

MINUTES: of the Minor Exception Permit Committee Meeting of the City of Redlands held Tuesday, November 22, 2016 at 9:00 a.m. are as follows:

I. ATTENDANCE

PRESENT: Conrad Guzkowski, Planning Commissioner
Julie Rock, Planning Commissioner
Brian Foote, City Planner

STAFF: Emily Elliott, Senior Planner

II. APPROVAL OF MINUTES

A. The minutes of October 4, 2106, October 25, 2016, and November 11, 2016 were approved.

III. PUBLIC COMMENT PERIOD

A. **Meeting Location:** 35 Cajon Street, Suite 20.
Meeting Time: 10:00 A.M.

There were no comments presented.

IV. NEW BUSINESS

A. **Meeting Location:** 1505 Ford Street
Meeting Time: 10:15 A.M.

PUBLIC HEARING to consider **Minor Exception Permit No. 557** for 1505 Ford Street, to install approximately one-hundred and fifty feet (150') of CMU retaining wall of varying heights, with a maximum height of seven-feet four-inches (7'4"), with a six-foot (6') guard rail/fence along the top of the retaining wall. The property is located within the R-E (Residential Estate) District. Pursuant to Section **18.212.220(A)** of the Redlands Municipal Code (RMC), "Retaining walls shall not exceed six feet (6') in height", and **18.212.220(B)** "Retaining walls exceeding thirty inches (30") in height will require a protective fence or guardrail of at least thirty six inches (36") in height either of solid material or with intermediate members so spaced that a nine inch (9") sphere will not pass through. The combination of a retaining wall may not exceed nine feet (9'), except if such retaining wall and guardrail is within fifteen feet (15') of an existing dwelling, the combination of retaining walls and guardrails shall not exceed six feet (6') in height." **RMC Section 18.168.050** provides for the granting of minor exceptions to the fencing and wall development standards.

DECISION: The Minor Exception Committee voted 3-0 to approve the applicant's proposal, subject to the following Conditions of Approval.

1. A building permit shall be acquired from the Development Services Department for all portions of the project prior to construction of any remaining portions of the project.

B. Meeting Location: 1401 E. Pennsylvania Avenue (end of cul-de-sac)
Meeting Time: 10:45 A.M., or as soon thereafter as may be heard

PUBLIC HEARING to consider **Minor Exception Permit No. 558** for Tentative Tract Map 19975, to install approximately six hundred and thirty (630') of CMU retaining wall with decorative block wall along the property line adjacent to Judson Brown Elementary school, with a maximum height of twelve-feet seven-inches (12'7"). The property is located within the R-E (Residential Estate) District. Pursuant to Section **18.212.220(A)** of the Redlands Municipal Code (RMC), "Retaining walls shall not exceed six feet (6') in height", and **18.212.220(B)** "Retaining walls exceeding thirty inches (30") in height will require a protective fence or guardrail of at least thirty six inches (36") in height either of solid material or with intermediate members so spaced that a nine inch (9") sphere will not pass through. The combination of a retaining wall may not exceed nine feet (9'), except if such retaining wall and guardrail is within fifteen feet (15') of an existing dwelling, the combination of retaining walls and guardrails shall not exceed six feet (6') in height." **RMC Section 18.168.050** provides for the granting of minor exceptions to the fencing and wall development standards.

DISCUSSION: The Minor Exception Committee members and the project applicant discussed the proposal. The representative of the neighboring school, Ken Morse, was also present. Staff did not receive any letters or phone calls regarding the proposal. The Committee expressed concern with proposal as the original plan did not involve a retaining wall, rather utilized a slope that would have been formed on the school's property. Mr. Morse stated the school was in opposition to a slope being constructed on their property and that the school prefers to have a combination retaining wall and garden wall. The Committee also expressed concern with the potential for the wall to be vandalized with graffiti.

DECISION: The Minor Exception Committee voted 2-1 to approve the applicant's proposal, subject to the following Conditions of Approval.

