award of \$244,087.00 for the Redlands Urban Wildland Interface Network (U-WIN) Project and unanimously authorized an additional appropriation for the expenditure of that amount for this program.

Funds - Redlands Boys and Girls Club Facility - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved an additional appropriation in the amount of \$1,794,000.00 for the Redlands Boys and Girls Club facility. These funds were issued in the Neighborhood Initiative Program for the construction of a new facility at 1251 Clay Street. The City of Redlands spent \$100,000.00 acquiring the property in August, 2002, which was reimbursed by the County, and will be administering the Neighborhood Initiative Program funds for this reason. The financial management of the construction of the facility will be facilitated by the Redlands Police Department Recreation Bureau. Staff will work closely with

the Redlands Boys and Girls Club Director to ensure compliance with County regulations and requirements.

Lease-Purchase Agreement - Motorola Credit Corporation - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved a lease-purchase agreement with Motorola Credit Corporation for the acquisition of 15 new portable radios which was approved in the 2005-06 budget and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

MOU - Redlands Professional Firefighters Association - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved the Memorandum of Understanding with the Redlands Professional Firefighters Association and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Resolution No. 6431 - Disability Retirement - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously adopted Resolution No. 6431 authorizing the retirement of Police Sergeant Carlos Pimentel.

CDBG Reappropriation - Wheelchair Curb Cuts - Councilmember Gil asked for an update on the roofing project for the Community Center. Administrative Services Director Pettus reported she is getting the specifications on all roofing needs and will soon be going out to bid. Councilmember Gil did not want to cancel the Community Development Block Grant-funded project for the re-roofing of the Community Center until he was assured the City had another plan in place and moved to continued to October 4, 2005, the request to re-allocate these CDBG funds to Project 111-27111/2134 identified as Wheelchair Curb Cuts - Redlands Target Area. Motion seconded by Councilmember George and carried unanimously.

## UNFINISHED BUSINESS

Funds - Change Order - Mission Gables Bowl House Project - Phase I of the Mission Gables Bowl House project is the construction of the new basement to house restrooms and storage space for the Redlands Bowl, and to seismically and structurally upgrade the existing structure in anticipation of Phase II work that will complete the interior and street frontage landscaping work on the house. Public Works Director Mutter reported three major items of expense have arisen on the Mission Gables Bowl House project that were unforeseen and not anticipated in the original contract: the connection to Southern California Edison power, exterior renovation work to provide weather-proofing, and termite eradication. Staff recommended additional funds from the Park Development Fund be appropriated and these changes orders approved for this project. A discussion ensued regarding funding for the Sports Park needs with

Public Works Director Mutter assuring Councilmembers the funds would be recouped and expenditure of these funds at this time should not impact the Sports Park. Speaking on behalf of the Redlands Community Music Association, Marsha Gebara expressed appreciation to the City Council, staff and the Police and Fire Departments for their support for the Redlands Bowl during the 82-year partnership. She urged the City Council to approve completion of the re-adaptive re-use restoration of this old house and assured them the Redlands Community Music Association was committed to complete the interior and street frontage landscaping work in Phase II. Steve Guggisberg spoke against this appropriation from park funds as he felt they were critically needed for sports. Emery Milroy presented his suggestions as to how the City could have saved money on this project. Following discussion, Councilmember Gilbreath moved to approve an appropriation of additional funds in the amount of \$170,000.00 from the Park Development fund and to authorize staff to approve a change order as described for the Mission Gables Bowl House project. Motion seconded by Councilmember Harrison and carried unanimously.

