CITY OF BANNING
PLANNING COMMISSION AGENDA

REGULAR MEETING - Tuesday, March 3, 2009 @ 6:30 PM
City Council Chambers, 99 E. Ramsey Street
Banning, CA 92220

I. CALL TO ORDER: Commissioner Buddy Hawkins

➢ Pledge of Allegiance: Commissioner Kevin Siva
➢ Swearing In of New Commissioners: Marie Calderon, City Clerk
➢ Roll Call: Matthew Bassi, Interim Community Development Director

Commissioner Dennis Arterberry; Commissioner Harold Barsh; Commissioner Bill Escandel; Commissioner Buddy Hawkins; Commissioner Kevin Siva

II. PUBLIC COMMENTS:

At this time, the general public is invited to address the Planning Commission concerning any items that are not listed on the agenda, which are not public hearings or other items under the jurisdiction of the Planning Commission. Comments from the public of any non-agenda items will be limited to three (3) minutes in accordance with City policy.

III. CONSENT CALENDAR ITEMS:

Note: All items listed on the Consent Calendar may be enacted by a single motion without separate discussion. If a discussion or a separate vote on any item is desired by a Planning Commissioner, that item may be removed from the Consent Calendar and considered separately. All remaining items not removed from the Consent Calendar by a Planning Commissioner shall be voted on prior to discussion of the item(s) requested to be pulled.

1. Approval of the February 3, 2009 Planning Commission Minutes
IV. ELECTION OF OFFICERS

V. PLANNING COMMISSIONER COMMENTS

VI. COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

1. City Council Actions from previous meetings on Planning-Related Items

2. Planning Commissioner Orientation / Training - Study Session

VII. TENTATIVE PROJECTS SCHEDULED FOR APRIL 7, 2009

1. ZTA #09-97501: – Industrial Parking Standards Code Amendment
2. ZTA #08-97511: – Mural Sign Ordinance
3. Design Review #07-708: - O’Donnell Industrial Park

VIII. ADJOURNMENT

The City of Banning Planning Commission is hereby adjourned to the regular Planning Commission meeting of April 7, 2009 starting at 6:30 p.m. in the City Council Chambers.

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

February 3, 2009

A regular meeting of the City of Banning Planning Commission was held on Tuesday, February 3, 2009 at 6:30 p.m., in the Council Chambers, City Hall, 99 East Ramsey Street, Banning, CA, 92220.

Commissioners Present: Chairman Dickson
Commissioner Barsh
Commissioner Escandel
Commissioner Hawkins
Commissioner Siva

Staff Present: Interim Community Development Director Bassi
Assistant City Attorney Lopez
Senior Planner Clinton
Planning Engineer Guillot
Recording Secretary Sorenson

I. CALL TO ORDER

The meeting was called to order at 6:30 p.m. by Chairman Dickson. Chairman Dickson asked for a moment of silence in remembrance of our late Fire Marshal Ted Yarbrough.

II. PUBLIC COMMENTS

No one came forward.

III. CONSENT CALENDAR

1. Review of Minutes (January 6, 2009)

ACTION (ESCANDEL / HAWKINS/): A motion was moved, seconded and carried that item 1 be approved as presented.

(Motion carried 4 -0) (Commissioner Barsh abstained as he was excused for the January meeting)
IV. PUBLIC HEARING:

1. Conditional Use Permit (CUP) #08-804: A request from CR & R, Inc. to construct a 12,466 square foot industrial building to establish an office and truck repair facility on a 4.3 acre site within the Industrial zoning district generally located on Barbour Street east of Hargrave Street (APN 541-330-005).

Planning Engineer Guillot presented the staff report and stated that the applicant is seeking approval to construct an industrial building and establish an office and truck repair facility on a site south of the airport and east of Hargrave Street. The site is zoned Industrial. Mr. Guillot stated that he had worked with the architects to upgrade the architecture and showed slides of the elevations. He discussed the site plan and floor plan. There will be five truck repair bays, an office and a wash rack for the trucks. There will be sixteen waste handling trucks serviced by this facility. There will be landscape buffers and screening of the facility. Mr. Guillot pointed out that there was a revised set of conditions given to the Commissioners this evening. There were some redundant conditions listed in the original packet. Staff has eliminated those and recommends the revised conditions of approval and approval of the project.