1. A building permit shall be acquired from the Development Services Department prior to construction.

C. Meeting Location: Northeast corner of APN: 0168-071-04, near the intersection of Cortez St. and Dearborn St.
Meeting Time: 11:10 A.M., or as soon thereafter as may be heard

PUBLIC HEARING to consider **Minor Exception Permit No. 559** for Tentative Tract Map 18979, to install approximately twelve hundred (1,200') of decorative block wall, with a maximum height of eight-feet (8') along the eastern boundary of the tract. The property is located within the R-E (Residential Estate) District. Pursuant to Section **18.168.020(B)** of

the Redlands Municipal Code (RMC), "Fences and walls not to exceed six feet (6') in height shall be permitted along the side and rear property lines, except that no fence or wall exceeding three feet (3') in height shall be located within any required front yard area." **RMC Section 18.168.050** provides for the granting of minor exceptions to the fencing and wall development standards.

DISCUSSION: The Minor Exception Committee members and the project applicant discussed the proposal. Staff did not receive any letters or phone calls regarding the proposal, however members of the public who live adjacent to the project were present. The neighbors expressed interest in learning the nature of the project and upon learning of the proposal did not express any concerns with the proposed height of the wall. The Committee expressed concern with proposal as the southern portion of the eastern wall where it would meet its southern boundary with San Bernardino Avenue. The Committee requested the wall be reduced in height as it approached the southern boundary so that the wall did not exceed six (6) feet in height where the two walls meet.

DECISION: The Minor Exception Committee voted 3-0 to approve the applicant's proposal, subject to the following Conditions of Approval.

1. A building permit shall be acquired from the Development Services Department for all portions of the project prior to construction of any remaining portions of the project.
2. All fences and walls on the project site not included in this minor exception application shall not exceed the height requirements of the Redlands Municipal Code.
3. The wall that is the subject of this minor exception shall be tiered so that at the point where the wall meets the southern boundary wall, the height does not exceed six (6) feet.

D. Meeting Location: 1130 W. Clifton Avenue
Meeting Time: 11:40 A.M., or as soon thereafter as may be heard

PUBLIC HEARING to consider **Minor Exception Permit No. 556** to install approximately two hundred-sixty feet (260') of ball containment fencing comprised of galvanized steel posts and eleven (11) gauge galvanized mesh with vinyl coating, with a maximum height of ten-feet (10') to surround a sport court that extends within the ten-foot (10') side yard setbacks. The property is located within the R-S (Suburban Residential) District. Pursuant to Section **18.168.020(C)** of the Redlands Municipal Code (RMC), "Open fences, as defined in subsection A of this section, that are over six feet (6') in height may be located in the rear half of the lot, subject to a commission finding that such a fence will not constitute a nuisance to abutting property owners. Such fences, up to sixteen feet (16') in height located within the buildable rear yard area of a lot and not less than ten feet (10') from any property line, are exempt from the requirement." **RMC Section 18.168.050** provides for the granting of minor exceptions to the fencing and wall development standards.

DISCUSSION: The Minor Exception Committee members, the project applicant, the applicant's contractor, and several neighboring property owners discussed the proposal. Staff did receive several letters in opposition to the proposal and one letter from the applicant's contractor in support of the proposal. The neighbors expressed concerns regarding visibility, noise, and the potential for sports balls to enter their yards. The Committee expressed concern with the proposal because the elevation of the applicant's yard is 3-5 feet above the elevations of the neighboring yards, making the height of the proposed fence appear taller than 10 feet. Staff confirmed the sport court surface was an allowable use and did not require a building permit. Staff also confirmed that lighting could be installed at a maximum height of 12 feet. Such lighting would require a building permit and a photometric plan to demonstrate light would not spill over property lines. The Committee concluded a 6 foot fence would provide adequate ball containment and that a taller fence would create an unnecessary nuisance.

DECISION: The Minor Exception Committee voted 3-0 to deny the applicant's proposal.

V. ADJOURNMENT



Emily Elliott
Senior Planner
City of Redlands

NOTICE: The Minor Exception Permit Committee visited the above referenced properties and made a determination on the request(s). If one wished to appeal a decision, said appeal must have been submitted within ten days (Section 18.168.100) from date of the decision. A formal appeal, with the appropriate submittal fee, must have been submitted to this Development Services Department within this time frame. If no appeals are received within these ten days, the decision of the Minor Exception Committee becomes final.