CALL TO ORDER

The regular meeting of the Planning Commission of the City of Highland was called to order at 6:00 p.m. by Chair Hamerly at the Donahue Council Chambers, 27215 Base Line, Highland, California.

Present: Chair Randall Hamerly
Vice Chair John Gamboa
Commissioner Michael Hall
Commissioner Rich Haller
Commissioner Tamara Zaman

Absent: None

Staff Present: Lawrence Mainez, Community Development Director
Kim Stater, Assistant Community Development Director
Gary Gates, Building Official
Nancy Stewart, Administrative Assistant III

The Pledge of Allegiance was led by Chair Hamerly.

COMMUNITY INPUT

Andrea DeLeon, Executive Director of the Highland Area Chamber of Commerce, introduced herself to the Planning Commission, and offered to be of service if possible. She also gave information regarding the upcoming Discover Highland Event in the Lowe's parking lot on October 27 from 2:00 to 6:00 p.m.

CONSENT CALENDAR

1. Minutes from September 18, 2018, Regular Meeting

   A MOTION was made by Commissioner Haller, seconded by Commissioner Zaman, to approve the minutes, as submitted. Motion carried, 5-0.

PUBLIC HEARING

Chair Hamerly stated a continuation of the third agenda item has been requested by the applicant, therefore Item 3 will be heard before Item 2.
3. **Conditional Use Permit (CUP 18-002) application requesting the development of a gated residential condominium complex by Crestwood Communities. Site proposes forty-nine (49) attached condominiums within 12-, two-story buildings, associated landscaping, recreation amenities and parking. Related land use entitlements processed concurrently include Design Review Application (DRA 18-007) and Tentative Tract Map 20190 (TTM 18-002)**

**A MOTION** was made by Chair Hamerly, seconded by Commissioner Haller, to continue Item Number 3, Conditional Use Permit (CUP 18-002), Crestwood Communities, to the next regular Planning Commission meeting on October 16, 2018. Motion carried, 5-0.

2. **Architectural revisions to REAL Journey Academies – Design Review Application (DRA 17-006-1(a)) associated with Conditional Use Permit (CUP 17-009) for a middle and high school campus with 1,200 students in a 108,00 square foot commercial building.** (Continued from September 18, 2018.)

Assistant Community Development Director Stater gave a brief review of the staff report, indicating it would be easier to go through the items in order.

Commissioner Haller shared concerns over the difference between what was approved and what was actually built.

Xavier Adrian stated the only construction done that was not approved was the installation of the steel poles.

Chair Hamerly advised there are actually four issues that need to be addressed.

Vice Chair Gamboa shared his disappointment with the deviation from approved plans, citing the appearance of the project, the disregard for the Commission's directives, and the lack of communication from the applicant.

Chair Hamerly stated the Commission supported the application for the intended use of the building, however indicated the Design Review portion would not have been approved had the original application showed the proposed elevations as presently constructed. He stated the signage has been improved, but with regard to features and aesthetics he would encourage the applicant come up with alternate materials.

Commissioner Hall shared his disappointment that they didn't come to the city to advise there were problems.

Chair Hamerly stated the cumulative effect of this type of thing happening makes the design review process obsolete, and conveyed the desire of the Commission to have the applicant explain how close they can get to what was proposed.

Assistant Community Development Director Stater gave a review of the next item, number two, which is the middle school outside eating area in shown in Exhibit I.

Xavier Adrian stated what was shown was conceptual. The space is the same, the amount of shading is the same, the only difference is how to support it.
Assistant Community Development Director Stater inquired whether the life expectancy and cooling from the shade cloth was the same as the prior concept? Xavier Adrian indicated it would be the same.

Assistant Community Development Director Stater stated concern with regard to whether the space would provide shelter from the heat for the students.

Xavier Adrian stated it absolutely will, indicating it will provide the same amount of shade as was envisioned.

Assistant Community Development Director Stater stated the concern from Associate Planner Thornsley was whether the space would provide the needed shade, if the materials in concept had been exchanged and, if so, would they last?

Chair Hamerly stated he feels it is less of an architectural statement and more of a functional issue. Shade is being provided, though it is not providing the architectural statement as a gateway to the campus.

Assistant Community Development Director Stater stated item number three is the middle school drop off and pick up area and asked the applicant to explain what is occurring there with the fencing.

Xavier Adrian stated they had initially had large, monolithic type elements, but they had been reduced significantly. The approved plans show these kinds of pilasters along the fence that would create additional opportunity for graphics, etc.

