City of Banning

PLANNING COMMISSION
Meeting – Tuesday, September 4, 2007 - 6:30 p.m.
Council Chambers, 99 E. Ramsey Street
Banning, CA 92220

I. CALL TO ORDER

Pledge of Allegiance

Roll Call: Chairperson De Santis, Commissioner Barsh,
Commissioner Dickson, Commissioner Escandel,
Commissioner Hawkins

II. REVIEW / APPROVAL OF MINUTES (August 7, 2007)

III. PUBLIC COMMENT

IV. DIRECTOR'S REPORT FOR THE MONTH OF AUGUST -CITY COUNCIL ACTIONS ON PLANNING-RELATED ITEMS (No Action Required)

V. PUBLIC HEARING:

A. New Items:

1. Design Review #07-707 and Condition Use Permit #07-805: A Request to install modular units for the Pentecostal Church of God, in the Low Density Residential Zone on an approximately 2.094 acre site located at 2562 W. Wilson Street. APN 538-040-036.

2. Request for Continuation - Resolution No. 2007-31: A Resolution recommending to the City Council the adoption of code provisions pertaining to murals.


VI. STAFF REPORT / INFORMATION ITEMS

VII. PLANNING COMMISSIONER COMMENTS

VIII. ADJOURNMENT

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Department (951) 922-3125. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102-35.104 ADA Title II].
City of Banning

PLANNING COMMISSION MINUTES

August 7, 2007

A regular meeting of the City of Banning Planning Commission was held on Tuesday, August 7, 2007, at 6:30 p.m., in the Council Chambers, City Hall, 99 East Ramsey Street, Banning, CA, 92220.

Commissioners Present: Chairperson DeSantis
Commissioner Barsh
Commissioner Dickson
Commissioner Hawkins

Commissioners Excused: Commissioner Escandel

Staff Present: Community Development Director Orci
Deputy City Attorney Murphy
Captain Yarbrough, Fire Marshall
Recording Secretary Sorenson

I. CALL TO ORDER

The meeting was called to order at 6:30 p.m. by Chairperson DeSantis.

II. REVIEW OF MINUTES

ACTION (BARSII / HAWKINS): A motion was moved, seconded and carried that the minutes of May 1, 2007 be approved as presented.

(Motion carried 4 – 0) (Commissioner Escandel was absent)

ACTION (DICKSON / BARSII): A motion was moved, seconded and carried that the minutes of June 19, 2007 be approved as presented.

(Motion carried 4 – 0) (Commissioner Escandel was absent)
III. PUBLIC COMMENT

No one came forward.

IV. DIRECTOR'S REPORT FOR THE MONTH OF JULY -
   CITY COUNCIL ACTIONS ON PLANNING RELATED ITEMS:

Director Orci stated that the Pardee conveyance and financing map had been approved by the City Council. The Council also approved TTM 35363 and the CIP Project list was accepted and received and will be brought to a workshop at a future date in order to prioritize the items.

V. PUBLIC HEARING:

A. New Items:

1. Request to approve Tentative Tract Map No. 33603, Lot Split #06-4501 to subdivide 10.5 acres into 41 single family residential lots in Low Density Residential (0-5 dwelling units per acre) located on the north side of Wilson Street, west of Florida Street. APN 534-183-014, 534-200-004, 534-200-008, 534-200-047.

   Community Development Director Orci presented the staff report and stated the lots will range in size from 7,000 square feet to 16,000 square feet. As designed there are three cul-de-sacs that will have access off of Wilson, two lots will have direct access from Hoffer and five lots will have direct access from Florida Street. This project complies with the subdivision standards in terms of its design.

Director Orci noted a correction on Condition #3 K on page 71, the street reference should be Wilson Street, not Hathaway Street. Staff recommended approval of the project.

John Heiman, with Madison Real Estate Consultants, representative of the applicant, Citicom, 1257 W. Colton Avenue, Redlands CA 92374, came forward to discuss the project. Mr. Heiman stated that he had been in meetings with Director Orci and City Engineer Kahono Oei recently and after reviewing the conditions of approval, he brought up Condition #F on page 63, said the language of the condition suggests that a HOA will be established. Due to the size and simplicity of the proposed subdivision, they would like the option to create an HOA, rather than it being a necessity. Also on page 73, #Z is tied to that thought in that this condition dictates that a HOA shall be established for the purpose of maintaining the parkway landscaping (he assumes along Wilson Street). They would like to retain the option to annex in to the City’s previously established landscape maintenance district for the small strip of landscaping along Wilson. Also, on page 71 #M, this condition refers to the median on Wilson Street, they believe that the condition refers to the construction of a median for the length of the property on Wilson Street. With respect to the City’s General Plan and its arterial designation for Wilson, they feel that this condition is not practical to accommodate the current and future traffic patterns after build-out. They would like to
discuss this item with the City Engineer and work this out at a later date when improvement plans are further along in the process.

