VI.A CRAIG AND LISA TUCKER, APPLICANT

PUBLIC HEARING to consider Certificate of Appropriateness No. 608 for various exterior modifications and improvements on an existing dwelling that has been adaptively reused as a commercial related use. Improvements include patch, repair, and paint the existing dwelling; new architectural dimensional shingle roof for the proposed addition; clean and repair the existing granite foundation; demolish a 146 square foot enclosed porch area at rear of the existing structure; construct a 176 square foot addition; new windows for the proposed addition at rear; new wall pack light fixture to illuminate parking area; the removal and relocation of an existing window to the proposed addition on the east elevation; construct a 316 square foot freestanding patio cover and patio area; construct a new ADA ramp on east side of the building; construct a new six (6) foot tall wrought iron fence and gate along the east elevation; removal of existing window and adding a new door on the east elevation; new 42" high wood picket fence on southern elevation; and a new six (6) foot tall double custom built gates with cedar dog eared planks along the west elevation. The property at 314 West Colton Avenue is Historic Resource No. 110 and is within the C-4 (Highway Commercial) District. This project is exempt pursuant to Section 15331 (Historical Resource Restoration/Rehabilitation), Section 15303 (New Construction or Conversion of Small Structures), and Section 15301 (Existing Facilities) of the California Environmental Quality Act Guidelines.

HISTORIC AND SCENIC PRESERVATION MEETING: JANUARY 07, 2021

Planner: Jocelyn Torres, Assistant Planner

PROCEDURE FOR PUBLIC HEARING

- 1. Chairperson declares the meeting open as a public hearing.
- Chairperson calls upon staff for report.
- 3. Chairperson calls for questions/comments from members of the Commission.
- 4. Chairperson calls upon applicant, or its representative, for comments/testimony.
- 5. Chairperson calls for comments/questions/testimony from members of the public (3 minutes per speaker).
- 6. Chairperson calls upon the applicant, or representative, for rebuttal comments (5 minutes).
- 7. Chairperson closes the public hearing.
- 8. Commission considers the motion(s) and votes.

SYNOPSIS

1. Historic Designation: The structure is listed as Historic Resource No. 110 in the

City's List of Historic Resources.

2. Existing Land Use: Zoning: C-4 (Highway Commercial) District

General Plan: Commercial

3. Historic and Scenic Preservation Commission submittal dates:

(A) Submittal Dates: October 06, 2020

(B) Date Accepted as Complete: November 03, 2020

(C) Historic and Scenic Preservation Commission Meeting: January 07, 2020

- 4. Attachments:
 - (A) Location Map and Aerial
 - (B) Site Photographs
 - (C) Project Plans
 - (D) Resolution No. 2021 02 with Exhibit A (Conditions of Approval)

PROPOSAL

The applicant is proposing various exterior modifications and improvements on an existing 1,058 square foot dwelling that has been adaptively reused as a commercial related use. The applicant has indicated that the proposed exterior modifications and improvements will be compatible with the existing features and characteristics of the dwelling. The project site is located north of West Colton Avenue and east of Webster Street at 314 West Colton Avenue. The dwelling is a locally designated Historic Resource No. 110 and is within the C-4 (Highway Commercial) District. The applicant proposes to patch, repair, and paint the existing dwelling; clean and repair the existing granite foundation, as necessary; and the following exterior modifications and improvements:

North (Rear) Elevation

- Demolish 146 square feet of an enclosed porch area.
- Construct a 176 square foot addition.
- Adding three (3) new windows to the proposed addition.
- Install a new wall pack style high efficiency light fixture.
- New 25 year Class "A" composition asphalt architectural dimensional shingle roof for the proposed addition.

East (Side) Elevation

• Remove and relocate an existing window to the proposed addition area.

- Construct a 316 square foot freestanding patio cover and a patio area.
- Construct a new ADA ramp.
- New 6 foot high wrought iron fence and gate.
- Remove existing window and add a new door.

South (Front) Elevation

• Construct a 42" high wood picket fence.

West (Side) Elevation

- Remove existing 5 foot tall chain link fence with double driveway gates.
- Construct new 6 foot tall double custom built gates with cedar dog eared planks on the finish front side that faces West Colton Avenue.

BACKGROUND

The building permit records on file for this property do not indicate the year the property was constructed. The County of San Bernardino estimates that the dwelling was constructed in 1903. The Sanborn Maps show the dwelling in its current placement in 1908. The Historic Inventory Sheet prepared for this property in 1988 describes the architectural style of the home as a Hipped Roof Cottage home that was constructed in 1904 by an unknown architect. The building permit records for this property include a reroof permit to reroof the structure to composition shingle in 1954, a reroof permit for asphalt shingles in 1969, a plumbing permit, a permit to construct a six (6) foot tall garden wall, a sign permit application, and a building permit to demolish an existing detached garage.

On July 21, 2009, the City Council designated the subject property as a historic property (Historic Resource Designation No. 110). On September 8, 2009, Conditional Use Permit No. 957 and Parking Modification No. 26 was approved by the Planning Commission to convert the existing residence into a commercial use and to allow four and one half (4 $\frac{1}{2}$) foot wide planters within the parking lot and a reduction of the minimum two-way driveway aisle width from twenty (20) feet to ten (10) feet.

ANALYSIS

A) Zoning

The property is located within the C-4 (Highway Commercial) District of the Redlands Municipal Code. The C-4 District allows the uses permitted in the C-3 (General Commercial) District which include business and professional offices, as listed in Section 18.64.030 (B) and (C) of the Redlands Municipal Code. The scope of work for

the property includes demolishing a 146 square feet patio enclosure that is located at the rear of the building, the construction of a 176 square foot addition at the rear of the dwelling, and the construction of a 316 square foot freestanding patio cover on the east side of the building. The proposed project meets all applicable development standards such as lot coverage, setbacks, building heights and complies with the underlying zoning district, as indicated in Table A.

Table A: Summary of Development Standards for the C-4 District

Development Standard	Requirement	Proposed	Complies?
Lot Area	No requirements	8,710 sq. ft.	Yes
Front (South) Setback	No requirements	29 ft. 6 in.	Yes
Side (East) Setback	No requirements, unless district adjoins a residential zone	13 ft. 7 in.	Yes
Side (West) Setback	No requirements, unless district adjoins a residential zone	12 feet	Yes
Rear (North) Setback	No requirement	91 feet	Yes
Lot Coverage	Max. 50% of lot area	16%	Yes
Building Height	No height limit.	Approx. 9 feet	Yes

B) Site Design and Architecture

The applicant is proposing to rehabilitate the exterior of the existing dwelling by patching, repairing, and painting the structure, as necessary. The existing dwelling is a rectangular, one-story hipped roof cottage style home with composition shingle roof. The exterior features of the house consist of light beige clapboard siding and fish scale siding that will be painted in the BEHR color "Opal Silk," which is a light neutral blue color. The applicant also proposes to paint the eaves, exterior doors, column pedestals, and the trim in the "Very Navy" BEHR paint color for contrast and visual interest. In addition, the exterior columns and trims throughout the dwelling will consist of BEHR "Ultra-Pure White" semi-gloss enamel and Coronado "Split-Fieldstone" in the color silver grey for the covered patio column bases.