#### PLANNING AND COMMUNITY DEVELOPMENT

RDA 2005-III-01 - Tellus Financial Group, Inc., Applicant - It was the recommendations of the Planning Commission, Historic and Scenic Preservation Commission Housing Commission, City departments, and Redlands Unified School District to approve points for a Residential Development Allocation for Conditional Use Permit No. 768, an approved 160 unit senior apartment complex in eight two-story buildings on 4.76 acres on the north side of Orange Avenue, 300 feet east of Kansas Street. Community Development Director Shaw reviewed the request and the recommendations. A total of 117 allocations are available for this quarter, and a project is eligible for a basic allocation of up to 35 units. This project qualified for the basic allocation of 35 units, plus the additional 82 units that are available for this quarter, for a total of 117 allocations as there are not other projects competing for allocation. Expressing her support of this project, Councilmember Gilbreath moved to accept the recommendations of the points to be awarded to this project and approve the allocation of 35 units to RDA 2005-III-01, Tellus Financial Group, Inc. and to approve the allocation of the remaining 82 units to RDA 2005-III-01, Tellus Financial Group, Inc., for a total of 117 units. Motion seconded by Councilmember George and carried unanimously.

#### COMMUNICATIONS

California Air Resources Board Letter - Mayor Pepler asked Councilmembers to consider authorizing a letter to the California Air Resources Board (CARB) regarding a Memorandum of Understanding among CARB and the Union Pacific and Burlington Northern Santa Fe Railroads regarding railroad pollution and requesting CARB to withdraw its opposition to AB 888 and SB 459 and to

support the Air Quality Management Board's proposed Regulation 35. Janet Laiblin, Public Affairs Specialist for South Coast Air Quality Management District, addressed the City Council. Councilmember George moved to authorize this letter for the Mayor's signature. Motion seconded by Councilmember Peppler and carried unanimously. Councilmember Gilbreath noted the need to discuss railroad quiet zones and asked that this be included on an agenda in the near future.

Grant Application - Trail and Linear Park - Councilmember Harrison asked for Councilmembers concurrence to submit an application to CalTrans for a community-based transportation planning grant for funding assistance to conduct a conceptual design for the trail and linear park. Councilmember Harrison moved to approve this request. Motion seconded by Councilmember Gil and carried with Councilmember George being absent from the Chambers at that moment.

#### JOINT MEETING - CITY COUNCIL AND REDEVELOPMENT AGENCY

Statement of Investment Policy - Councilmember Gilbreath moved to approve the Statement of Investment Policy, as amended regarding authorized investments for bond proceeds and recommended by the City Treasurer. Motion seconded by Councilmember Gil and carried unanimously. (Also see Redevelopment Agency minutes dated September 6, 2005.)

Directional Sign Program - Councilmember Peppler moved to approve the Redlands Directional Sign Program as presented by Redevelopment Agency Director Gee and recommended by the Redlands Tourism Advisory Committee and authorized the expenditure of \$5,000.00 of Redevelopment Agency Funds budgeted in the approved Fiscal Year 2005-06 Redevelopment Agency budget for the construction and installation of signs. Motion seconded by Councilmember George and carried unanimously. It was noted the signs would be slightly modified by the Public Works Department from the signs presented in the staff report to meet certain City standards for directional signs. The Public Works Department will construct the signs, install them in public right-of-ways, maintain them and charged the cost of materials and staff to a Redevelopment account. Char Burgess, member of the Redlands Tourism Advisory Committee, thanked the City Council for their action. (Also see Redevelopment Agency minutes dated September 6, 2005.)



## CLOSED SESSION

The City Council meeting recessed at 4:06 P.M. to continue the Redevelopment Agency meeting and reconvened at 4:11 P.M. to a closed session to discuss the following:

1. Conference with real property negotiator - Government Code Section 54956.8
  - a. Property: 173-191-16  
Negotiating parties: Naji Doumit and Linda Emmerson  
Under negotiation: Terms and price
  - b. Property: 173-191-16  
Negotiating parties: Roger Thompson and Linda Emmerson  
Under negotiation: Terms and price

The meeting reconvened at 7:00 P.M.

## PRESENTATION

Proclamation - Dyslexia Awareness Month - By consensus, the City Council authorized issuance of a proclamation declaring the month of October as Dyslexia Awareness Month. Supporting the efforts of the Inland Empire Branch of the International Dyslexia Association, Mayor Peppler presented the proclamation to Deborah Hill who provided information about their kick-off workshop scheduled for September 24, 2005.