Willie Jones, 424 E. Hoffer Street, Banning CA, came forward to inquire what style of homes would be built in this tract. Chairperson DeSantis responded that issue would be part of the Design Review and at this time the Commission was just considering the tract map.

Ronnie Miller, 440 E. Hoffer Street, Banning CA, came forward to inquire if there would be a block wall erected on the north side of the development.

Dave Crosswhite, the civil engineer for the project, came forward and explained about this meeting just being for the tract map and that the homes will probably be Mediterranean / Spanish style architecture and in the 1800 to 2400 square foot range. There will also be a decorative masonry block wall around the perimeter of the tract.

Director Orci responded to the applicant’s comments regarding the conditions on page 63, #F and page 73, #Z, that these conditions were crafted to require the applicant to establish an association to maintain the landscaping along Wilson. He stated that we have received direction from the City Council indicating that they would not like to see further projects going into the landscape maintenance district and would prefer projects maintaining their own landscaping. Director Orci also responded about Condition #M on page 71, and said that condition also ties into Condition #I on page 70, both these conditions have been placed on this project as a result of the General Plan and the future build-out needs of the City. He said we would agree with the applicant that at this point in time the median may not be necessary because the street is not that wide and the median is for future build-out. So staff suggested that Condition #M on page 71 be modified to read “the applicant shall work with the City Engineer to establish a plan for the eventual construction of the median for Wilson Street”.

Director Orci stated that when he brought up the issue of Condition #I on page 70, that condition has been in place to limit the turning movement in and out of those cul-de-sacs to Wilson Street. In this case, staff suggested that the condition be modified to add “that if the applicant desires expanded access then the applicant shall work with the City’s Engineer to establish an expanded access movement”.

Dave Crosswhite came forward to state that on Condition #I, he felt it was being misinterpreted. He felt this condition did not have anything to do with the access across the median, “what it has to do with, because of the reference to the record map, is the requirement that they have non-vehicular access across the sides of those lots. That’s where we dedicate that non-vehicular access to the City. There is no way that you can dedicate on a final map, non-vehicular access across the center of the street”. He said that he felt modifying the conditions as discussed gives them the opportunity to work with the City Engineer to do that. He just wanted to clarify that the purpose of the condition was to make certain that people do not have access to their back yards off of Wilson Street and start putting in drive-ways through the back of their yards.
The commissioners discussed the project and in general were in favor of the subdivision. Chairperson DeSantis stated she would like staff to discuss the HOA issue with the applicant as to how this could be done. Commissioner Dickson stated that he would like to see the HOA costs kept down to what is absolutely necessary.

**ACTION (HAWKINS / BARSII):** A motion was moved, seconded and carried that the Planning Commission recommend approval to the City Council of Resolution No. 2007-32, approving a Mitigated Negative Declaration and Mitigated Monitoring Program based on the findings and mitigation measures.

(Motion carried 4 – 0) (Commissioner Escandel was absent)

**ACTION (HAWKINS / BARSII):** A motion was moved, seconded and carried that the Planning Commission recommend approval to the City Council of Resolution No. 2007-33, approving Tentative Tract Map 33603, based on the findings and conditions of approval (Attachment “I”) and incorporated by reference, as amended to include the modifications to conditions on page 63, #F; page 73, #Z; page 70, #I - “that if the applicant desires expanded access then the applicant shall work with the City’s Engineer to establish an expanded access movement” and page 71, #M to read “the applicant shall work with the City Engineer to establish a plan for the eventual construction of the median for Wilson Street”.

(Motion carried 4 – 0) (Commissioner Escandel was absent)

2. Resolution No. 2007-31: A Resolution recommending to the City Council the adoption of code provisions pertaining to murals. (ZTA #07-97502)

Director Orci presented the staff report and stated that the City adopted Ordinance No. 1272 initially which created Section 9125.C. This was the section that adopted the mural procedures and requirements. The process was ministerial in that it was approved by a committee with staff review and a permit was issued. However, the mural committee was either disbanded or never established and for a time staff was approving or reviewing murals. The City Council directed staff to repeal this ordinance, so in August of 2005 the Council approved Ordinance No. 1325 which repealed this section. The City Council has directed staff to bring this matter back and prepare a new mural ordinance that would require an application process and a fee and the Council asked for basic development standards. Also, the Council requested that staff eliminate the need for any content review and it requested the involvement of the Chamber of Commerce Mural Committee. The issue of an appeals process was discussed.