North Elevation: At the rear (north) elevation the applicant proposes to demolish a 146 square foot enclosed covered porch area that was previously utilized as an open unenclosed porch according to Sanborn Maps. Within the same location of the proposed demolition, the applicant proposes a 176 square foot addition that will

HISTORIC AND SCENIC PRESERVATION COMMISSION CERTIFICATE OF APPROPRIATENESS NO. 608 JANUARY 07, 2021 PAGE 5

continue the same horizontal plan as the existing dwelling. The proposed addition towards the rear of the house will include similar features, colors, and material as the existing dwelling, including the exterior clapboard and fish scale siding. The proposed addition incorporates new 25 year Class "A" architectural dimensional composition shingle (like-for-like), and will have the same roof pitch as the dwelling, which has a slope of 6:12. Improvements along the rear of the dwelling include a new Heilsa 500 watt L.E.D floodlight with motion detector to illuminate the parking area and for added security. Condition of Approval No. 6 has been added that the proposed light fixture will not create light spillover and will be shielded to prevent any light or glare from impacting the adjacent properties.

When this property was inventoried in 1988, the photograph on the historic inventory sheet suggest the front elevation may have had wood framed windows at the time. The historic inventory sheet that was prepared for this property indicated that there was a fixed window in the gablet on the eastern portion of the front elevation and that most of the windows were double-hung. Street view images from 2008 showed the property with existing vinyl windows. Based on the building permit history for this property, it is unclear the exact year the window material changed from wood framed windows to vinyl windows, however the available imagery indicates the window material changed prior to the adaptive reuse of the structure and no conditions of approval were placed at the time regarding the existing windows. The building permit history on file for this property does not indicate building permits for window alternations and/or replacement. For consistency with the current site conditions, the applicant is proposing three (3) new fixed vinyl windows at the rear portion of the proposed addition of similar material and style. The applicant proposes that the new windows for the addition be vinyl windows to be consistent with the current site conditions and has indicated that the proposed windows will be screen from public view. Staff is recommending that the proposed windows be wood framed windows, of a similar design, to be consistent with the Secretary of Interior Standards for Rehabilitation. Condition of Approval No. 7 has been added that requires the any proposed new window to be a wood framed window, for the Commission's consideration and discussion.

East Elevation: On the east elevation, the applicant proposes to remove an existing double-hung window and add an exterior door at the same location for additional ingress and egress access to the dwelling. The applicant also proposes to remove, repair, and relocate an existing 24" square foot fixed pane window to the proposed addition area on the east side of the building. A new 316 square foot freestanding solid patio cover that consists of rough sawn/stained wood timber with a galvanized finish and a corrugated metal roof is proposed at the east side of the dwelling. The patio cover column bases will be Coronado "Split Fieldstone" in the color silver grey to be similar to the existing granite foundation that is on the building. A new ADA ramp is proposed along the north side of the proposed patio cover for accessibility purposes to the

HISTORIC AND SCENIC PRESERVATION COMMISSION CERTIFICATE OF APPROPRIATENESS NO. 608 JANUARY 07, 2021 PAGE 6

proposed patio area. For additional security a new 6 foot tall wrought iron fence and gate is proposed along the easterly side of the dwelling.

South Elevation: A new 42" high wood picket fence is proposed along the front yard of the existing dwelling. The proposed fence is placed about 2 feet from the property line and has two gates for ingress and egress. The proposed wood picket fence is compatible with the characteristics of the neighborhood as there are various wood picket fences within the vicinity of this property.

West Elevation: Along the west elevation, the applicant proposes to remove an existing five (5) foot tall chain link fence that has double driveway gates. A new six (6) foot tall fence is proposed with double custom built gates and cedar dog eared plank on the front side facing West Colton Avenue. The proposed dog eared cedar will be compatible with the proposed wood picket fence that will be located within the front yard of the property.

C) Secretary of Interior Standards:

The Secretary of Interior's Standards and Guidelines for Rehabilitation indicates that the intent of the standards is to assist with the preservation of the materials and features of the property. The proposed project was identified as a rehabilitation project, which is defined "as the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values."

The proposal includes the repair of the exterior of the existing dwelling by patching, sanding, and painting the exterior as well as repairing any deteriorated or damaged granite foundation. The applicant proposes to demolish a patio enclosure that is attached to the dwelling and construct a new addition with similar square footage and that is compatible with the characteristics and features of the existing dwelling in terms of mass, material, and color. New windows are proposed for the north (rear) elevation. The current windows on the property are not the original wood framed windows that were originally constructed with the subject property, but appear to have been changed during the 1980s-early 2000s. At the rear elevation of the proposed addition, the applicant proposes three (3) new fixed vinyl windows. The proposed windows will be screened from view and will not be visible from the public-right-of-way. The applicant has indicated that vinyl windows are proposed for the new addition to be consistent with the existing vinyl windows that are currently located on the property. For consistency with the Secretary of Interior Standards, staff is encouraging that the new windows be wood-framed windows to be consistent with the original windows that were originally constructed and used for the subject property. As mentioned above, Condition of Approval No. 7 has been added that requires the proposed new windows to be wood framed windows for the Commission's consideration and discussion.

The scope of work for this project also includes the construction of a 42" high wood picket fence at the south (front) elevation; the construction of double custom built gates with cedar dog eared planks on the west elevation; removing and relocating an existing window to the proposed addition on the east side of the building; constructing a 316 square foot freestanding patio cover and patio area; removing an existing window and adding a door on the east side of the building; constructing a new ADA ramp and a six (6) foot tall wrought iron fence and gate along the east elevation; installing a new Silver Birch composition architectural shingle roof for the proposed addition; and installing a new light fixture on the north (rear) elevation. The proposed project will be consistent with the Secretary of Interior's Standards and the proposed improvements and modifications are compatible with the architectural features and characteristics of the property.

Summary:

The proposed design, with the incorporation of standard conditions of approval, will not adversely affect or change the context surrounding the subject property, including orientation of buildings, landscaping, parking, and relationship of the structure to its surroundings.

ENVIRONMENTAL REVIEW

In accordance with the provisions of the California Environmental Quality Act ("CEQA"), the project qualifies for a categorical exemption from environmental review pursuant to Section 15331 (Historic Resource Restoration/Rehabilitation), Section 15303 (New Construction or Conversion of Small Structures), and Section 15301 (Existing Facilities) of the California Environmental Quality Act Guidelines.

STAFF RECOMMENDATION

Staff recommends that the Historic and Scenic Preservation Commission approve **Certificate of Appropriateness No. 608**, subject to the recommended Conditions of Approval.

MOTIONS

If the Historic and Scenic Preservation Commission deems it appropriate, staff recommends the following motion:

"I move that the Historic and Scenic Preservation Commission approve Certificate of Appropriateness No. 608 and adopt Resolution No. 2021-02, based on the facts within this staff report and subject to the Conditions of Approval."

