

MINUTES: of the Planning Commission Meeting of the City of Redlands held Tuesday, May 12, 2015, at 4:00 p.m. are as follows:

PRESENT: Carol Dyer, Chairwoman
Ken Jeske, Vice Chairman
Steven Frasher, Commissioner
Conrad Guzkowski, Commissioner
Julie Rock, Commissioner
Patrick Wallis, Commissioner

ADVISORY STAFF Oscar W. Orci, Development Services Director
PRESENT: Robert D. Dalquest, Assistant Development Services Director
Chris Tracy, Senior Planner
Sean P. Kelleher, Associate Planner

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

(At this time, the Planning Commission will provide an opportunity for the public to address them on the subject, which is scheduled on this special meeting agenda. Please limit your comments to three (3) minutes.)

Chairwoman Dyer called the Planning Commission to order and opened the Public Comment Period. All members were present with the exception of Commissioner Hudson.

II. CONSENT

A. **NARESH BAKSHI, APPLICANT**
(PROJECT PLANNER: SEAN P. KELLEHER)

1. Consideration of a Notice of Exemption pursuant to Section 15311(a) of the California Environmental Quality Act Guidelines.
2. Consideration of **Commission Sign Review No. 419** to construct an approximate twenty-one (21) square foot internally illuminated monument sign that is four (4) feet in height for the “Montessori Kids and Land Academy” located at 31587 Alta Vista Drive in the C-4 (Highway Commercial) District.

MOTION

Commissioner Guzkowski moved to approve the Consent Calendar the motion carried with a 6-0 vote (Commissioner Hudson absent) to approve the Consent Calendar.

III. OLD BUSINESS - None

IV. NEW BUSINESS

Commissioner Wallis recused himself due to a conflict of interest.

A. **PROPERTY ONE, LLC., APPLICANT**
(PROJECT PLANNER: CHRIS TRACY, AICP)

1. Consideration of a Notice of Exemption pursuant to Section 15162 of the California Environmental Quality Act Guidelines.
2. **PUBLIC HEARING** to consider **Conditional Use Permit No. 905 (Revision No. 2)** to amend various conditions of approval requiring the timing of completion prior to building permit issuance under the Development Services Department and Municipal Utilities & Engineering Department for an approved 149,800 square foot commercial center containing retail, restaurant, and office uses on approximately 13.20 acres located south of the Interstate 10 Freeway and west of Eureka Street in the Town Center District of the Downtown Specific Plan No. 45.

Chairwoman Dyer opened up the Public Hearing.

Mr. Don Berry, applicant, confirmed he was available for any questions. Mr. Berry confirmed they were amiable **amenable** to connect to the reclaimed water lines.

Mr. Ken Hunter, resident, stated the applicant was not being required to provide a surety bond for the off-site improvements, while all other developers are required to do so. Mr. Hunter expressed concern on traffic and recommended the Environmental Impact Report (EIR) be reevaluated.

Chairwoman Dyer closed the Public Hearing.

MOTION

It was moved by Commissioner Guzkowski, seconded by Commissioner Rock and carried on a 6-0 vote (Commissioner Hudson absent) that Revision No. 2 to Conditional Use Permit No. 905 does not require further environmental processing, pursuant to Section 15162 of the California Environmental Quality Act Guidelines, based on the findings.

MOTION

It was moved by Commissioner Guzkowski, seconded by Commissioner Rock and carried on a 6-0 vote (Commissioner Hudson absent) that the Planning Commission approve Revision No. 2 to Conditional Use Permit No. 905, subject to the findings and the Conditions of Approval.

Commissioner Wallis returned to the Planning Commission.

B. **DIVERSIFIED PACIFIC, APPLICANT**
(PROJECT PLANNER: SEAN P. KELLEHER)

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

2. **PUBLIC HEARING** to consider a recommendation to the City Council on a Socio-Economic Cost/Benefit Study.
3. **PUBLIC HEARING** to consider a recommendation to the City Council on **Agricultural Preserve Removal No. 121** to remove a portion of an approximately 32.28 acre site from a City Agricultural Preserve located on the north side of San Bernardino Avenue, approximately 600 feet east of Judson Street in the A-1 (Agricultural) District (Proposed change to R-E (Residential Estate) District).
4. **PUBLIC HEARING** to consider a recommendation to the City Council on **Zone Change No. 443** to rezone approximately 32.28 acres from A-1 (Agricultural) District to R-E (Residential Estate) District located on the north side of San Bernardino Avenue, approximately 600 feet east of Judson Street.
5. **PUBLIC HEARING** to consider a recommendation to the City Council on **Tentative Tract No. 18979** to subdivide approximately 32.28 acres into fifty five (55) lots for single family residential use and one (1) lettered lot for open space purposes located on the north side of San Bernardino Avenue, approximately 600 feet east of Judson Street in the A-1 (Agricultural) District (Proposed change to R-E (Residential Estate) District).