Chair Hamerly stated his appreciation for the initial solution for a sanctuary space for the students, for protection from sun and traffic, indicating it was well conceived. However, what was actually installed he feels to be transparent and cheap, providing none of the initial desired results. To alleviate indicated budget concerns, he suggested that alternatives such as a large vinyl coat green screen with ivy might be a possibility.

Assistant Community Development Director Stater gave a review of item number four regarding the wall signs, indicating that staff's opinion is that the proposal is an improvement from the original, and staff supports this change.

The Commissioners stated their agreement with staff.

Assistant Community Development Director Stater gave a review of the next item, number five, exterior door and window openings, stating these were observations made by Associate Planner Thornsley during his inspections of the site.

Xavier Adrian stated financial constraints as the reason for the finishes, with a resulting patched appearance.

Chair Hamerly inquired if it would be required for the entire section of wall to be recoated?
Xavier Adrian stated either the entire wall or portions thereof in a repeating pattern providing an intentional appearance.
Chair Hamerly asked if the applicant would be working with staff onsite on a point-by-point basis?

Xavier Adrian indicated his desire to work staff to achieve a comfortable solution.

Assistant Community Development Director Stater gave a brief review of item number six, high school amenities.

Anna Olvera stated the original concept was a desire for a trellis to provide shade, for PE instruction, and for an outdoor eating area for the high school. She shared their desire to provide a well-balanced athletic program, utilizing their large amount of space. They are requesting to keep this as a phase two program as proposed, indicating a need for additional time and money being required for completion.

Chair Hamerly asked if they are comfortable with the phasing as proposed in the staff report being implemented by 2020 or 2021?

Anna Olvera stated she doesn’t think they will be done by then, indicating an additional year would probably be necessary, stating the necessity for no more than a three year period.

Assistant Community Development Director Stater shared Associate Planner Thornsley’s acceptance of phase two, but his desire for something to be done for the current class, including the covered eating area and recreational equipment that was on the east side of the building this year.

Anna Olvera stated there is furniture on the east side that will be used while they are developing phase two and will remain.

Chair Hamerly asked what kind of input staff is requesting from the Commission?

Assistant Community Development Director Stater stated whether there are going to be shade areas required to be installed now with no relief for phasing, and if phasing was allowed, at what time periods for the east side and south side?

Chair Hamerly stated his suggestion would be to keep those temporary, non-fixed furniture elements in place, leaving the option open to the applicant.

Assistant Community Development Director Stater inquired as to an idea on a year for the phasing?

Chair Hamerly stated it might be possible to install some portions by 2020, but other more extensive improvements may require more time. It would not be possible to arrive at a schedule until they are provided the list of proposed amenities.

Assistant Community Development Director Stater stated the last item, number seven, is the gymnasium. She gave a brief description of the item, indicating this was just to bring it to the Commission’s attention, as this was not a possibility at this time. Anna Olvera stated their request, subject to finances and design, would be to combine the raised gym with the south side as a phase two item.
Chair Hamerly deferred to staff, as the gymnasium was approved as part of the featured amenities, indicating his opinion that permission to raise the roof is unnecessary as it was in the original proposal. Community Development Director Mainexz stated that is correct, but for the record they would like to have the Commission's support to allow staff certainty in moving forward on clearing them for final.

Chair Hamerly stated the certificate of occupancy would be conditioned upon compliance with what was submitted and/or what was alternatively approved. With the exception of signage, nothing has been approved. There have been recommendations based on the proposal and desired direction, but until those items are implemented, that is the condition of final approval.

Assistant Community Development Director Stater stated the only other item indicated as acceptable is the middle school outdoor eating area.

Chair Hamerly stated the middle school outdoor eating area is item two on our list, and wall signs are three and four. The directive on item five was that the applicant was going to work with staff to correct each item in a fashion that was acceptable to staff. As such, would item five be included as being approved? There was unanimous acknowledgement that there needs to be correction to the patching that has been done over the exterior door and window openings, and staff is being directed to solve each respective condition in the field. Are we comfortable with that process?

Commissioner Haller stated he wants to make sure it is clear and in writing as to what exactly is being committed to, thereby mitigating any later deviation. Additionally he requests a written description of exactly what phase two will consist of.

Chair Hamerly stated there was no approval of that one. It was the shade structure, item two and the graphics that were changed from the applicant's corporate name to the actual school name, number four for the wall signs. With regard to number five, would it be desired to see an actual specification of what will be implemented over these areas to accomplish the complete concealment of all the patch and repair areas?

