

**MINUTES
PLANNING COMMISSION REGULAR MEETING
OCTOBER 6, 2009**

1.0 CALL TO ORDER

The Regular Meeting of the Planning Commission of the City of Highland was called to order at 6:04 p.m. by Chairman Haller in the Donahue Council Chambers, 27215 Base Line, Highland, California.

Present: Commissioners Randall Hamerly, Michael Stoffel, Michael Willhite and Chairman Richard Haller

Absent: Commissioner Trang Huynh (arrived at 6:05 p.m.)
Commissioner Milton Sparks and Vice Chairman John Gamboa

Staff Present: John Jaquess, Community Development Director
Lawrence Mainez, City Planner
Ernie Wong, City Engineer
Sean Kelleher, Assistant Planner
Linda McKeough, Administrative Assistant III

Boy Scout Troop 19 presented and posted the colors and then led the Pledge of Allegiance.

(Note: Commissioner Huynh arrived at 6:05 p.m.)

2.0 COMMUNITY INPUT

There was none.

3.0 CONSENT CALENDAR

3.1 Minutes of June 30, 2009, Special Meeting.

Minutes approved, as amended.

Commissioner Willhite stated in the Call to Order he was listed both present and absent from the Meeting and indicated he was absent.

10-06-09.PC

3.2 Minutes of September 1, 2009, Regular Meeting.

Approved, as submitted.

A Motion was made by Commissioner Hamerly and seconded by Commissioner Stoffel to approve the Minutes of June 30, 2009, as amended, and September 1, 2009, as submitted.

Staff explained Commissioner Willhite should abstain from vote on the June 30, 2009, Special Meeting Minutes.

For the June 30, 2009, Special Meeting Minutes, Motion carried on a 4 – 0 vote with the abstention of Commissioner Willhite and Commissioner Sparks and Vice Chairman Gamboa absent.

For the September 1, 2009, Regular Meeting Minutes, Motion carried on a 5 – 0 vote with Commissioner Sparks and Vice Chairman Gamboa absent.

4.0 PUBLIC HEARINGS

4.1 A Tentative Tract Map Application (TTM-008-002) and a Conditional Use Permit Application (CUP-008-002) to adopt a Planned Development Document and subdivide a 22.92 gross acres parcel of land into 133 detached single-family residential lots with various community amenities. The Project is to be located on the southeast corner Greenspot Road and Orange Street. (APN: 1201-401-01). Representative: Hal Woods, CenterStone Communities, Inc. (Continued from the July 21, 2009 and August 18, 2009, Planning Commission Hearings.

Chairman Haller introduced the Item and its continued Public Hearing and called for Staff's presentation.

Staff distributed a letter from the California Regional Water Quality Control Board dated October 1, 2009, an e-mail from Mr. Mark Diamond to Staff on October 6, 2009, and three (3) separate letters dated October 6, 2009, to the Commission for consideration. Assistant Planner Kelleher then gave the presentation from the Staff Report and explained the continuance request listed in the Staff Report.

10-06-09.PC

Chairman Haller asked if the Commission had questions of Staff and the Commission responded no. He then asked if the Applicant is present and Staff responded no, but the Applicant's Representative is in the audience and the Applicant has agreed for the time extension (for the continuance). Chairman Haller then asked the Applicant's Representative to come forward and he then asked if the Applicant's Representative is in concurrence with the Staff Report to continue the Item to October 20, 2009.

Mr. Bernie Mayer, Sitetech Engineering, 38248 Potato Canyon Drive, Oak Glen, California, who is the Applicant's Representative, addressed the Commission. He responded and stated he concurs with the Staff Report to continue the Item to October 20, 2009.

Chairman Haller asked if the Commission had any questions of the Applicant's Representative.

A question was asked by a Commissioner if this was a tentative schedule or possibly continue to another date because of the Court date. Staff responded how Staff is unsure with the Court case and how a Court Appeal was just filed and Staff has not spoken with the City Attorney. The Bureau of Land Management (BLM) and the Gun Club are supposed to meet regarding the issues. Staff explained the City received a copy of a BLM letter dated September 15, 2009, and the Court Case in that it is premature for the Commission to take action and Staff will provide information when it is made available to Staff. Staff further explained that BLM has given the Gun Club thirty (30) days from September 15, 2009, to provide a detailed "summary of its intentions" to continue or to close the Gun Club's Facilities which would make the deadline date for the summary October 15, 2009.