Chairwoman Dyer opened up the Public Hearing.

Mr. Pat Meyer, representative, gave a brief overview of the proposed project. Mr. Meyer requested Condition of Approval Nos. 9, 10, 11 be removed and stated the applicant is not proposing CC&R's or HOA's and are not developing a PRD for the site. Condition of Approval No. 37 is not required Open Space and requested the removal of the condition.

There was discussion on drainage with the Planning Commission.

Mr. Stephen Rogers, resident, expressed concern on traffic, and the portion of property that is "Not a Part". Mr. Rogers inquired how can a property that is zoned Agricultural Preserve and changed to Residential be a Mitigated Declaration. Mr. Rogers recommended the orange groves stay with the property owners and to propose CC&R's.

Mr. Phil Burum, applicant, recommended the language to Condition of Approval No. 37 revised from "conveyance of Lot A for a Citrus Grove" to "disposition of Lot A for a Citrus Grove".

Chairwoman Dyer closed the Public Hearing.

MOTION

It was moved by Commissioner Guzkowski, seconded by Vice Chairman Jeske and carried on a 5-1 vote (Commissioner Wallis opposed and Commissioner Hudson absent) that the Planning Commission recommend the City Council approve the Mitigated Negative Declaration for Agricultural Preserve Removal No. 121, Zone Change No. 443, and Tentative Tract Map No. 18979 and direct staff to file and post a "Notice of Determination" in accordance with City guidelines.

MOTION

It was moved by Commissioner Guzkowski, seconded by Vice Chairman Jeske and carried on a 5-1 vote (Commissioner Wallis opposed and Commissioner Hudson absent) that the Planning Commission recommend the City Council approve the Socio-Economic Cost Benefit Study for Agricultural Preserve Removal No. 121, Zone Change No. 443, and Tentative Tract Map No. 18979; and determine that the project will not create unmitigable physical blight or overburden public services in the community, and no additional information or evaluation is needed.

MOTION

It was moved by Commissioner Guzkowski, seconded by Vice Chairman Jeske and carried on a 5-1 vote (Commissioner Wallis opposed and Commissioner Hudson absent) that the Planning Commission approve Resolution No. 1273 and recommend that the City Council approve Agricultural Preserve Removal No. 121.

MOTION

It was moved by Commissioner Guzkowski, seconded by Vice Chairman Jeske and carried on a 5-1 vote (Commissioner Wallis opposed and Commissioner Hudson absent) that the Planning Commission approve Resolution No. 1274 and recommend that the City Council approve Zone Change No. 443.

MOTION

It was moved by Commissioner Guzkowski, seconded by Vice Chairman Jeske and carried on a 5-1 vote (Commissioner Wallis opposed and Commissioner Hudson absent) that the Planning Commission approve Resolution No. 1275 and recommend that the City Council approve Tentative Tract Map No. 18979; this includes the modifications to Condition of Approval Nos. 9, 10, 11, and 37 (Condition of Approval Nos. 10 and 11 has been merged with Condition of Approval No. 9) and the added Condition of Approval No. 72 as follows:

9. If a Community Facilities District is not formed, Conditions, Covenants and Restrictions ("CC&Rs") shall be prepared by the applicant and approved by the City for the project. The CC&Rs shall contain the following:

(A) a provision which reads substantially as follows: "The City shall have the right to review and approve any proposed amendment or termination of [the CC&Rs] when such termination or amendment would alter, amend, terminate or otherwise impair the rights of the City under those provisions of [the CC&Rs] which satisfy the conditions of approval imposed by the City for the project. All proposed amendments shall be submitted to the City's Development Services Director and shall be approved in writing by the City Attorney as a precondition of and prior to the recordation of such amendment."