## ANNOUNCEMENTS/REPORTS

Councilmembers reported on their activities and attendance at meetings during the past month.

## LAND USE AND PUBLIC HEARINGS

Ordinance No. 2618 - Zone Change No. 415 - Public notice was advertised for this time and place to consider a Draft Mitigated Negative Declaration as well as a public hearing for Ordinance No. 2618, an ordinance of the City of Redlands amending Title 18 of the Redlands Municipal Code revising the City's Land Use Zoning Map and effecting Zone Change No. 415, a change of zone from C-4 (Highway Commercial) District to R-R-A (Rural Residential Animals) District for .43 acres of single family residential property located at 31588 Alta Vista Drive, approximately 200 feet southwest of Outer Highway 10 (Diane Short, applicant). Mayor Peppler declared the meeting open as a public hearing on this matter. Community Development Director Shaw explained the property has been used for residential purposes since 1978 when the residence was constructed and under current zoning remains a legal, non-conforming use. The applicant is proposing the zone change in order to achieve conforming status which will allow the property owner to make improvements to the

property and obtain a conventional residential mortgage loan rather than having to apply for a commercial loan. Based on current land use, the General Plan designation and surrounding zoning, the requested zone change would create conformance between City designations and the current use on-site. There were no questions or comments from the audience and the public hearing was declared closed.

Negative Declaration - Councilmember Harrison moved to approve the Environmental Review Committee's negative declaration for Zone Change No. 415 based on the finding that the project will not have a significant effect on the environment, determining this project will not individually or cumulatively have an adverse impact on wildlife resources as defined in Section 711.2 of the California Fish and Game Code and directed staff to file and post a Notice of Determination in accordance with the City's guidelines. Motion seconded by Councilmember Gilbreath and carried unanimously.

Ordinance No. 2618 - Ordinance No. 2618 was read by title only by City Clerk Poyzer, and on motion of Councilmember Harrison, seconded by Councilmember Gilbreath, further reading of the ordinance text was unanimously waived, and Ordinance No. 2618 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for September 20, 2005.

Resolution No. 6434 - Sign Criteria - Specific Plan No. 25 - Public hearing was advertised for this time and place to consider Resolution No. 6434, Specific Plan No. 25 (Amendment No. 11), an amendment to the sign criteria for Specific Plan No. 25, Section 3.C.8.a and subsections 2, 3 and 4 which would increase the allowable sign area on building frontages, change the way sign area is calculated and allow two main identification signs per building frontage. Mayor Peppler declared the meeting open as a public hearing. Community Development Director Shaw explained the applicant proposed three changes to the current sign criteria for Specific Plan No. 25 which included increasing the allowable sign area on building frontages, changes to the way sign area can be calculated and a request to allow multiple signs on a single frontage. Discussions between both the applicant and planning staff were undertaken to address concerns expressed by both parties and to reach a consensus on proposed changes. Agreement was reached and a beneficial proposal was presented to the Planning Commission that was supported by both sides. Community Development Director Shaw thanked the application for working with staff. There were no questions or comments from the audience and the public hearing was declared closed.

Environmental Review - Councilmember Gilbreath moved to find that the City Council's adoption of Resolution No. 6434, approving an amendment to Specific Plan No. 25, is exempt from review under the California Environmental Quality Act because, pursuant to State Guideline Section 15061, this City Council has determined that it can be seen with certainty that there is no possibility that the adoption of Resolution No. 6434

to regulate signs may have a significant effect on the environment. Motion seconded by Councilmember Gil and carried unanimously.

Resolution No. 6434 - Sign Criteria - Specific Plan No. 25 - Councilmember Gilbreath moved to adopt Resolution No. 6434. Motion seconded by Councilmember Gil and carried unanimously.