A question was asked by a Commissioner if the Court Case decision will conflict with the Commission's decision on October 20, 2009, and Staff responded the Applicant has committed to October 20th, date and providing information and Staff is withholding judgment on its recommendation, at this time. A Commissioner responded this Item has been on the Agenda three (3) times and with a full audience and how the Commission has received a full Agenda Packet and the feasibility of postponement and make it convenient for the public. Staff responded the issues in this case are important to verify and would need concurrence from the Applicant and have the October 20, 2009, Hearing. Staff added based on the information, at this time, if it is appropriate to continue the Project because the information on the Gun Club Lease and details about the Court Appeal are relevant for a decision which needs to be made public.

10-06-09.PC

Chairman Haller asked if the Commission had any further questions of the Applicant's Representative. Hearing none, he then explained about the October 20, 2009, and asked if anyone would like to speak on the Item and that the Project may change and will entertain full comments on October 20th, Meeting, but could speak now if they wanted to.

Mr. Grayson Endicott, 7420 Flintlock Court, Highland, California, a Member of Boy Scout Troop 19, addressed the Commission. He read from one of the distributed letters to the Commission which included, but not limited to the following: 1) the Developer's Project has had an impact on Highland, as well as the Troop; 2) the Developer does not reside in Highland; 3) is unclear whether Inland Fish and Game will return; 4) the Developer has hurt Veterans from using the Gun Club from WWII, Korean, Viet Nam Conflict, Gulf War, and Disabled from shooting, participating and socializing; 5) Hunter Safety Classes; 6) Boy Scouts would earn Shotgun and Rifle Shooting Merit Badges; 7) Boy Scout Troop 19 has been sponsored by the Gun Club and has used the Club for Meeting purposes for over fifteen (15) years and may have to relocate to Redlands; 8) the Troop would lose Camp 19 which was a place for the Boy Scouts to camp at overnight; 9) the Sea Scouts that used to meet at the Gun Club have had to be relocated to Colton. Boy Scout Troop Member Endicott stated the Development should be granted no special waivers and should comply with the full extent of Highland's Standards including public streets, density Standards and set back requirements and then thanked the Commission.

Chairman Haller asked if anyone else would like to speak on the Item.

Ms. Robynne Fay, 3677 Piedmont, Highland, California, who is a resident and is speaking on behalf of her brother, Mr. Lee Lombard, addressed the Commission. She asked what is the relevance of the Lease of the Inland Fish and Game and Permits. The Commission responded and explained about the surrounding Land Uses, along with the CUP Application process and whether or not the Gun Club is to exist and the need to respond to the BLM letter. Ms. Fay asked if the Commission may deny the Gun Club and a Commissioner responded the Commission is not saying that, but it is part of the Commission's consideration.

Chairman Haller asked if anyone else would like to speak on the Item.

A Boy Scout Member of Troop 19, addressed the Commission. He also read from one of the distributed letters to the Commission which included, but not limited to the following: 1) the Inland Fish and Game had provided a meeting place for the Troop for over fifteen (15) years; 2) has sponsored Troop 19 for over fifteen (15) years; 3) provided summer camping location; 4) taught firearm

10-06-09.PC

safety 5) served as Merit Badge Counselors. The Boy Scout Troop Member continued with the things that Troop 19 has done for Highland: 1) helped setting up for the July Fourth Picnic; 2) worked with the HIT Team; 3) sorted and packed food at City Mission located on Date Street in Highland; 4) collected food for Highland charities during "Scouting for Food" event; 5) installed School Gardens at Arroyo Verde Elementary and other Schools; 6) has collected thousands of aluminum cans for recycling purposes and has kept them out of the landfills. The Boy Scout Troop Member then asked if the Developer had done any of the above items and then stated how the Developer does not care about Highland and will do whatever it takes to make a buck off of the City. The Development should be granted no special waivers and should comply with the full extent of all Highland Standards, including public streets, density Standards and set back Standards.