Deputy City Attorney Murphy stated that he felt the mural programs in the City of Lompoc and the City of Indio were successful ones. He felt that the simpler the ordinance, the better – because the more complex the ordinance gets, the greater the chance that there will be First Amendment problems or other kinds of legal entanglements.
Commissioner Barsh would like there to be a process for people who might be adversely affected by a mural.

Chairperson DeSantis inquired about the fee for a mural. Director Orci stated it would probably be less than our sign permit fee. She also mentioned that she would like to modify the language regarding a professional mural artist to state the artist could supervise and therefore allow citizens and young people to participate in the painting also.

Claudia Keeling, representative of the Banning Mural Council, came forward to state that there are 27 cities in California that have mural projects. Mrs. Keeling discussed the other cities mural ordinances and stated that she felt we should look at the City of 29 Palms as a model. She also stated that she was concerned about the term “professional mural artist” used in our ordinance, she said we have many qualified artists who have already done some of our murals, but they are not professional mural artists. She also would like the maintenance of the murals to be under the control of the Banning Mural Council and not the building owner.

Director Orci stated he has spoken to the City of 29 Palms, he also discussed the conditions on page 89 and that the professional muralist language could be modified.

Commissioner Dickson stated that he felt the Banning Mural Council has done a very good job and the City should have minimal amount of involvement. Commissioner Hawkins agreed and stated that he is on the Banning Mural Council. Commissioner Barsh also commended the Mural Council and wants them to be able to continue with as few roadblocks as possible.

Commissioner Dickson said he wanted to make the ordinance simpler and inquired how that could be done. Director Orci responded “to direct staff to look at this resolution again, specifically page 89, Section 3 #E that does require the agreements with the Chamber and perhaps consider rewriting that to not mandate, but encourage those provisions. And then talk to the Banning Mural Council and see if they are amenable that”. Deputy City Attorney Murphy said that also pages 91, 92, Sections 6, 7 and 8 sort of flow from Section 3 #E – felt those items could be worked out in policy and contract rather than being in the ordinance themselves.

John Klimkiewicz, 4678 W. Gilman Street, Banning CA, a member of the Banning Mural Council, came forward to state the Mural Council would be willing to sit down with staff and work towards making a simpler ordinance.

**ACTION (BARSH / DICKSON):** A motion was moved, seconded and carried that the Planning Commission table this matter for the moment to allow staff to enter into discussions with the Banning Mural Council.

*(Motion carried 4 – 0) (Commissioner Escandel was absent)*
VI. STAFF REPORT / INFORMATION ITEMS

VII. COMMISSIONER'S COMMENTS

Chairperson DeSantis commented that she appreciated receiving the Planning Commission project spreadsheet, but would like more information as to the status of projects, as in more elaboration as to why a project although approved, has not been started.

VIII. ADJOURNMENT

There being no further business to come before the Planning Commission, the meeting was adjourned at 8:09 p.m.

Respectfully submitted,

Gini Sorenson
Recording Secretary
DATE: SEPTEMBER 4, 2007

CASE NO'S: DESIGN REVIEW #07-707 & CONDITIONAL USE PERMIT #07-805

REQUESTS: DESIGN REVIEW AND CONDITIONAL USE PERMIT TO PLACE TWO MODULAR UNITS TOTALING 5,760 SQUARE FEET FOR ADMINISTRATIVE AND CLASSROOM USES

LOCATION: 2562 W. WILSON STREET, APN: 538-040-036

APPLICANT: DAN WORKMAN ON BEHALF OF THE PENTECOSTAL CHURCH OF GOD OF AMERICA

ENVIRONMENTAL CONSIDERATION: THE COMMUNITY DEVELOPMENT DEPARTMENT HAS COMPLETED AN ENVIRONMENTAL ASSESSMENT OF THE ABOVE REFERENCED CASE AND HAS DETERMINED THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AS STIPULATED UNDER §15303 (NEW CONSTRUCTION OR CONVERSION OF SMALL STRUCTURES) OF THE GUIDELINES FOR IMPLEMENTATION OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

BACKGROUND:

Project Location/Background

The Pentecostal Church of God of America purchased the site in 1968. The subject property is 2.03 acres in size and has been improved with a 3,170 square foot (140 seat) sanctuary, a 38 space parking lot, and basketball court. The modular unit is not permitted. The property slopes downward away from Wilson Street towards Montgomery Creek Storm Channel. Two driveways access the property from Wilson Street.