Larry Jacinto, Applicant - Public notice was advertised for this time and place to consider a Draft Mitigated Negative Declaration as well as a public hearings for consideration of Resolution No. 6435, General Plan Amendment No. 2005-3-A, a General Plan amendment to change the land use designation from Agriculture to Light Industrial on approximately 6.73 acres and a General Plan Amendment to change the land use designation from Agriculture to Commercial Industrial on approximately 8.90 acres located on the northeast corner of Wabash Avenue and San Bernardino Avenue; consideration of Resolution No. 6433, Agricultural Preserve Removal No. 111, an Agricultural Preserve Removal on 8.90 acres (APN 0297-121-10 and 11), as designated by San Bernardino County, associated with an annexation into the City of Redlands on the property located at the northeast corner of Wabash Avenue and San Bernardino Avenue; and consideration of Ordinance No. 2619, Zone Change No. 414, a change of zone from Unincorporated San Bernardino County I-C (Community-Industrial) District to the City of Redlands M-1 (Light Industrial) District on approximately 6.73 acres (APN 0297-121-07) and a Zone Change from Unincorporated San Bernardino County AG-AP (Agricultural-Agricultural Preserve) District to City of Redlands C-M (Commercial Industrial) District on the remaining 8.90 acres (APN 0297-121-10 and 11) located on the northeast corner of Wabash Avenue and San Bernardino Avenue. Mayor Peppler declared the meeting open as a public hearing. Community Development Director Shaw described the proposed project. Representing the applicant, Pat Meyer supported the recommendations from staff and the Planning Commission. There being no further comments, the public hearing was declared closed.

Negative Declaration - Councilmember Gilbreath moved to approve the Environmental Review Committee's negative declaration for General Plan Amendment No. 2005-3-A, Zone Change No. 414 and Agricultural Preserve Removal No. 111 based on the finding that the project will not have a significant effect on the environment, determining this project will not individually or cumulatively have an adverse impact on wildlife resources as defined in Section 711.2 of the California Fish and Game Code and directed staff to file and post a Notice of Determination in accordance with the City's guidelines. Motion seconded by Councilmember Harrison and carried unanimously.

Resolution No. 6435 - General Plan Amendment No. 2005-3-A - Councilmember Gilbreath moved to adopt Resolution No. 6435, approving General Plan Amendment No. 2005-3-A. Motion seconded by Councilmember Harrison and carried unanimously.

Ordinance No. 2619 - Zone Change No. 414 - Ordinance No. 2619, an ordinance of the City of Redlands amending Title 18 of the Redlands Municipal Code revising the City's Land Use Zoning Map and effecting Zone Change No. 414, was read by title only by City Clerk Poyzer, and on motion of Councilmember Gilbreath, seconded by Councilmember Harrison, further reading of the ordinance text was unanimously waived, and Ordinance No. 2619 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for September 20, 2005.

Resolution No. 6433 - Agricultural Preserve Removal No. 111 - Councilmember Gilbreath moved to adopt Resolution No. 6433, a resolution of the City Council of the City of Redlands removing the agricultural preserve status for Assessor's Parcel Nos. 0297-121-10 and 11. Motion seconded by Councilmember Harrison and carried unanimously.

Buckeyes Limited Partnership, Applicant - Public notice was advertised for this time and place to consider a Draft Mitigated Negative Declaration as well as a public hearing for a Socio-Economic Analysis and Cost/Benefit Study and public hearings for consideration of Ordinance No. 2620, Zone Change No. 412, a change of zone from R-S (Suburban Residential) District to a proposed zoning of R-2 (Multiple Family Residential) District for property with an area of 2.6 acres located on the south side of Highland Avenue, west side of Ford Street and immediately east of the I-10 Freeway; consideration of Conditional Use Permit No. 865, a conditional use permit for the development of a 24-unit condominium development on 2.6 acres located on the south side of Highland Avenue, west side of Ford Street and immediately east of the I-10 Freeway in the R-S (Suburban Residential) District, proposed R-2 (Multiple Family Residential) District; consideration of Tentative Tract Map No. 17691, a Tentative Tract Map for a 24-unit condominium development on 2.6 acres located on the south side of Highland Avenue, west side of Ford Street, and immediately east of the I-10 Freeway in the R-S (Suburban Residential) District, proposed R-2 (Multiple Family Residential) District; and consideration of Variance No. 694, a variance from Section 18.168.220 of the Municipal Code to allow a five-foot setback in lieu of the required 25-foot setback for a proposed 24-unit condominium development to be located on the south side of Highland Avenue, west of Ford Street and immediately east of the I-10 Freeway in the R-S (Suburban Residential) District, proposed R-2 (Multiple Family Residential) District. Community Development Director Shaw reported that prior to this current application, the applicant had proposed a 37-unit apartment complex at this same location. That project came before the Planning Commission in April of this year. At that meeting, several people owning property near the project site spoke out against the project. Reasons provided for opposing the project included the lowering of property values, lack of parking and the potential for increased crime, traffic and noise. The Planning Commission generally felt that the 37-unit apartment complex was not in keeping with the rest of the neighborhood and was too dense. The applicant