Chairman Haller asked if anyone else would like to speak on the Item.

Mr. Kyle Neuenschwander, of 6723 Grove Avenue, Highland, California, a Boy Scout Member of Troop 19 and Inland Fish and Game Conservation Association, addressed the Commission. He also read from one of the distributed letters to the Commission which included, but not limited to the following: 1) with closing Inland Fish and Game has impacted Troop 19; 2) lost a generous sponsor for Troop 19; 3) provided service projects for Eagle Scout projects and Merit Badges, and; 4) most Eagle Scouts will either go to college or go into the military. Boy Scout Member Neuenschwander then explained the Merit Badges and their applications, how they encourage and enrich the Troop Members lives and the community around them and even said how one of the Troop Members had saved someone's life some time ago. He then requested for the Inland Fish and Game Conservation Association be allowed to continue to exist for a myriad of reasons and community services provided and he then thanked the Commission.

Chairman Haller asked if anyone else would like to speak on the Item.

Mr. Luis Chavez, Boy Scout Member of Troop 19, 30518 Via Alicia, Highland, California, addressed the Commission. He also read from one of the distributed letters to the Commission which included, but not limited to the following: 1) the City had filed a "Shortened Review Request Form" to reduce the time available for the public to comment on the environmental documents prepared and the reason was stated on how the Developer might lose funding for the Project due to the shortened review period; 2) the Project has gone before the Commission three (3) times; 3) the City is interested in the Developer and not Highland residents; 4) the Project should not be granted any development waivers of any sort; 5) the Developer needs to comply with street, set backs and densities and other development criteria and fully meet City Standards 6) the Sea Scout Squadron has had to move to Colton; 7) Troop 19 is a positive thing for the community, and; 8) Troop 19 lost its sponsor and meeting place.

10-06-09.PC

Chairman Haller asked if anyone else would like to speak on the Item. Hearing none, he then stated he will leave the Public Hearing open to October 20, 2009, and invited the audience back at that time. He further explained how the Commission takes their job seriously, will consider the facts before it associated with the Application and including the audience's comments tonight. The Commission will not address this Project until the Commission obtains the full comments (information from Staff). There being no further comments from the Commission or from the Public, Chairman Haller then called for the question.

A Motion was made by Commissioner Hamerly and seconded by Commissioner Willhite to continue this Item to the Commission's October 20, 2009, Regular Meeting.

Motion carried on a 5 – 0 vote with Commissioner Sparks and Vice Chairman Gamboa absent.

(Note: Assistant Planner Kelleher and City Engineer Wong left the Chambers at 6:24p.m.)

5.0 LEGISLATIVE

5.1 "Art in Public Places" - Policies from the City's General Plan, Chapter 10, Community Design Element.

Chairman Haller introduced the Item and called for Staff's presentation.

City Planner Mainez gave the presentation from the Staff Report and explained the Policies in the City's General Plan, Chapter 10 to the Commission and provided examples how Bakers / CVS Pharmacy had used citrus packing crate labels on their Building, a Monument Sign for a project across the street from Stater Bros. located on Greenspot Road and Church Street that has yet to be built. There is a Monument Sign located at Seeley Park on Base Line with a Lion and how Del Taco located on Greenspot Road also used tiles showing citrus packing crate labels and Staff will do a follow up on. He then concluded his Staff presentation and opened the floor for discussion and direction from the Commission. Staff added this was a request from one of the Commissioners who had asked about Art in Public Places and Polices to be placed on the next Agenda. Some Cities have complex issues and an Ordinance requiring Art in Public Places, an Evaluation Program, cost, responsibility, etc.