ATTACHMENT "A"

LOCATION MAP AND AERIAL PHOTOGRAPHS





ATTACHMENT "B"

SITE PHOTOGRAPHS



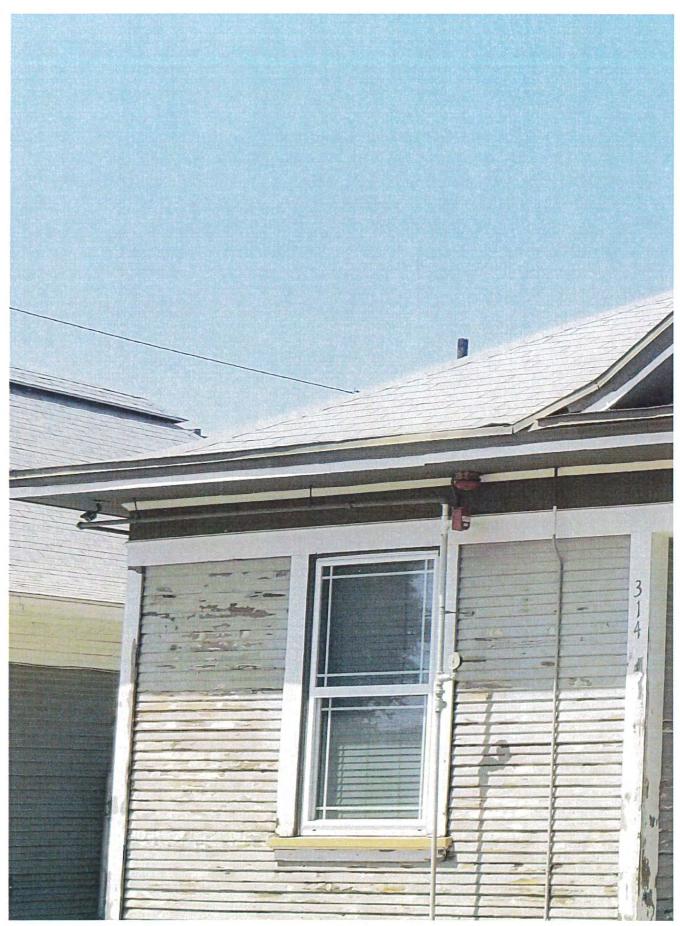
Front (South) Elevation – March 2019



20200825_140447.jpg Download



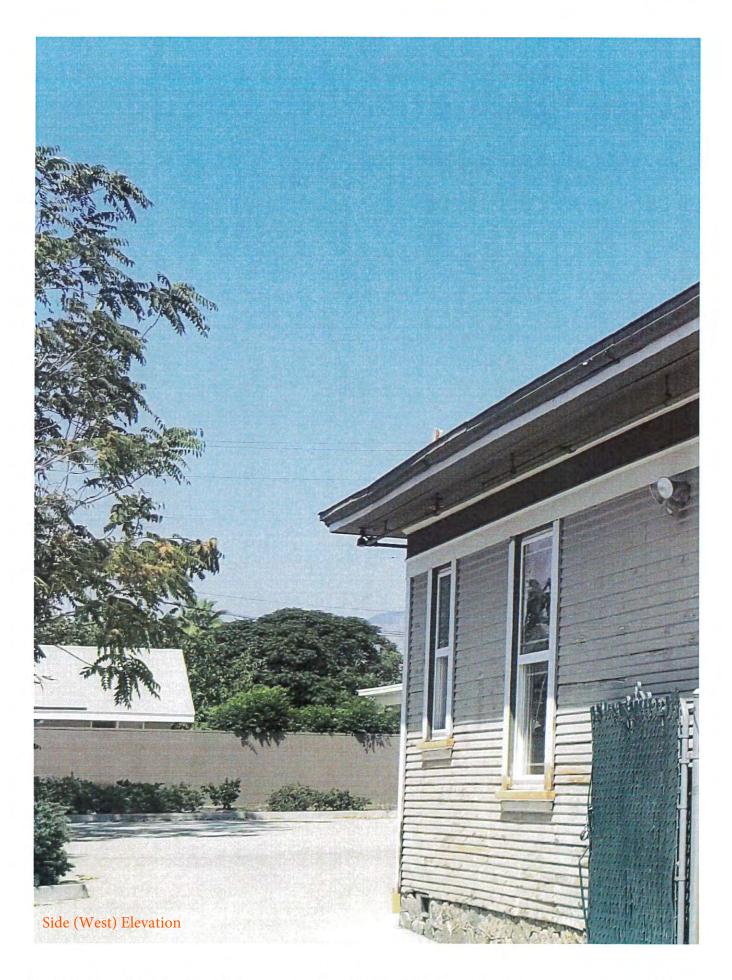
Rear (North) Elevation

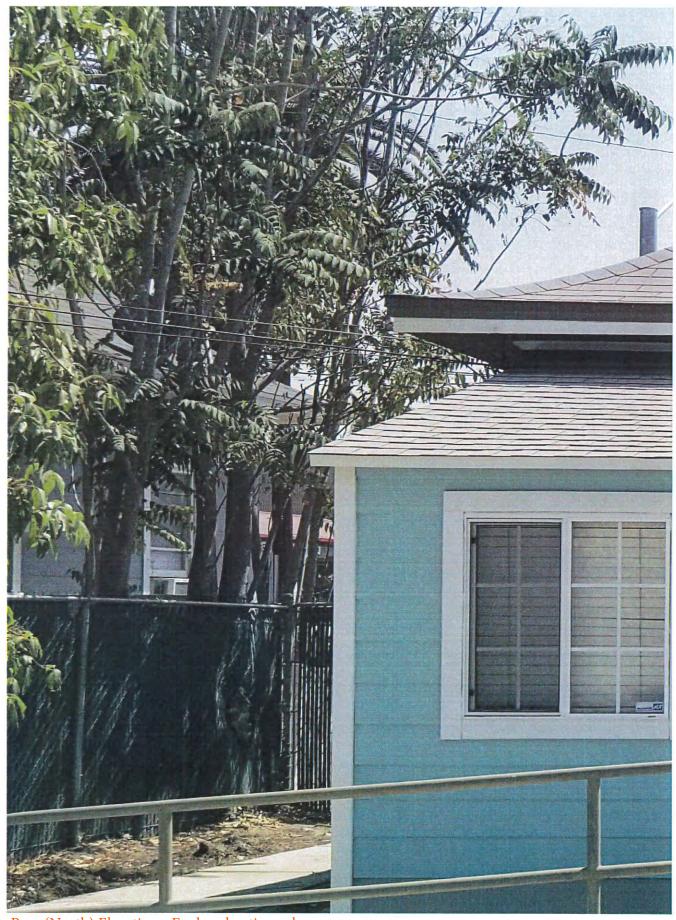


Front (South) Elevation - Image of siding and windows



Front (South) Elevation - Image of granite foundation

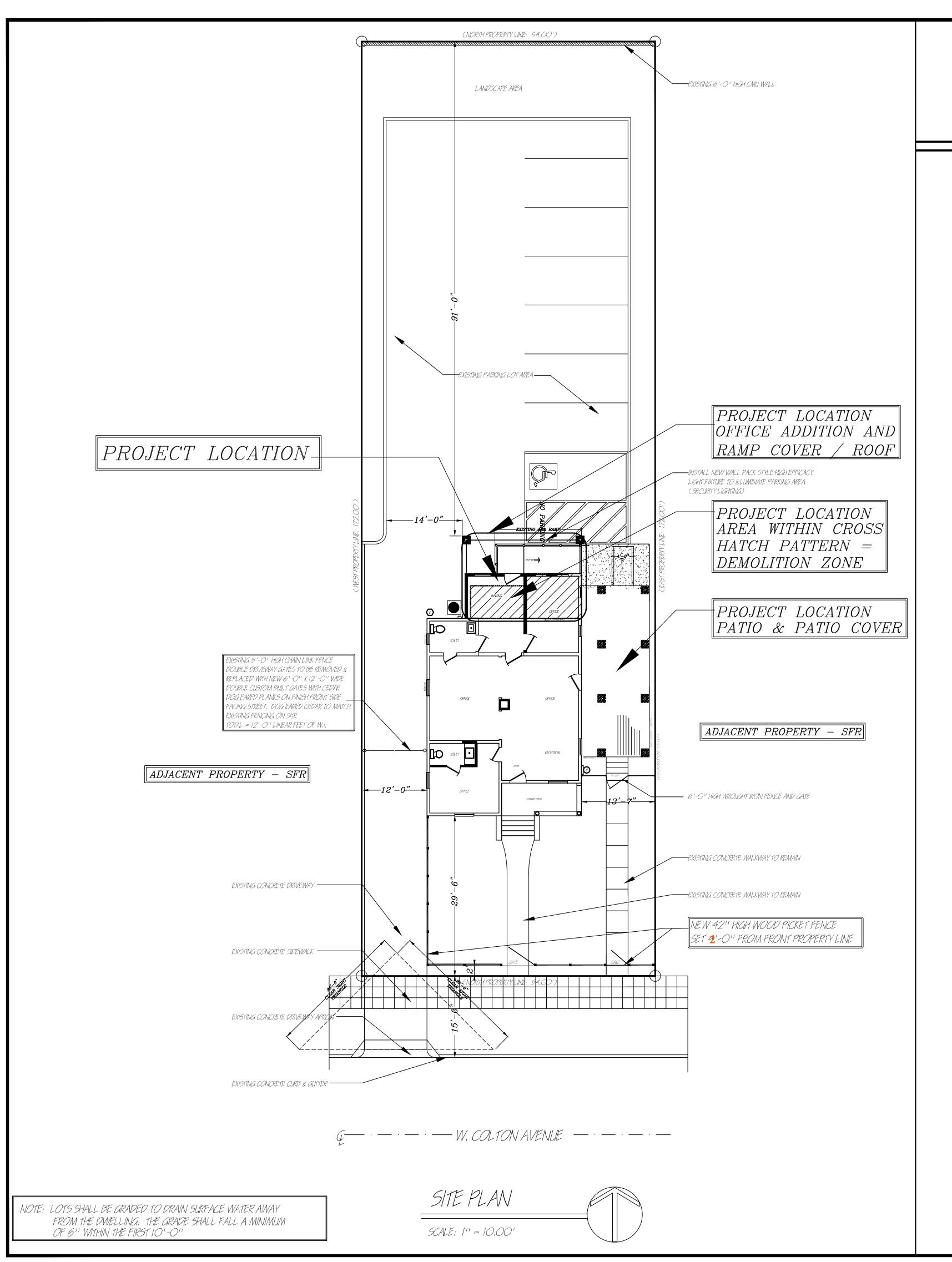




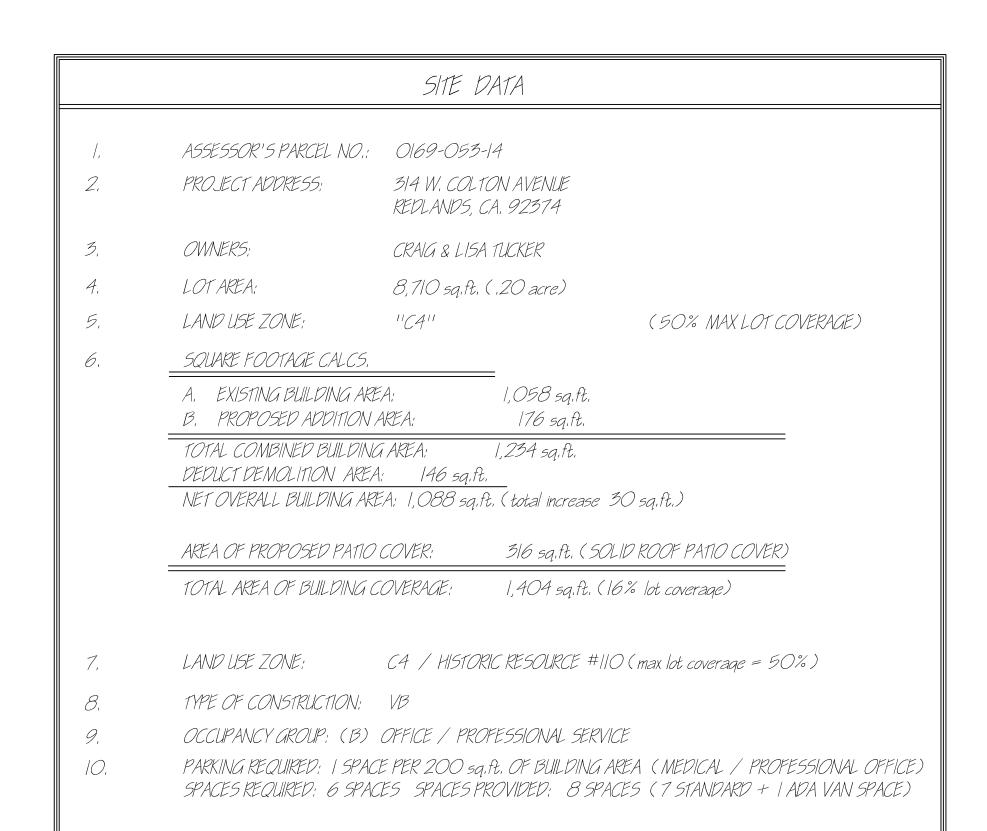
Rear (North) Elevation - Enclosed patio enclosure

ATTACHMENT "C"

PROJECT PLANS



A TENANT IMPROVEMENT FOR CRAIG AND LISA TUCKER 314 W. COLTON AVENUE / REDLANDS, CA. 92374



SHEET INDEX

A-I SITE PLAN & SITE DATA

A-2 EXISTING / DEMOLITION FLOOR PLAN & ROOF PLAN

EXTERIOR ELEVATIONS (BEFORE AND AFTER)

A-3 REMODEL & ADDITIONS FLOOR PLAN & ROOF PLAN

A-4 EXTERIOR ELEVATIONS (BEFORE AND AFTER)

PREVAILING BUILDING CODES

2019 EDITION

CALIFORNIA RESIDENTIAL CODE

2019 EDITION

CALIFORNIA BUILDING CODE

2019 EDITION

CALIFORNIA MECHANICAL CODE

2019 EDITION

CALIFORNIA PLUMBING CODE

2019 EDITION

CALIFORNIA GREEN BUILDING STANDARDS

CALIFORNIA TITLE 24 ENERGY STANDARDS

Copyright Notice:
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Re—use, reproduction or publication by any method, in whole or in part, is prohibited. Title to these plans remain exclusively and perpetually with ROBERTSON DESIGN GROUP Visual contact with these plans shall constitute prima facie evidence of these restrictions.