Commissioner Siva had questions about the location of the project and the height of the highest building. Mr. Guillot showed a slide of the location and stated 30’ was the highest structure. There was discussion about pad elevation and the grading plan and the lines of sight.

Commissioner Escandel requested that the term solid waste handling be defined. Mr. Guillot responded that solid waste is household waste, the trash that we all put out at the curb. There will not be any toxic or hazardous waste. Commissioner Escandel also wanted to know if the trucks would arrive at the facility clean or dirty, empty or full. Mr. Guillot stated that this is a truck repair facility and there will not be any storage of waste, recycling or anything like that on this site. Interim Director Bassi stated that it is our understanding that the trucks will come to the site empty and leave there empty.

Chairman Dickson stated that he felt people were very sensitive after the Liberty Energy proposal and he would like it stated in the conditions that no trucks that were not cleaned would be parked there for any length of time as we would then be subject to seepage and spillage. The Commissioners then wanted more clarification about “washing” – if it consists of cleaning road grime off the outside of the trucks or does it mean cleaning the inside where the waste is hauled. Director Bassi stated staff would support a condition stating that any trucks coming to the facility must first be cleaned.
off-site, somewhere else, free of debris, before they come to this site for service and repair.

Chairman Dickson inquired about the lighting and spillage and since there is residential in the area, he wanted to be sure that we were doing as much dark sky as possible. Mr. Guillot responded that our code requires zero lumens at the lot line, so when the construction plans are submitted that will be reviewed.

Roger Van Valkenburgh, 7808 S. 207 Court, Kent WA 98032, representative of the applicant, stated that no sludge will be brought to this site. They will bring in empty trucks and the outside of the trucks will be washed every day at the facility, not the inside and they will be waxed once a week. There will be no hazardous waste; this company handles solid waste (household trash) and recyclables.

Commissioner Hawkins asked what area they serve. Mr. Van Valkenburgh stated they are the largest privately owned trash hauler in Orange County. They service the cities around Banning and would like to serve Banning some day. Mr. Van Valkenburgh invited anyone who is interested to tour their facility in Stanton.

Kevin Rignor with LDDC, 2313 E. Philadelphia, #F, Ontario CA 91761, engineer on the project, came forward to clarify Commissioner Siva's concern about the height of the building. He stated that the way the site is contoured; it flows from north to south, so the building pad is going to be located approximately four to five feet below the street grade. It will be a slab on grade, so the height of the building will appear to be thirty feet from that point. But from the street elevation, it will only be about twenty-five feet above the curb line.

Steve Koltoff of Crane Architectural Group, came forward to offer to answer any questions about the building. Commissioner Siva said he only had questions about the washing facility and if they would be using recycled water. Mr. Koltoff confirmed his statements.

Fred Sakurai, 43000 Dillon Road, Banning CA, came forward to inquire if the company had given any thought to using solar panels on the roof. Mr. Van Valkenburgh stated that they had not considered solar panels at this time, but if the City requests that they do, they certainly will as they are very environmentally conscious. Mr. Sakurai said he thought there was a mandate from the State that each municipality is supposed to be a certain percentage of renewable energy by a certain timetable and it would be nice if we could get ahead of this schedule and encourage as many industrial buildings to install as many solar panels as they can so they can at least provide electrical power for their own use.

Mr. Bassi responded that he knew that Jim Earhart from our Electric Department is spearheading that effort. They have not specifically talked about it between them, but he felt Mr. Sakurai raises a good point that perhaps we might want to start applying
standard conditions on our commercial and industrial projects to look into the feasibility of using solar to help with some of the energy needs on the building. In this particular case, the roof size isn’t huge. But if the Commission would like, we can certainly begin that discussion and start looking into adding conditions relative to solar panels.

Commissioner Siva said he felt those were excellent comments and thought that would be a great leap for the City.

Assistant City Attorney Lopez suggested some amendments that would fall under the amended conditions that the Commissioners received this evening, she would title them “S – Other”, Condition #105, The only permitted activity at the facility shall be limited to truck repair, truck storage, truck washing and related administration conducted by office personnel. Condition #106 would read, No trash, recycling materials or other debris shall be permitted to enter the property in any truck or other motor vehicle. Condition #107 would read, In the event that any one of the sixteen permitted trucks is used for hazardous material, said truck shall be washed prior to entering the City.