10-06-09.PC

Discussion ensued between the Commission and Staff regarding certifying in the Code a number or percentage, a dollar amount the City of Highland would entertain to help support Public Art. There is encouragement of utilizing historic references, along with the Community Design Guidelines. The Commissioner thanked Staff for placing this on the Agenda and then distributed photographs for the Commission to review and indicated his interest in Art and then asked if this is something the Developer would design / generate and provided an example of Lowe's Project is a fairly good sized Project that could have included Art like a water fountain, piece of Art and further asked if Staff asks for that of the Developer. The Commissioner also asked if it depends if the project is large and has to be two (2) acres or above or the project located in a certain District, or what. A Commissioner responded how the General Plan states examples of outdoor gathering places, landscaping, plazas, and the area needs to meet the intent of the General Plan vision. The following are comments made by the Commission: 1) it would be easy to add to the Design Guidelines; 2) hard to require that from the Developer; 3) part of the Design Review process – gathering point better put it (the Art) there, rather than go and drive by and then see it (the Art) and then the person stop and generate on-site shopping; 4) make it (the Art) a destination / gathering place / focal point; 5) like the trash can idea / design, and; 6) with public places, introduce some artistic statement and up to the Developer to decide the artistic features in the project, which is a good idea, but take it a step further. Monument Sign design was also discussed. Staff responded on Page 24 of the Staff Report, there are Policies for Gateways / Monumentation with a Public Works project and interject water features and apply them. In the Town Center, there is supposed to be an archway over Base Line which is being aesthetically and artistically done and is a public identification statement. Historic images on the Sign at Greenspot Road and place a monumentation there with either a "Welcome to Highland" or "Welcome to Greenspot Road", with the Greenspot Landscape Master Plan, but Staff was unable to remember, but indicated how the rock used would match the bus stops, light standard features and iron work. A comment was made by a Commissioner how retaining walls could have reliefs and have themes i.e. Native American, Railroad, etc. and could take your pick. Staff responded with the Environmental Learning Center has an artistic relief on the exterior walls and have something similar located at the Memorial Park on the southeast corner of Base Line / Central for the Firemen and Sheriffs and Servicemen. A comment was made by a Commissioner that we do the best we can, but want some uniqueness design of the project. Staff responded it is not the intent to do at Staff level and that Staff would bring to the Commission any Art proposal and use the Commission's

10-06-09.PC

review process as part of the project. The Commissioner thanked Staff again for placing this on the Agenda for discussion. Staff responded and indicated Staff would continue to encourage Developers to make a stronger Public Art statement for the Commission's consideration. There would probably be seven (7) different opinions on the Art.

Discussion ensued between the Commission and Staff regarding Page 27 of the Staff Report on the Goal 10.10 regarding Policies, there are five (5) areas in the General Plan that calls for Public Art. A Commissioner indicated that it should say a gathering point and depends on the Commission, have it (the Art) a cut above and the Developer be able to take steps to upgrade the project and that Staff should pursue.

No action was taken by the Commission.

6.0 ANNOUNCEMENTS

Staff explained the Items tentatively scheduled for the October 20, 2009, Commission Regular Meeting.

Discussion ensued between the Commission and Staff regarding CenterStone about the drawings / plans. The benefit is the Developer has agreed to modify the drawings / plans to reflect the COAs.

Discussion ensued between the Commission and Staff about scheduling a Joint City Council / Commission Meeting every one to two (1 – 2) years and the Commission possibly get feedback from the Council and maybe have a question/answer period. Staff responded the Commission is reviewed on a project-by-project basis, but Staff will forward the Commission's comments to the City Manager and to City Council for consideration. It was also discussed how there was a Joint Study Session previously with the entities involved regarding Greenspot Road Development and Policies.

Staff reminded the Commission of the ones who had called in their reservations to Staff of the Volunteer Recognition Dinner is on Friday, October 9, 2009, at the Jerry Lewis Community Center, starting at 5:30p.m.

10-06-09.PC

Staff explained there are Municipal Code Updates and requested the Commission to submit their Municipal Code Books to Staff for placing the update in them.

7.0 ADJOURN

There being no further business, Chairman Haller declared the Meeting adjourned at 6:47 p.m.

Submitted by:

Approved by:

Linda McKeough, Community
Development Administrative Assistant III

Richard Haller, Chairman
Planning Commission

10-06-09.PC