SITE PLAN & SITE DATA

Project Title:

A TENANT IMPROVEME

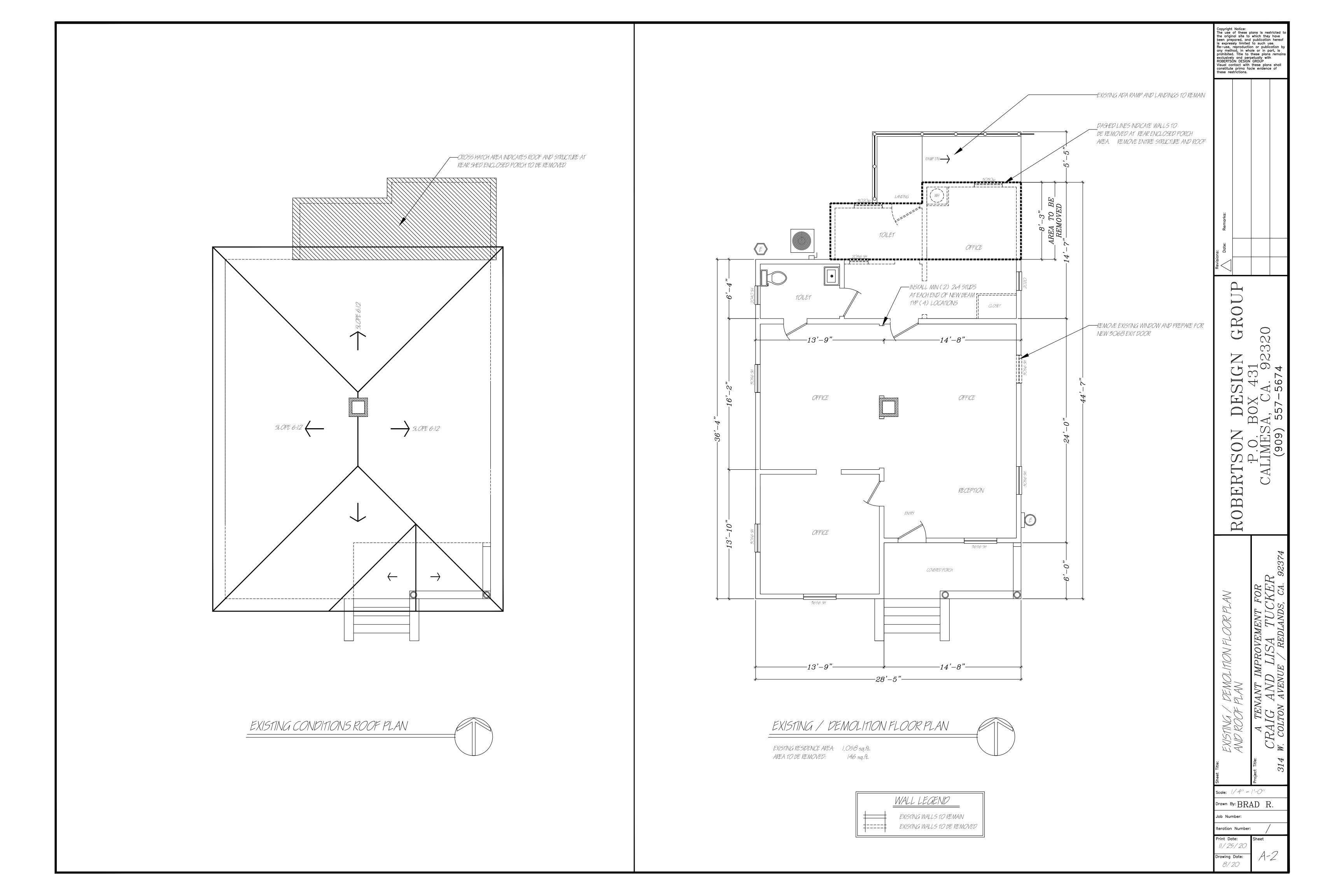
CRAIG AND LISA T

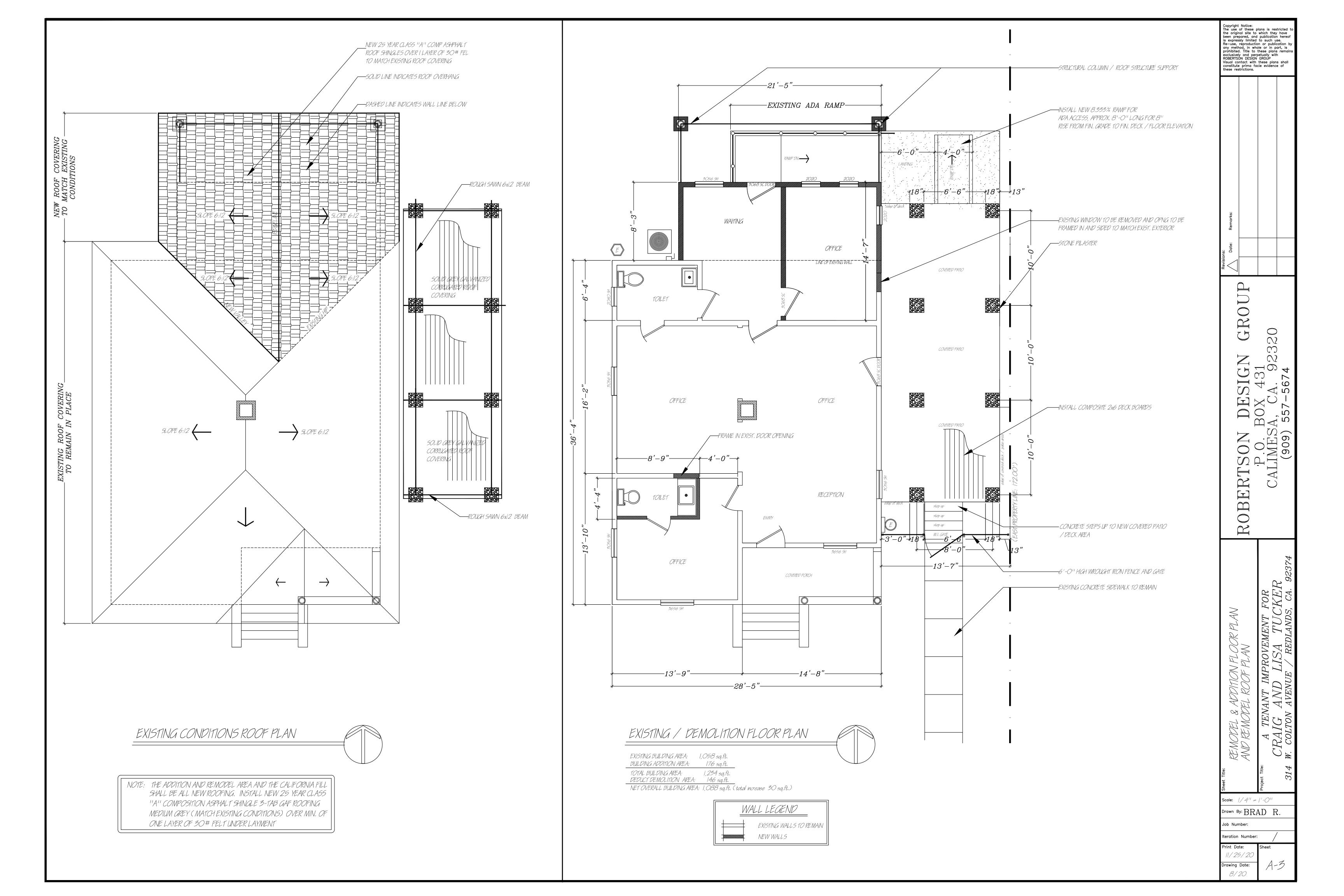
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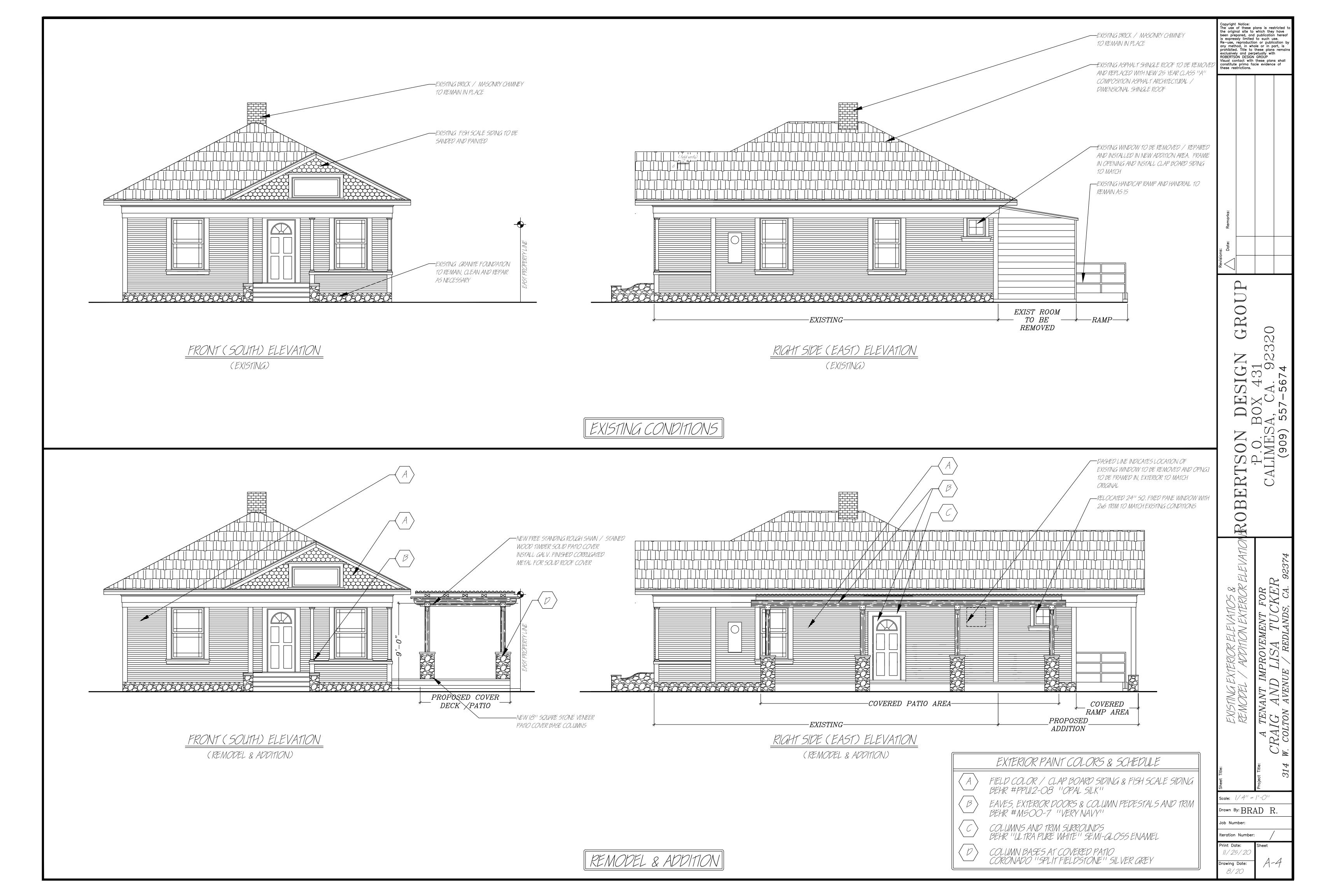
Print Date:

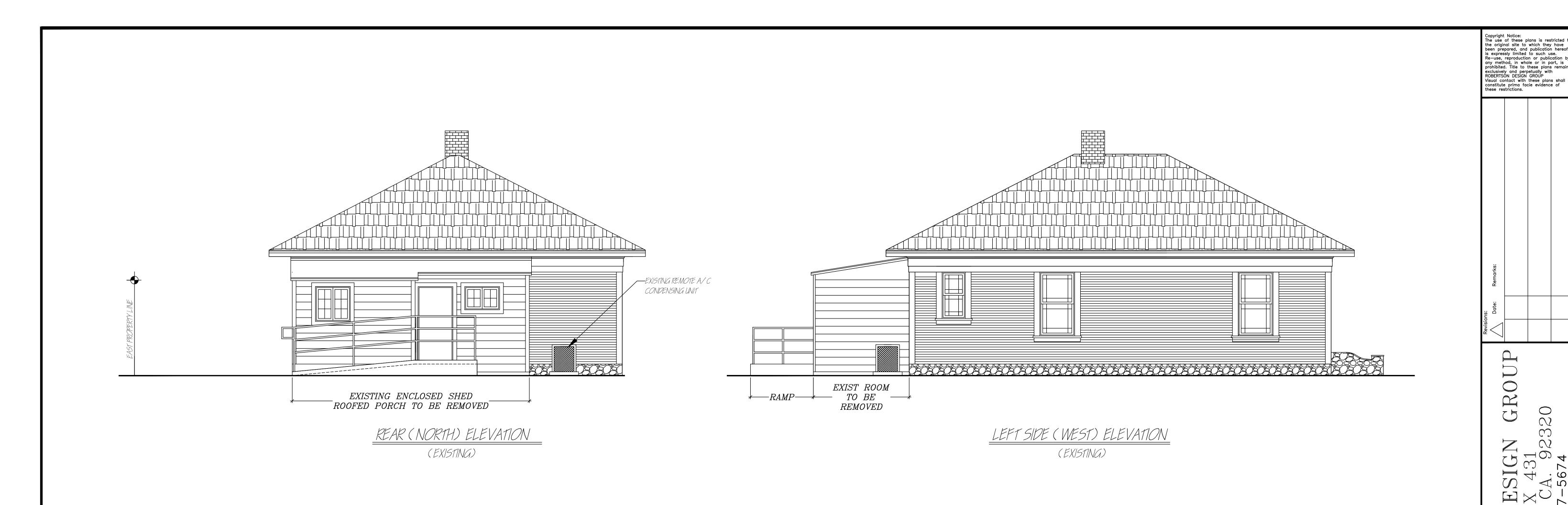
| | / 25 / 20 |

Drawing Date:









EXISTING CONDITIONS

GRO

Scale: 1/4'' = 1'-0''