The site is zoned Low Density Residential and is surrounded by similarly zoned properties. The property located immediately to the east of the site is developed with a single-family residential structure. The Montgomery Creek Channel is located along the south end of the subject property. Single family homes are located further south, east, and west of the site; south and west of the Montgomery Creek Storm Channel. Recent entitlement activity for this property includes:
• a request to establish a modular classroom on the property (2002, withdrawn);
• a request convert a school bus into classroom facilities (2003);
• a request maintain a metal storage container (2004, denied); and
• a conditional use permit application to expand the facilities to include a single-family lot and to convert the existing home and garage into administrative and classroom facilities (2005, approved but never built).

Project Description

The applicant has submitted Design Review and Conditional Use Permit applications requesting approval to place two modular units on a permanent basis for classroom and administrative uses. The units total 5,760 square feet in size; Unit 1 is 60 X 72 (4,320 square feet) and Unit 2 is 24’ X 60’ (1,440 square feet). The units are rectangular in shape with a flat roof and wood siding. Because of the slope of the property the burn is proposed north of the units, adjacent to Wilson Street to redirect water away from the units. As of this writing information has not been provided regarding the height of the burn, the earth movement required to create (grade) the land form, and landscape for that burn.

Environmental Review

The project has been determined to be exempt from California Environmental Quality Act (CEQA) pursuant to Section 15303, which consists of new construction or conversions of small structures, including structure not involving the use of significant amounts of hazardous substances where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive. Accessory (appurtenant) structures that are subordinate to the main structure/use are also included in this exemption.

In accordance with CEQA Section 15303, the units will be used for administrative and youth education- appurtenant church uses- and thus will not involve hazardous substances. The units will be served by the public and private utilities that are already servicing the site. The surrounding properties have been developed; therefore, there are no environmentally sensitive areas.

Findings:

Findings can not be made to approve this application for the reasons stated below.

Public Notice

This proposal was advertised in the Press Enterprise newspaper on August 24, 2007. All property owners within 300 feet of the site were mailed a public hearing notice. To date, no written comments have been received. Any comments received prior to the meeting will be incorporated into the appropriate documents.
**Design Review Analysis**

*Density:* 8,930 square feet of buildings on a 88,427 square foot lot yields 10% building coverage. Maximum building coverage permissible in the Low Density Residential Zone is 40%.

*Access:* The project will be served by the existing driveways located on Wilson Street.

*Conditional Use Permit:* As indicated above, the applicant proposes to place two modular units for the administrative and youth education purposes. As of this writing, the applicant has indicated the following operational characteristics:

- Unit 1 will be used Sundays (8:00 AM to 1:00 PM) and Thursday nights (6:30 PM to 8:30 PM);
- Unit 1 will be used for 100 children (including staff) up to 11 years old on Sundays and 50 children (including staff) on Thursdays;
- Unit 2 will be used for administrative functions; and
- Unit 2 will operate from 8:00 AM to 5:00 PM and house up to 5 employees/workers.

In order to analyze the impacts (parking demand, circulation impacts, etc) of these uses staff will require the following additional information:

- Sanctuary activities;
- Total number of staff/workers at the site, including the largest shift;
- Verification that the 50 students are not of driving age;
- Circulation plan (if children will be dropped-off and picked-up);
- Total number of classrooms;
- Classroom schedule (if multiple classes are conducted throughout the day); and
- Parking plan (if the sanctuary attendance coupled with other activities exceeds the parking requirements).

*Parking requirements:* The 140 seat sanctuary requires 35 spaces, 38 spaces are provided. The code establishes provisions for parking based upon the number of staff, students, and classrooms. Therefore in order to determine the parking demands, the applicant will need to submit the above-listed information.

*Setbacks:* With the exception of the parking (unknown at this time) the project meets or exceeds all setback requirements. The project is in compliance with the development standards for this zone. Please refer to the table below:

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<tr>
<th>Development Standards Compliance Table</th>
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<tbody>
<tr>
<td>Proposed</td>
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<tr>
<td>Building Coverage</td>
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<tr>
<td>Parking Spaces</td>
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<tr>
<td>Front Setback</td>
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<tr>
<td>Rear Setback</td>
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<tr>
<td>Side Yard Setbacks</td>
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<td>--------------------</td>
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<tr>
<td>Building Height</td>
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</table>

**Grading Plan:** Grading plans have not been submitted. The property slopes away from the street to Montgomery Creek. The pad for the modular units will need to be graded flat. In addition, the burn is proposed north of the units, south of Wilson Street to redirect water away from the units. A grading plan will be conditioned that will demonstrate adherence to the relevant code provisions, identify earth movement information, and illustrate any relevant drainage improvements.