(B) a provision which reads substantially as follows: "[The CC&Rs] shall be covenants running with the land, and shall, in any event, and without regard to technical classification or designation, legal or otherwise, be, to the fullest extent permitted by law and equity, binding for the benefit and the favor of, and enforceable by the City of Redlands. Although the City of Redlands shall be a beneficiary of [the CC&Rs], and shall have a right to enforce [them], the City of

Redlands shall not be obligated hereunder to exercise such rights of enforcement."

(C) The CC&Rs shall be subject to a joint review by all affected City Department Directors and the City Attorney's Office. The applicant shall be required to pay for the review of the CC&Rs by the affected Department Directors and the City Attorney's Office at such persons' hourly billing rates.

(D) The CC&Rs shall be submitted to the City at least twenty (20) days prior to the submission of any request for approval of the final map. The CC&Rs shall subsequently be recorded, in the form approved by the City, prior to or at the same time as the final map.

37. Recordation of the Final Map shall be contingent upon final agreement between the Developer and the City of Redlands for the disposition of Lot A for a Citrus Grove and Detention Basin. The citrus grove proposed on Lot "A" shall be planted prior to obtaining a Certificate of Occupancy of the thirtieth home in the subdivision.
72. As a condition of and prior to final map approval, the applicant shall: (1) petition the City for annexation of the property comprising Tentative Tract No. 18979 to a City's community facilities district (CFD), as designated by the City; (2) take all actions reasonable or necessary to annex such property to the community facilities district; and, (3) pay the reasonable and actual costs incurred by the City in annexing the property to the community facilities district; all for the purpose of the maintenance of landscaping of private common areas and public rights-of-way.

C. **JASON RILEY, APPLICANT**
(PROJECT PLANNER: SEAN P. KELLEHER)

1. Consideration of a Notice of Exemption pursuant to Section 15301 of the California Environmental Quality Act Guidelines.
2. **PUBLIC HEARING** to consider **Conditional Use Permit No. 1024 (Revision No. 1)** to allow for tours and tastings. The distillery is located within a 2,000 square foot tenant space within an existing industrial park located at 721 N. Nevada Street in the EV/IC (Commercial Industrial) District of the East Valley Corridor Specific Plan.

Chairwoman Dyer opened the Public Hearing. There were no comments forthcoming and the Public Hearing was closed.

MOTION

It was moved by Vice Chairman Jeske, seconded by Commissioner Wallis and carried on a 6-0 vote (Commissioner Hudson absent) to continue Conditional Use Permit No. 1024 Revision No. 1 to the May 26, 2015 Planning Commission meeting.

D. **LA SMSA LP, dba VERIZON WIRELESS, APPLICANT**
(PROJECT PLANNER: SEAN P. KELLEHER)

1. Consideration of a Mitigated Negative Declaration.

2. **PUBLIC HEARING** to consider **Conditional Use Permit No. 1026** to collocate on an existing seventy five foot (75') tall wireless telecommunications tower disguised as a pine tree within a two hundred and ninety five (295) square foot lease area and enclosed within an eight foot (8') tall block wall located at 1519 W. Lugonia Avenue in the EV/CG (General Commercial) District of the East Valley Corridor Specific Plan.

Chairwoman Dyer opened the Public Hearing. There were no comments forthcoming and the Public Hearing was closed.

MOTION

It was moved by Vice Chairman Jeske, seconded by Commissioner Wallis and carried on a 6-0 vote (Commissioner Hudson absent) to continue Conditional Use Permit No. 1026 to the May 26, 2015 Planning Commission meeting.

V. ADDENDA - None

VI. MINUTES

A. March 24, 2015

B. April 14, 2015

MOTION

It was moved by Commissioner Rock, seconded by Vice Chairman Jeske and carried on a 6-0 vote that the Planning Commission approve the minutes of March 24, 2015 and April 14, 2015.

VII. LAND USE AND CITY COUNCIL ACTIONS MAY 5, 2015.

Chairwoman Dyer inquired if there were any City Council Actions to report.

Assistant Director Dalquest confirmed the City Council approved an amendment to an agreement with Dyett Bhatia for the General Plan Update and approved the 2013 Building Code and its amendments. Assistant Director Dalquest stated the Newland Homes subdivision project was continued to June 16, 2015 City Council meeting.

VIII. ADJOURN TO MAY 26, 2015

Chairwoman Dyer adjourned the meeting at 5:15 p.m. to the May 26, 2015 Planning Commission meeting.

Linda McCasland
Administrative Analyst

Oscar W. Orci
Development Services Director