Drawn By: BRAD R

A-5

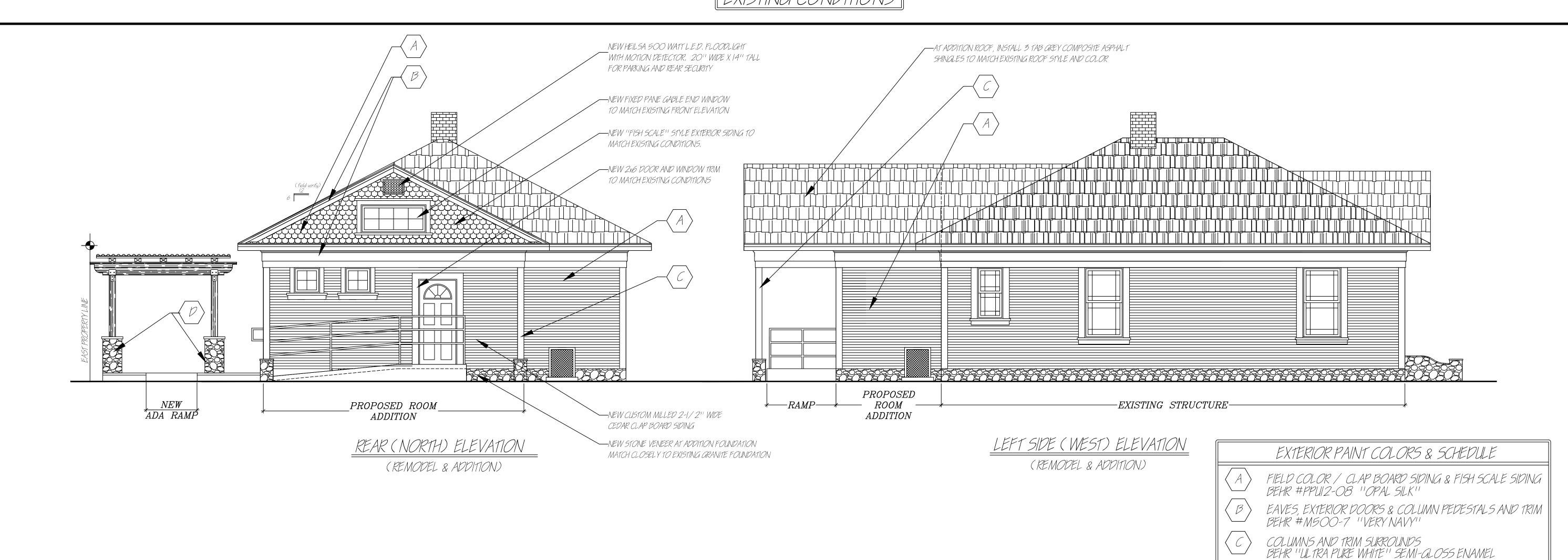
Job Number:

Print Date: 11/25/20

Drawing Date: 8/20

COLUMN BASES AT COVERED PATIO CORONADO "SPLIT FIELDSTONE" SILVER GREY

Iteration Number:



REMODEL & ADDITION

314 W. COLTON AVE C.O.A # 608 ___

BEHRA

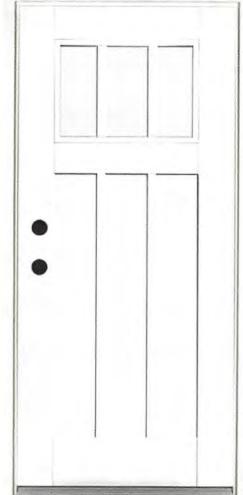


FIELD

OPAL SILK



DOORS TRIM

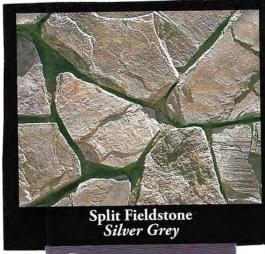


FXT. DOOR

Very Navy M500-7D

ULTRA PURE WHITE®

COLUMNS SUPPOUNDS





STOHE



SOUTH ELEVATION

Wood Picket Fence Example

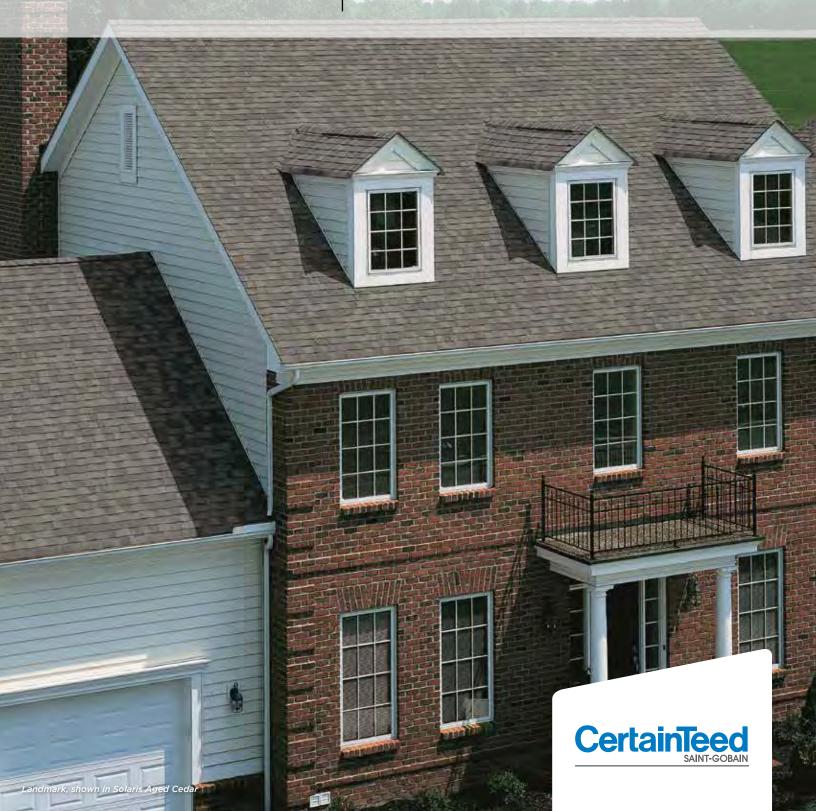


EAST ELEVATION

Door Example – Painted BEHR #M500-7 "VERY NAVY"

COOL ROOFS

Good, Better, Best Selections



Landmark Solaris

LANDMARK®



Classic shades and dimensional appearance of natural wood or slate.







LANDMARK SOLARIS®

A subtle color palette featuring soft earth tones.















Landmark Solaris Gold Landmark PRO NorthGate

LANDMARK SOLARIS® GOLD

Look deeper. With Landmark Solaris Gold, a new dimension is added to shingles with a richer mixture of surface granules. You get a brighter, more vibrant, more dramatic appearance and depth of color. And the natural beauty, authentic color and style shines through.





CertainTeed

LANDMARK® PRO

Landmark Pro is a heavier weight laminate designed specifically for the professional roofing contractor that takes pride in providing more to their customer.

Landmark Pro improves upon the CertainTeed Landmark shingle, a leading consumer publication's "Best Buy" for the past five years.



NORTHGATE®

NorthGate® is designed to endure harsh, cold-weather elements affronting the roof. The new shingle's SBS composition allows it to remain flexible at temperatures as low as 0° F, making it easier to install in cold climates.

Plus, the two-piece laminated fiberglass-based shingle meets the requirements of UL 2218 Class 4 for impact resistance - the highest rating possible.