**Architectural Plans:** As indicated previously, the applicant proposes to place two modular units; Unit 1 will be 4,320 square feet in size, Unit 2 will be 1,440 square feet in size. Each unit is about 10 feet in height rectangular in shape with a flat roof and wood siding. The units will be painted to match the sanctuary. The grouping of these units is unknown at this time with the information submitted, but it appears that there will be some sort of walkway in front of the units for ADA access.

Although the applicant proposes to match paint, the modular units are not compatible in terms of architectural style with the existing sanctuary, an A-Frame structure. Staff is not able to support the use of modular units at this facility.

The Code requires that structures be compatible with the existing on-site structures. The Code suggests that new structures be harmonious in building style, as well as form, size, scale, color, height, materials, finish orientation, and roofline. Further, the Code discourages the use of square, “boxlike” structures.

Furthermore, other similar facilities in the City have demonstrated the ability to expand with compatible structures. Please refer to the Figure 1 and 2 of other similar facilities within the surrounding neighborhood that provide compatible structures.

**Figure 1:** Photos to be provided separately.

**Landscape Plan:** As of this writing a landscape plan has not been submitted. The applicant illustrated some landscape along the proposed burn. If approved, the project will be conditioned to provide a landscape and irrigation plan in accordance with the City codes and standards, including drought-tolerant landscape.

**Utilities:** The project will be served by the City’s Water, Sewer and Electrical services. The utilities are located along the adjacent streets.

**Summary**

The proposed use is allowed on the site subject to the Conditional Use Permit. Further information, as indicated above, is required to analyze the impacts of the proposed administration and youth education uses. With the exception of design, the project appears to comply with the City’s development standards; however, staff is
recommending that the applicant be directed to modify the units appearance to be more compatible with the existing sanctuary.

RECOMMENDATION:

That the Planning Commission continue this matter and direct the applicant to: (1) modify the units' design; and (2) provide additional information as indicated in this staff report.

ALTERNATIVES:

Approval: should the Commission wish to approve this project as proposed and/or with conditions of approval, the Commission must direct staff to prepare the necessary resolution approving the project (and provide findings for such approval).

Denial: should the Commission wish to deny this project, the Commission must direct staff to prepare the necessary resolution denying the project (and provide findings for such denial).

Respectfully submitted,

Oscar W. Orci
Community Development Director

Exhibits:
1. Site Plan and Elevations (Under Separate Cover)
STAFF REPORT
PLANNING COMMISSION

DATE: SEPTEMBER 4, 2007

CASE NO'S: ZONE TEXT AMENDMENT #07-97502

REQUESTS: AMENDMENT TO MUNICIPAL CODE PROVISIONS
ESTABLISHING PROVISIONS FOR MURALS

LOCATION: CITYWIDE, NON-RESIDENTIAL USES ONLY

APPLICANT: CITY OF BANNING

ENVIRONMENTAL CONSIDERATION: THE COMMUNITY DEVELOPMENT DEPARTMENT HAS DETERMINED THAT THIS ACTIVITY IS NOT A PROJECT AS DEFINED BY THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AS STIPULATED UNDER SECTION 15061(b)(3) OF THE GUIDELINES FOR THE IMPLEMENTATION OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

BACKGROUND/RECOMMENDATION

At the previous meeting, the Planning Commission directed staff to make changes to the mural regulations in order to:

1) Establish a permit process;
2) Establish mural development standards; and
3) Allow the Chamber Mural Committee the opportunity to review murals on a voluntary basis.

Staff has made the appropriate modifications to the ordinance but has not had an opportunity to meet and confer with the Chamber Mural Committee. Therefore, Staff is requesting that this item be continued to the next Commission meeting (October 2, 2007).

Respectfully submitted,

[Signature]
Oscar W. Ori
Community Development Director
DATE:       SEPTEMBER 4, 2007

CASE NO'S:  DESIGN REVIEW #07-709

REQUESTS:  DESIGN REVIEW FOR A 36,537 SQUARE FOOT
INDUSTRIAL PARK.

LOCATION:  GALLEHER WAY (END OF CUL-DE-SAC). APN 541-220-
009 & 019.

APPLICANT:  DEXTER TUTTLE.

ENVIRONMENTAL
CONSIDERATION: THE COMMUNITY DEVELOPMENT DEPARTMENT
DETERMINED THAT THE PROJECT IS EXEMPT FROM CALIFORNIA
ENVIRONMENTAL QUALITY ACT (CEQA)
PURSUANT TO SECTION 15332 WHICH CONSISTS OF
PROJECTS CHARACTERIZED AS IN-FILL
DEVELOPMENT.