**ACTION (ESCANDEL / SIVA):** A motion was moved, seconded and carried that the Planning Commission adopt PC Resolution No. 2009-01 (Attachment 1) approving Conditional Use Permit (CUP) #08-804, as amended to include the following conditions, “S – Other”, Condition #105, The only permitted activity at the facility shall be limited to truck repair, truck storage, truck washing and related administration conducted by office personnel. Condition #106 would read, No trash, recycling materials or other debris shall be permitted to enter the property in any truck or other motor vehicle. Condition #107 would read, In the event that any one of the sixteen permitted trucks is used for hazardous material, said truck shall be washed prior to entering the City.

*(Motion carried 5 – 0)*

### V. PLANNING COMMISSIONER’S COMMENTS

Commissioner Escandel commented that the Planning Commission candidates will be interviewed by the City Council on February 9th. He has already spoken to the City Clerk that he will be unable to attend. Chairman Dickson stated that he would like to see if some provisions can be made to allow Mr. Escandel to have an interview. Mr. Bassi suggested that he prepare a letter for the City Clerk to enter into the record.
VI. DIRECTOR'S REPORT

1. Interim Director Bassi stated that he had provided a memo regarding the agenda items that were reviewed at the January Council meetings. The memo is for informational purposes and no action is needed.

2. O’Donnell Industrial Park – Study Session: Mr. Bassi stated he would turn the meeting over to Senior Planner Clinton to give a brief overview and then the Assistant City Attorney would like to state a few things before the applicant begins the presentation.

Senior Planner Clinton stated this project is still under review and is conceptual. This presentation is for informational purposes only.

Ms. Lopez said she wanted to clarify that this is not a public hearing, which means the Commission is not agendized to take any action tonight. This also means that public testimony is an option for the Commission so it chooses. Chairman Dickson stated that he would like to wait until this project comes before the Commission in the future to open it up for any public comments. He said he wanted to state for the record that there will be no comments from the Commissioners and there will be no public comments. Ms. Lopez said that it should be stated who any comments should be directed to. Mr. Bassi stated that all comments / correspondence should be addressed to Ms. Clinton as she is the project planner.

Greg Chila, with the O’Donnell Group, 3 San Joaquin Plaza, Suite 160, Newport Beach CA 92660, came forward to give his presentation. He stated they have been in business for thirty-five years and have developed over twenty-five million square feet of projects in California, Washington, Alaska and Mexico. They typically develop, lease and are long term owners and holders and manage their own property. They have been working on this project for over two years. The project is located at the north east corner of Ramsey and Hathaway Streets. It’s a 64 acre site and the current zoning is Business Park. The scope is approximately 1.2 million square feet of buildings, twelve of them. They plan to extend Nicolet Street and Wilson Street. The buildings range from 11,000 to 45,000 square feet for smaller industrial users. This is a spec project and they do not have any tenants at this time. Another building, which is a 152,000 square foot building along the freeway, is a building that they hope would have some type of showroom because of the visibility. The larger building, they envision would be divided up to as many as four tenants and they would be larger distribution type tenants, as well as potential manufacturing tenants, whichever they can land here.

Mr. Chila stated that the Cal-Trans yard is right in the way and they have tried to work with them over the years, but they are not ready to move yet.
Mr. Chila stated that they are going towards a lead certification, which is an environmental type of project where they have to go through different procedures looking at renewable energy, looking at any type of ride sharing program, etc. They are attempting to construct a good looking project and want to be sure that the entry on Hathaway Street is attractive. He proceeded to show slides of the elevations of the buildings.

Chairman Dickson stated that the Commissioners could ask questions, but they were not going to open up the discussion to the public. Commissioner Siva had questions about the designation of “Future Street” on one of the slides. Mr. Chila stated that is really the future Ramsey Street extension if it ever goes through. If it does not go through, then they have made provisions for the Wilson Street extension to provide access. So at this time, they are prepared to do a dedication for the street and for a well site.

Commissioner Siva inquired if there was some way they could do an illustration of exactly how the project will look. Mr. Chila stated they would supply plans that would show everything.

Mr. Chila stated that they would like to use solar on the roof tops of the buildings and there are some programs in place. They will look into this, but there will be problems as their project is speculative and they are unsure as to who the future tenants would be.

VII. FUTURE PROJECTS

Mr. Bassi stated that the General Plan Annual Progress report will not be on the March 3rd agenda and there will be a light agenda for that meeting.