ATTACHMENT "D"

RESOLUTION 2021 – 02 WITH EXHIBIT A (CONDITIONS OF APPROVAL)

RESOLUTION NO. 2021-02

A RESOLUTION OF THE HISTORIC AND SCENIC PRESERVATION COMMISSION OF THE CITY OF REDLANDS **APPROVING** CERTIFICATE OF APPROPRIATENESS NO. 608 TO PATCH, REPAIR, AND PAINT THE EXISTING DWELLING; NEW ARCHITECTURAL DIMENSIONAL SHINGLE ROOF FOR THE PROPOSED ADDITION; CLEAN AND REPAIR THE EXISTING GRANITE FOUNDATION; DEMOLISH A 146 SQUARE FOOT ENCLOSED PATIO AREA AT REAR OF THE EXISTING STRUCTURE; CONSTRUCT A 176 SQUARE FOOT ADDITION; NEW WINDOWS FOR THE PROPOSED ADDITION AT REAR; NEW WALL PACK LIGHT FIXTURE TO ILLUMINATE PARKING AREA: THE REMOVAL AND RELOCATION OF AN EXISTING WINDOW TO THE PROPOSED ADDITION ON THE EAST ELEVATION: CONSTRUCT A 316 SQUARE FOOT FREESTANDING PATIO COVER AND PATIO AREA; CONSTRUCT A NEW ADA RAMP ON EAST SIDE OF BUILDING; CONSTRUCT A NEW SIX (6) FOOT TALL WROUGHT IRON FENCE AND GATE ALONG THE EAST ELEVATION; REMOVAL OF EXISTING WINDOW AND ADDING A DOOR ON THE EAST ELEVATION; NEW 42" HIGH WOOD PICKET FENCE ON SOUTHERN ELEVATION; AND A NEW SIX (6) FOOT TALL DOUBLE CUSTOM BUILT GATES WITH CEDAR DOG EARED PLANKS ALONG THE WEST ELEVATION. THE PROPERTY IS LOCATED AT 314 WEST COLTON AVENUE WITHIN THE C-4 (HIGHWAY COMMERCIAL) DISTRICT (APN: 0169-053-14-0000).

WHEREAS, Craig and Lisa Tucker, has submitted an application for Certificate of Appropriateness No. 608 for various exterior modifications and improvements on an existing dwelling that has been adaptively reused as a commercial related use. The improvements include new architectural shingle roof for the proposed addition, demolishing a 146 square foot enclosed patio area, the construction of a 176 square foot addition, installation of new windows to the proposed addition at rear; new wall pack light fixture, the removal and relocation of an existing window, the construction of a new 316 square foot freestanding patio cover and patio area; new ADA ramp, new six (6) foot tall wrought iron fence and gate along the east elevation; removal of an existing window and adding a new door; new 42" high wood picket fence on southern elevation; and new six (6) foot tall double custom built gates along west elevation. The project site is located at 314 West Colton Avenue within the C-4 (Highway Commercial) district (APN: 0169-053-14-0000).

WHEREAS, notice of this Historic and Scenic Preservation Commission public hearing was provided in accordance with Redlands Municipal Code Section 15.44; and

WHEREAS, on January 07, 2021, the Historic and Scenic Preservation Commission held a public hearing and considered the staff report, oral report, the testimony and the written evidence submitted by and on behalf of the applicant and by

members of the public; and,

WHEREAS, the proposed project qualifies for exemption from environmental review pursuant to the California Environmental Quality Act Guidelines Section 15331 (Historic Resource Restoration/Rehabilitation), Section 15303 (New Construction or Conversion of Small Structures), and Section 15301 (Existing Facilities) of the California Environmental Quality Act Guidelines; and,

NOW, THEREFORE, BE IT RESOLVED by the Historic and Scenic Preservation Commission of the City of Redlands as follows:

Section 1. The proposed project is Exempt from the California Environmental Quality Act per Section 15331 (Historic Resource Restoration/Rehabilitation), Section 15303 (New Construction or Conversion of Small Structures), and Section 15301 (Existing Facilities) and there is no substantial evidence of any potentially significant impacts.

<u>Section 2.</u> The proposed construction is hereby approved subject to the conditions of approval contained in Exhibit A attached to this Resolution.

<u>Section 3.</u> This Resolution shall become effective upon adoption, and will be subject to a ten day appeal period.

ADOPTED, SIGNED AND APPROVED this 7th day of January, 2021

	Kurt Heidelberg, Historic and Scenic Preservation Commission Chair
ATTEST:	
Linda McCasland. Secretary	

7" day of January, 2021.	
AYES: NOES: ABSENT: ABSTAINED:	
	Linda McCasland Commission Secretary

I, Linda McCasland, Historic and Scenic Preservation Commission Secretary of the City of Redlands, hereby certify that the foregoing resolution was duly adopted by the Historic and Scenic Preservation Commission at a regular meeting thereof held on the

EXHIBIT A DEVELOPMENT SERVICES DEPARTMENT PLANNING DIVISION

CONDITIONS OF APPROVAL FOR CERTIFICATE OF APPROPIATNESS NO. 608

Date of Preparation: December 22, 2020

Historic and Scenic Preservation

Commission Date: Applicant: Location: January 07, 2021 Craig and Lisa Tucker 314 West Colton Avenue

- 1. This approval is for Certificate of Appropriateness No. 608 for various exterior modifications and improvements on an existing dwelling that has been adaptively reused as a commercial related use. The improvements include new architectural shingle roof for the proposed addition, demolishing a 146 square foot enclosed patio area, the construction of a 176 square foot addition, installation of new windows to the proposed addition at rear; new wall pack light fixture, the removal and relocation of an existing window, the construction of a new 316 square foot freestanding patio cover and patio area; new ADA ramp, new six (6) foot tall wrought iron fence and gate along the east elevation; removal of an existing window and adding a new door; new 42" high wood picket fence on southern elevation; and new six (6) foot tall double custom built gates along west elevation. The project site is located at 314 West Colton Avenue within the C-4 (Highway Commercial) district (APN: 0169-053-14-0000).
- 2. Prior to construction, a building permit shall be obtained from the Development Services Department.
- 3. All plans submitted to the City of as part of the building permit application shall reflect the plans submitted on December 07, 2020 for this Certificate of Appropriateness, and shall comply with all provisions of the Redlands Municipal Code.
- 4. Unless construction has commenced pursuant to a building permit, or a time extension is granted in accordance with Code, this application shall expire in eighteen (18) months from the approval date.
- 5. The applicant shall not make any modifications or changes during construction that are in conflict or contrary to the project's approved site design, or building elevations without first consulting the Development Services Director or his designee.

- 6. The proposed light fixture shall not create light spillover and shall be shielded to prevent any light or glare from impacting the adjacent properties.
- 7. The proposed new vinyl window at the rear elevation of the addition shall be wood framed window to be consistent with the original windows that were originally constructed for the subject property.
- 8. The applicant for this permit, and its successors and assigns, shall defend, indemnify and hold harmless the City of Redlands, and its elected officials, officers, agents and employees, from and against any and all claims, actions, and proceedings to attack, set aside, void or annul the approval of this permit by the City, or brought against the City due to acts or omissions in any way connected to the applicant's project that is the subject of this permit. This indemnification shall include, but not be limited to, damages, fees, costs, liabilities, and expenses incurred in such actions or proceedings, including damages for the injury to property or persons, including death of a person, and any award of attorneys' fees. In the event any such action is commenced to attack, set aside, void or annul all, or any, provisions of this permit, or is commenced for any other reason against the City for acts or omissions relating to the applicant's project, within fourteen (14) City business days of the same, the applicant shall file with the City a performance bond or irrevocable letter of credit (together, the "Security") in a form and in an amount satisfactory to the City, to ensure applicant's performance of its defense and indemnity obligations under this condition. The failure of the applicant to provide the Security shall be deemed an express acknowledgement and agreement by the applicant that the City shall have the authority and right, without objection by the applicant, to revoke all entitlements granted for the project pursuant to this permit. The City shall have no liability to the applicant for the exercise of City's right to revoke this permit.

End of Conditions