was directed to propose a different type of project, possibly condominiums. The applicant subsequently withdrew the apartment application and filed an application for a 24-unit condominium development. In the weeks leading up to the Planning Commission meeting of July 26, 2005, the applicant sought the input of individual Planning Commissioners and met with nearby property owners, holding a meeting at the neighboring church on July 14, 2005. At the Planning Commission meeting on July 26, 2005, a number of individuals spoke in favor or against the project; however, there were significantly less people opposed to the project than at the hearing for the previously proposed 37 unit apartment complex. Mayor Peppler declared the meeting open as a public hearing. Community Development Director Shaw reviewed the proposed project in detail. Marwan Al Abbasi, the applicant, addressed the City Council at length explaining how he responded to the neighbors' concerns by revising his original application. His engineer was available to answer technical questions. Mrs. Al Abbasi also addressed the City Council. One neighbor, Howard W. Miller, III, thought the project was not such a bad idea. Opposed to the project and zone change were: Hope Center Church Pastor B. J. Wilmoth, James Green, Robert and Lvano Stribling, John Walker, Dean Meech, Bill Loughoun, David Raley, James Oana, Pam Sibley and Vicky Watson. An additional eight neighbors also spoke against the project. City Clerk Poyzer reported two letters in opposition to the zone change were received. The public hearing was closed at 9:00 P.M. Councilmember Gilbreath stated she was supportive of the project. Councilmember Harrison expressed concerns about compatibility with the existing neighborhood and lighting in the parking lot and suggested continuing the matter for two weeks so that he could look into something of lower density. Councilmember George supported the position of the neighborhood. Indicating her support of the project, Councilmember Peppler made the following motions.

Mitigated Negative Declaration - Councilmember Peppler moved to approve the Environmental Review Committee's mitigated negative declaration for Zone Change No. 412, Variance No. 694, Conditional Use Permit No. 865 and Tentative Tract Map No. 17691 based on the finding that the project will not have a significant effect on the environment, determining this project will not individually or cumulatively have an adverse impact on wildlife resources as defined in Section 711.2 of the California Fish and Game Code and directed staff to file and post a Notice of Determination in accordance with the City's guidelines. Motion seconded by Councilmember Gil and carried with Councilmembers George and Harrison voting NO.

Socio-Economic Analysis and Cost/Benefit Study - Councilmember Peppler moved to approve the Socio-Economic Analysis and Cost/Benefit Study for Zone Change No. 412, Variance No. 694, Conditional Use Permit No. 865 and Tentative Tract Map No. 17691 as it has been determined that this project will not create unmitigable physical blight or overburden public services in the community and no additional information or evaluation is needed. Motion seconded by Councilmember Gil and carried with Councilmembers George and Harrison voting NO.

Ordinance No. 2620 - Zone Change No. 412 - Ordinance No. 2620 an ordinance of the City of Redlands amending Title 18 of the Redlands Municipal Code revising the City's Land Use Zoning Map and effecting Zone Change No. 412, was read by title only by City Clerk Poyzer, and on motion of Councilmember Peppler, seconded by Councilmember Gil, further reading of the ordinance text was waived, and Ordinance No. 2620 was introduced and laid over under the rules with adoption scheduled for September 20, 2005, with Councilmembers George and Harrison voting NO.