Commissioner Haller replied he would like a description of what that would consist of.

Chair Hamerly asked if staff could work with the applicant this evening to arrive at language for the motion regarding item number five?

Xavier Adrian requested direction for requirements on the gymnasium, item seven.

Chair Hamerly stated the gymnasium will remain as is, reiterating that as it was in the original application it was unnecessary to request permission to raise the roof, and in the future it will be installed as per original plan.

Xavier Adrian stated for clarification, you are acknowledging, but staff is recommending approval. Is there something to be approved or is the acknowledgement sufficient?

Chair Hamerly stated it will depend on whether additional plans will be submitted. What are the mechanics of that in terms of staff?
Xavier Adrian stated these elevations were approved last year, asking if it would be necessary to return with new elevations? He wondered about the possibility of not needing to raise the gym in the future, and leaving their options open. Chair Hamerly replied that goes against what the applicant has communicated. The ultimate goal is to raise the roof allowing for a fully functional gym.

Community Development Director Mainez stated staff's expectation was that the facility would be built to accommodate interior sports; that is how it was presented, but not the way it was built. The consensus tonight is that in the future it will built. He stated his desire to have something in writing, legally binding between both parties, so that in the future that will indeed be accomplished. This will preclude the facility from going into the future without providing something that was expected when the CUP was approved. He is acceptable to including it in phase two, but wants it in writing.

Chair Hamerly stated the low gymnasium would not be approved tonight, as it is part of the phasing plan still on the table. At this time, they are acting on two, four and five.

A MOTION was made by Chair Hamerly to approve the middle school outdoor eating area as presently installed. Motion failed for lack of a second.

Community Development Director Mainez asked if they could address the problems the Commissioners are having with the middle school outdoor eating area.

Vice Chair Gamboa and Commissioner Haller stated concerns with the deviation from what was approved, issue with the appearance, structural permanence and the possibility for wind damage, indicating whether conceptual or not, it was not what was approved.

Chair Hamerly stated this is being adding this to the list of things that need to be brought back for review. The consensus from the Commission is to return to a trellis type appearance; more substantial than just a bunch of steel poles and cables.

Anna Olvera asked for confirmation that the materials used were not being questioned, but that it needs to be in the spirit of a trellis?

Chair Hamerly stated correct. With respect to item four, the wall signage, the graphics have now been branded with the charter school signage.

A MOTION was made by Chair Hamerly, seconded by Vice Chair Gamboa to accept the signage as it has been modified. Motion carried 5-0.

Chair Hamerly requested language to remedy what will be necessary to fix the remaining item, the exterior door and window openings.

Xavier Adrian stated applicant will work with staff to achieve a uniform look using a spray-on stucco or similar type finish acceptable to staff.

Chair Hamerly asked about the mitigation of cracking and whether they wanted to add that specification?
Xavier Adrian replied to add the type of finish acceptable to staff, building official and manufacture specifications to ensure proper adhesion.

A MOTION was made by Chair Hamerly, seconded by Commissioner Haller to accept the applicant working with staff to achieve a uniform look using a spray on stucco or similar type finish acceptable to staff, building official and manufacture specifications to ensure proper adhesion. Motion carried, 5-0.

Chair Hamerly inquired about a return date for the remainder of the items on the list.

Assistant Community Development Director Stater in response to applicant’s question regarding the date of the next regular scheduled meeting of the Planning Commission stated that it is in two weeks on October 16, 2018, to which the applicant replied that would be okay.

Assistant Community Development Director Stater advised the applicant they would need to provide plans before the end of the week.

A MOTION was made by Chair Hamerly, seconded by Vice Chair Gamboa, to continue the five remaining items, one, two, three, six and seven to the next regular Planning Commission Meeting on October 16, 2018. Motion carried 5-0.

4. Code of Ethics – Annual Review

Community Development Director Mainez gave a brief review of the staff report.

Chair Hamerly asked for any comments on the code of the ethics as currently adopted? Hearing none, no motion is required.

ANNOUNCEMENTS

October 16  Next Regular Planning Commission Meeting
March 6-8  LOCC Planning Commissioner Academy in Long Beach

ADJOURN

There being no further business, Chair Hamerly declared the meeting adjourned at 7:22 p.m.

Submitted by:  Approved by:

Nancy Stewart, Administrative Assistant III  Randall Hamerly, Chair
Planning Commission

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