BACKGROUND:

Project Location

The subject property is vacant, relatively flat and located in an industrial area of Banning. Specifically, the site is located on and will be accessed from Galleher Way at the end of the cul-de-sac. The rear (north) of the property is adjacent to John Street. The site is zoned Industrial and surrounded by industrial uses, including an electric substation.

Project Description

The applicant has submitted a Design Review application requesting approval of an industrial development consisting of two buildings totaling 36,537 square feet with a 37 space parking lot, and loading zones. Building 1 is 26,937 square feet in size and proposes 9 tenant spaces. Building 2 is 9,600 square feet in size with 4 proposed tenant spaces. Each space can accommodate an office/reception area of approximately 196 square feet. With the exception of a portion of Building 2, tenant spaces will have roll-up doors located adjacent to the front doors. The tilt-up concrete construction type proposes metal trellises as well as a color band to break up the massing. In addition, pop-out arches are proposed along the “front” corner of Building 1 and along the front of Building 2.
Environmental Review

The project has been determined to be exempt from California Environmental Quality Act (CEQA) pursuant to Section 15332 which consists of projects characterized as In-fill development meeting the following conditions: (a) The project is consistent with the applicable General Plan designation and all applicable General Plan policies as well as with applicable Zoning designations and regulations, with the exception of design regulations (b) The proposed development occurs within the city limits on a project site of no more than five acres substantially surrounded by urban uses, (c) The project site has no value as habitat for endangered, rare or threatened species, (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality, and (e) The site can be adequately served by all required utilities and public services.

In accordance with CEQA Section 15332: (a) the proposed project is consistent with the Industrial land use and Zoning designations, such as development standards (set backs, lot coverage, etc.) and uses (as conditioned herein) appropriate to the Industrial designation; (b) the project is less than 5 acres (1.88 acres in size); (c) the site has been found to be of no value as habitat (the site is flat and void of vegetation or bodies of water); (d) the project (as conditioned) will not generate impacts resulting from noise, air quality, or water quality; and (e) the site will be served by the public and private utilities and will not generate significant environmental effects.

Findings:

Findings can not be made to approve this application for the reasons stated below.

Public Notice

This proposal was advertised in the Press Enterprise newspaper on August 24, 2007. All property owners within 300 feet of the site were mailed a public hearing notice. To date, no written comments have been received. Any comments received prior to the meeting will be incorporated into the appropriate documents.

Design Review Analysis

Density: 36,537 square feet of building on a 81,893 square foot lot yields 45% building coverage. Maximum building coverage permissible in the Industrial zone is 60%.

Access: The project is bounded by streets on two sides, but access will be solely from a single driveway located on Galleher Way, at the cul-de-sac. The closest freeway exit to this project is at Hargrave Street. Galleher Way, Lincoln Street to Hargrave Street will be the main street routes accessing the project from the north, east and west. The applicant will be required to improve John Street.

Uses: As of this writing the applicant has not “officially” indicated the uses for this site. However, it is Staff’s understanding that Performance Meters (manufacturing facility, adjacent to this site) proposes to locate within some or all of the units. Staff has not been
able to confirm the use. Staff placed a condition of approval that will require the applicant to comply with the uses listed in the Zoning Code for this site. The applicant will also have to abide by the City’s current moratorium restrictions on warehouse and self-storage uses.

**Parking requirements:** For industrial buildings the Code requires 1 space per 250 sq ft of gross floor area up to 3,000 sq. ft. plus 1 space per 500 sq ft of gross floor area between 3,000 and 10,000 sq. ft. plus 1/800 sq ft of gross area over 10,000 square feet.

\[
\begin{align*}
3,000 \text{ sq. ft. @ } \frac{1}{250} &= 12 \\
7,000 \text{ sq. ft. @ } \frac{1}{500} &= 14 \\
26,537 \text{ sq. ft. @ } \frac{1}{800} &= 33 \\
36,537 \text{ sq. ft.} & \quad 59 \text{ total spaces required, 39 provided.}
\end{align*}
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As allowed by Section 9107.06 (10), "[a]ny applicant shall have the burden of proof for a reduction in the total number of required off-street parking spaces, and written documentation shall be submitted substantiating their reasons for the requested parking reduction." To justify a reduction in parking, the applicant has submitted code provisions from other communities; this information indicates the following:

1. Palm Desert: Code requires 2 spaces per 1,000 sq. ft. GFA or 73 spaces required for this use;
2. Riverside County: 1/250 sq. ft. of office plus 1/500 sq. ft. of fabrication = 81 spaces required for this use;
3. Beaumont: 1/350 sq. ft. GFA = 104 spaces required for this use;
4. Yucaipa: 1/1,000 sq. ft. FA plus one space per company vehicle = A minimum of 37 spaces required for this use (does not include company vehicle);
5. Fontana: 1/500 sq. ft. GFA = 73 spaces required spaces for this use;
6. Perris: 1/500 sq. ft. GFA plus 1/company vehicle, etc. = 73 (minimum) spaces required for this site; and
7. Rialto: 1/500 sq. ft. GFA plus 1/ company vehicle = 73 (minimum) spaces, does not include company vehicles.