VIII. ADJOURNMENT

Before adjourning the meeting, Chairman Dickson stated that with great sorrow, this will be his last Planning Commission meeting. He has enjoyed his time with the Commission, thanked staff and the City Council. He also thanked the citizens that elected him to the San Gorgonio Pass Water Agency and said his dedication to the agency will be no less than what it was to the Planning Commission.

There being no further business to come before the Planning Commission, the meeting was adjourned at 7:20 p.m. to the March 3, 2009 meeting.

Respectfully submitted,

Gini Sorenson  
Recording Secretary
OUTLINE OF PROCEDURES FOR ELECTION OF OFFICERS

Chairperson: Nominations for the office of Chairperson are now open. A second to the nominations is not required.

(Commissioners shall nominate the person of their choice.)

Chairperson: Are there any further nominations? If not, I will entertain a motion that the nominations be closed.

(motion is made)

Is there a second?

All those in favor say Aye, those opposed No.

Chairperson: I will take a roll call vote. Please signify your choice for Chairperson when your name is called. The roll call will be in alphabetical order.

<table>
<thead>
<tr>
<th>ROLL CALL VOTE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commissioner Arterberry</td>
</tr>
<tr>
<td>Commissioner Barsh</td>
</tr>
<tr>
<td>Commissioner Escandel</td>
</tr>
<tr>
<td>Commissioner Hawkins</td>
</tr>
<tr>
<td>Commissioner Siva</td>
</tr>
</tbody>
</table>

Chairperson: The vote is in favor of Commissioner ______ who is our newly elected Chairperson. Chairperson ______ shall now preside over the election of Vice-chairperson. (Repeat this procedure for Vice-chairperson.)
CITY OF BANNING
COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

DATE: March 3, 2009

TO: Mr. Chairman and Members of the Planning Commission

FROM: Matthew C. Bassi, Interim Community Development Director

SUBJECT: City Council Actions from the February 10th and 24th Meetings

Below is a list of the projects and the actions taken by the City Council on Community Development Department related projects and items from the February 10 and 24 meetings.

Projects Reviewed by the City Council on February 10, 2009:

➤ Neighborhood Stabilization Program (NSP) - The City Council held a public hearing to take comments on the NSP. No public comments were provided. The next public hearing on this item is set for March 24, 2009.

➤ Urgency Ordinance No. 1402 - The City Council adopted this urgency ordinance establishing interim provisions and regulations for freeway-oriented business signs consistent with the provision/regulations in existence prior to September 2007. The urgency ordinance will be reviewed by Council again on March 24 and determine whether to extend the urgency ordinance.

Projects Reviewed by the City Council on February 24, 2009:

➤ Zone Text Amendment No. 08-97508 - The City Council approved this code amendment as recommended by the Planning Commission to allow an expansion of non-conforming uses and increasing the lot coverage requirements for the VLDR zone.

➤ Zone Text Amendment No. 08-97502 - The City Council approved this code amendment as recommended by the Planning Commission to address parking of recreational vehicles in the City with the exception of allowing gravel as an acceptable parking surface.

➤ “Vacant & Distressed Building” Fee Resolution - The City Council approved this resolution establishing a $75 fee to administer the vacant and distressed building program.

Respectfully submitted,

Matthew C. Bassi
Interim Community Development Director

H:\Matt Bassi - Interim\Planning Commission Items\PC-CC Briefing Memo 3-3-09.doc

City of Banning Planning Division
Planning Commission Meeting of March 3, 2009
The March 3, 2009 Planning Commission agenda does not have any development applications or public hearings for Commission consideration. As a result, staff felt it would be beneficial at this time to provide the Commission with their annual training session. Staff is providing a packet of information that we recommend the Commission review for the March 3, 2009 meeting.

The packet contains seven (7) areas that staff will present and discuss with the Commission. A power point presentation will be provided as well. These seven (7) areas will cover the following topics:

1. Planning Commission orientation;
2. Overview of Legal Issues related to the Planning Commission;
4. Senate Bill 1732 related to the “Brown Act” provisions;
5. Ethics Law Compliance related to everyday ethics and conflict of interest;
6. Parliamentary Procedures; and
7. Personal Liability

Also, please join me in welcoming back Commissioner Bill Escandel who was reappointed by the City Council and our newest Commissioner, Dennis Arterberry who was appointed by the Council on March 3, 2009. Our Clerk, Marie Calderon, will be present to swear in both Mr. Escandel and Mr. Arterberry.

Respectfully submitted,

Matthew C. Bassi
Interim Community Development Director