Variance No. 694 - Councilmember Peppler moved to approve Variance No. 694 with the condition that the variance only become effective on the effective date of Ordinance No. 2620, based upon the findings and subject to the conditions of approval contained in the staff report. Motion seconded by Councilmember Gil and carried with Councilmembers George and Harrison voting NO.

Conditional Use Permit No. 865 - Councilmember Peppler moved to approve Conditional Use Permit No. 865 with the condition that the approval shall only become effective on the effective date of Ordinance No. 2620, based on the findings and subject to the conditions of approval contained in the staff report. Motion seconded by Councilmember Gil and carried with Councilmembers George and Harrison voting NO.

Tentative Tract No. 17691 - Councilmember Peppler moved to approve Tentative Tract No. 17691 with the condition that the approval shall only become effective on the effective date of Ordinance No. 2620, based on the findings and subject to the conditions of approval contained in the staff report. Motion seconded by Councilmember Gil and carried with Councilmembers George and Harrison voting NO.

## NEW BUSINESS

Ordinance No. 2617 - Parades and Public Assemblies - City Attorney McHugh presented Ordinance No. 2617, an ordinance of the City of Redlands amending Chapter 12.40 of the Redlands Municipal Code relating to parades and public assemblies. Generally, the ordinance confirms that animals are prohibited, except for service animals and animals that are permitted as part of the event. Ordinance No. 2617 was read by title only by City Clerk Poyzer, and on motion of Councilmember Peppler, seconded by Councilmember Gil, further reading of the ordinance text was unanimously waived, and Ordinance No. 2617 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for September 20, 2005.

Airport Planning Studies Advisory Committee - Municipal Utilities Director Phelps stated the Airport Master Plan needs to be updated every five to ten years. The existing Airport Master Plan was last updated 12 years ago. In view of this, the Federal Aviation Administration was able to find remaining funds in their Airport Improvement Program for Fiscal Year 2005 to fund the update of

the Airport Master Plan. Staff and a professional airport planning consultant who will be developing the Airport Master Plan, and staff who will be developing the Airport Land Use Compatibility Plan would clearly benefit from being able to seek the advice of a City Council Advisory Committee during the early stages of the preparation of both of these plans. The formation of a Council Committee would also provide an opportunity for the Council Committee to be educated on the issues and to be directly involved in the process to facilitate development of policy by the City Council. Councilmember Peppler moved to establish an advisory committee for a limited duration and purpose to advise City staff on planning studies associated with the Redlands Municipal Airport and to appoint Councilmember George and Councilmember Gilbreath to serve on the committee and that the committee terminate seven months after its formation. Motion seconded by Councilmember Gil and carried unanimously.

### PUBLIC COMMENTS

Katrina Relief Outreach - Monya Jones asked for support and assistance to form a Katrina Relief Outreach program. Councilmember George suggested the City take on a small parish in Louisiana as a Sister City to assist the hurricane survivors on a more personal level. He offered to talk with Ms. Jones after the meeting.

General Plan - David Raley felt the residents needed to look at how the General Plan is processed and suggested it perhaps needed to be changed. Community Development Director Shaw briefly explained the General Plan Update process which is now in progress.

Code Enforcement - Reed Gustafson complained that Code Enforcement is not pro-active. Deputy Police Chief Hyman said that every complaint filed by Mr. Gustafson has been responded to by his department. City Manager Davidson and Deputy Police Chief Hyman met with Mr. Gustafson after the meeting.

Tree Trimming - Scott Siegel ended the meeting on a light note informing Councilmembers he had an oak tree in front of his house.

### ADJOURNMENT

There being no further business, the City Council meeting adjourned at 10:07 P.M. The next regular meeting will be held on September 20, 2005.

/s/ Lorrie Poyzer, City Clerk  
Redlands, California