**Alternative analysis using warehouse parking space requirements:**

1. Palm Desert: 2/3 employees but not less than 1/1,000 sq. ft. for first 20,000 sq. ft. GFA plus 1/2,000 sq. ft. over 20,000 sq. ft. GFA = 28 required spaces
2. Riverside County: 1/2,000 sq. ft. GFA = 18 required spaces.
3. Beaumont: 1/1,000 sq. ft. GFA = 37 required parking spaces
4. Yucaipa: 1/1,000 sq. ft. FA plus one space per company vehicle = A minimum of 37 spaces required for this use (does not include company vehicle);
5. Fontana: 1/1,000 sq. ft. for first 40,000 sq. ft. GFA plus 1/250 sq. ft. of office space = 49 required spaces for this use;
6. Perris: 1/1,000 sq. ft. GFA for first 20,000 sq. ft. and 1/2,000 sq. ft. GFA = 28 required spaces for this use; and
7. Rialto: 1/1,000 sq. ft. GFA for first 10,000 sq. ft. plus 1/2,000 sq. ft. for the
balance plus one space per business vehicle = A minimum of 23 parking spaces
required for this use (does not include company vehicles).

As indicated above, the information provided by the applicant does not support a
reduction in the parking space requirements for an industrial facility because the average
parking requirement for these cities is 73 spaces (not including company vehicle parking
requirements) compared to the 59 spaces required by Banning. In terms of warehouse
parking requirements, the average space requirement for the cities listed above is 31
spaces (not including company vehicle parking requirements) compared with Banning’s
59 space requirement. Because of Banning’s moratorium on warehouse and storage
facilities, the City may not use the warehouse parking calculations until such time as the
moratorium is removed/resolved; therefore, the City must use the industrial code
provision. Hence, Staff recommends the applicant be required to provide 59 spaces, or
modify the project to comply with the parking requirements, or wait until the moratorium
issue is resolved which then may allow warehouse uses and a reduction in the parking
requirements.

Setbacks: The project meets or exceeds all setbacks requirements. The project is in
compliance with the development standards for this zone. Please refer to the table below:

<table>
<thead>
<tr>
<th>Development Standards Compliance Table</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed</td>
</tr>
<tr>
<td>Building Coverage</td>
</tr>
<tr>
<td>Parking Spaces</td>
</tr>
<tr>
<td>Front Setback</td>
</tr>
<tr>
<td>Rear Setback</td>
</tr>
<tr>
<td>Side Yard Setbacks</td>
</tr>
<tr>
<td>Building Height</td>
</tr>
</tbody>
</table>

Grading Plan: Grading plans have not been submitted; however, the site is relatively flat
and very little grading is expected. Please note that a floodway exists crossing San
Gorgonio Avenue onto the existing property as identified in Flood Boundary and
Floodway Map dated October 17, 1978; therefore, the applicant may need to provide a
grading plan that may change the existing grade. A grading plan and an import/export
plan will be required to resolve this issue.

Architectural Plans: As indicated previously, the applicant proposes to construct two
tilt-up industrial buildings that will/could be divided among various tenant spaces. The
buildings will be painted in an off-white color with a dark brown accent band around the
upper part of the building façade. Metal trellises (Building 1) will be located along the
building facades as well as pop-out arches (Building 1 and 2) to vary the building
massing. The heights of the “side” buildings walls will be varied to provide articulation.

Similar building treatments can be found at the buildings located at the northwest corner
of 8th and Lincoln (behind the empty lot). Staff encourages the Commission to visit this
site in order to discuss the architectural requirements.
Although the applicant provides some variation to the façades, the designs do not meet the intent of the code in terms of design requirements and require additional articulation. Section 9103.05(3)(B) states that “…industrial buildings should not include large blank, unarticulated wall surfaces or square, "boxlike" structures". The Code suggests that industrial structures shall be mitigated through the use of varied roof and wall planes; varied building height; changes in colors and building materials; landscaping islands adjacent to the structure; and the use of windows, doors and trellises. Figure 1, below, is the façade of Barbour Industrial Park, which was recently approved by the Commission. This façade is a good example of the use of multiple colors, materials, varied roof heights and wall planes.

![Barbour Industrial Park](image)

**Figure 1: Barbour Industrial Park**

**Landscape Plan:** As of this writing a landscape plan has not been submitted. The applicant has submitted a conceptual plan that complies with the Code required landscape area. The conceptual landscape plan is not adequate and in terms of providing a lush low water use palette. As conditioned, the applicant will be required to comply with the City’s drought tolerant landscape requirements.

**Utilities:**
The project will be served by the City’s Water, Sewer and Electrical services. The utilities are located along the adjacent streets.

**Summary**

The proposal, as conditioned and with the assumption that Precision Meter will occupy said property, is consistent with the General Plan, its goals and policies for industrial development. The General Plan Industrial Goal states: *A balanced mix of non-industrial land uses which provide local jobs for the City’s residents; Policy 11 is: Encourage the development of industrial campuses and zoning.* This project will maintain an existing business and its jobs and will have an overall positive impact on the City.
However, the project, as designed, does not comply with the Zoning Code, in terms of its façade design and parking. Staff is of the opinion that the façade and parking lot must be redesigned to meet current standards.

**RECOMMENDATION:**

That the Planning Commission continue this matter and direct the applicant to modify the façade and site plan (parking lot) to comply with current code requirements.

**ALTERNATIVES:**

*Approval:* should the Commission wish to approve this project as proposed and/or with conditions of approval, the Commission must direct staff to prepare the necessary resolution approving the project (and provide findings for such approval).

*Denial:* should the Commission wish to deny this project, the Commission must direct staff to prepare the necessary resolution denying the project (and provide findings for such denial).

Respectfully submitted,

*Oscar W. Orce*
Community Development Director

Exhibits:

1. Site Plan and Elevations (Under Separate Cover)
STAFF REPORT
PLANNING COMMISSION

DATE: SEPTEMBER 4, 2007

CASE NO'S: SIGN REVIEW #07-9012

REQUESTS: REQUEST TO INSTALL A SIGN.


APPLICANT: MG BANNING, LLC

ENVIRONMENTAL
CONSIDERATION: THE COMMUNITY DEVELOPMENT DEPARTMENT HAS
COMPLETED AN ENVIRONMENTAL ASSESSMENT OF
THE ABOVE REFERENCED CASE AND HAS
DETERMINED THAT THE PROJECT IS
CATEGORICALLY EXEMPT FROM THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT AS STIPULATED
UNDER §15303 (NEW CONSTRUCTION OR CONVERSION
OF SMALL STRUCTURES) OF THE GUIDELINES FOR
IMPLEMENTATION OF THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT.

BACKGROUND/RECOMMENDATION

At the May 2, 2007, Joint Planning Commission and City Council Workshop, the
Commissioners and Council Members discussed freeway oriented signs. As we now have
an application for a large, multi-tenant sign to be located on the south side of the freeway,
staff is requesting that this item be continued to the special Planning Commission Meeting
scheduled for Wednesday, September 12, 2007, for input and direction.

Respectfully submitted,

Oscar W. Orci
Community Development Director
STAFF REPORT
PLANNING COMMISSION

DATE: SEPTEMBER 4, 2007

CASE NO’S: ZONE TEXT AMENDMENT #07-97503

REQUESTS: AMENDMENT TO MUNICIPAL CODE PROVISIONS: AN
ANALYSIS OF COMMERCIAL-MANUFACTURING /
INDUSTRIAL / BUSINESS PARK ZONES ALONG
• LINCOLN STREET.

LOCATION: CITYWIDE

APPLICANT: CITY OF BANNING

ENVIRONMENTAL CONSIDERATION: THE COMMUNITY DEVELOPMENT DEPARTMENT HAS
DETERMINED THAT THIS ACTIVITY IS NOT A PROJECT AS DEFINED BY THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT (CEQA) AS STIPULATED UNDER SECTION 15061(b)(3) OF THE
GUIDELINES FOR THE IMPLEMENTATION OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

BACKGROUND/REcommendation

At the May 2, 2007, Joint Planning Commission and City Council Workshop, the
Commissioners and Council Members directed staff to do an analysis of the Commercial-
Manufacturing / Industrial / Business Park Zones along the Lincoln Street corridor from
Sunset Avenue to Hargrave Street.

Staff has not had the opportunity to complete this analysis and is requesting that this item be
continued to the special Planning Commission Meeting scheduled for Wednesday,
September 12, 2007.

Respectfully submitted,

Oscar W. Orci
Community Development Director