

**MINUTES
PLANNING COMMISSION REGULAR MEETING
MARCH 19, 2013**

1.0 CALL TO ORDER

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

Present: Chairman Randall Hamerly
 Vice Chairman Trang Huynh
 Commissioners John Gamboa
 Richard Haller
 Milton Sparks
 Michael Stoffel

Absent: Commissioner Michael Willhite

Staff Present: John Jaquess, Community Development Director
 Ernie Wong, City Engineer / Public Works Director
 Craig Steele, City Attorney
 Jim Godfredsen, Project Manager
 Lawrence Mainez, City Planner
 Kim Stater, Economic Development Specialist
 Scott Rice, Contract Landscape Architect
 Linda McKeough, Administrative Assistant III

The Pledge of Allegiance was led by Chairman Hamerly.

2.0 COMMUNITY INPUT

None

3.0 CONSENT CALENDAR

3.1 Minutes of March 5, 2013, Regular Meeting.

A Motion was made by Commissioner Gamboa and seconded by Commissioner Sparks to approve the Minutes of March 5, 2013, Regular Meeting, as submitted. Motion carried on a 6 – 0 vote with the abstention of Commissioner Haller and Commissioner Willhite absent.

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4.0 OLD BUSINESS

- 4.1 A Modification to an existing Sign Program for the 76 Gas Station, and Canopy Alteration (ASR-013-002). The Project is generally located at the corner of Base Line and the 210 State Highway. The address is 27627 Base Line. APN: 1201-051-17-0000 [Continued from the Planning Commission's February 19, 2013, Meeting.] Representative: Sorin Enache (Promotion Plus Sign Company).

Chairman Hamerly identified the Item and asked if the Applicant is still requesting a continuance for April 16, 2013, in order to allow him additional time to work with Conoco 76 for the secondary Signage and City Planner Mainez said that is correct.

A Motion was made by Chairman Hamerly and seconded by Commissioner Haller to continue the Item to April 16, 2013. Motion carried on a 6 – 0 vote with Commissioner Willhite absent.

5.0 NEW BUSINESS

(Note: Prior to the Meeting Staff distributed an additional COA on Staff Report Page No. 14 regarding Engineering COAs for Planning Area 3 (PA3) regarding prior to occupancy of any Building in PA 3, the following off-site improvements are required: 1. Construct public street improvements at the Greenspot Road / Access "C" intersection in accordance with the City's Greenspot Road construction Plan dated November 2012, and private street improvements on Access "C" from Greenspot Road to the northerly boundary of Planning Area 3.)

- 5.1 A Public Hearing of the Planning Commission to consider the "Greenspot Village and Marketplace" Specific Plan (SPR-006-001), Final Environmental Impact Report (ENV-009-003), General Plan Amendment (GPA-009-002), Zone Change (ZC-009-001), and Design Review Applications for Planning Area 1 (PA1) and Planning Area 2 (PA2) (DRB 009-003 and DRB 009-004, respectively). The Project is an approximate 104-acre triangular shaped Site within the General Plan designated Golden Triangle Community Policy Area which is generally bordered by Greenspot Road on the south, Eucalyptus Avenue on the north, Boulder Avenue and Webster Street on the east, and City Creek and the 210 Freeway to the west. Representative: Glenn Elssmann, Greenspot Village and Marketplace, LLC

Chairman Hamerly identified the Item and asked for Staff's presentation.

City Planner Mainez explained that both he and Economic Development Specialist Stater will be providing the Staff Presentation, followed by Ms. JoAnn Hadfield, Consultant from the Planning Center, who prepared the EIR, will explain an overview of the EIR process. City Engineer Wong wants to provide an

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introduction with the COAs, followed by the Applicant who will provide a detailed overview of the proposed Project.

A question was asked by Chairman Hamerly regarding if the Consultant will explain the EIR process or what has been submitted for the Commission's consideration as opposed to the General Plan and that the Commission understands the process and that it would be more appropriate for the Consultant to summarize and City Planner Mainez responded so noted and that Ms. Hadfield will present a summarization of the EIR to the Commission.

Economic Development Specialist Stater gave the presentation from the Staff Report and PowerPoint presentation and that the Commission has seen the proposed Project previously and then explained the itemized Recommendations to the Commission that would be making Recommendations to the City Council and indicated the Elevations, Landscape Plan, Site Plan and will refine the Plans in the future and that added additional Plans will be submitted regarding Photo metrics, Lighting, DRA for PA 2 for the Residential Area with the Final action for PA2. The amendments that are made are from the Workshop the Commission had previously with the Applicant. She reiterated that Ms. Hadfield will provide a synopsis of the EIR to the Commission.

A question was asked by Chairman Hamerly if the DRAs under the Commission's recommendations will also go to the City Council for consideration and Economic Development Specialist Stater responded that is correct. Community Development Director Jaquess added when the DRAs are related to a Specific Plan Project, the whole project goes to City Council for consideration.

A comment was made by Chairman Hamerly regarding the Commission's actions to be taken on the proposed Resolution and Economic Development Specialist Stater responded there are Attachments G & H that are attached and should be referenced in the proposed Resolution.

Economic Development Specialist Stater continued her presentation regarding the proposed Specific Plan, in that there are items that need to be edited indicating a Design Review Board review and will be edited / revised to change from "Design Review Board" to "Planning Commission". With regards to regulations of pulling Permits in Chapter 5 and Chapter 9 and are duplicates and requests the deletion of one. With regards to the Sign Standards Item 5.8 and 6.5 and Staff suggests the deletion of 5.8 in that 6.5 is more detailed and has a flag test requirement. With regards to proposed Parking Standards, they are not equivalent for the City's R-4 Parking Standards and provided comparisons of the R-4 Ratios to the proposed Specific Plan's Ratios and how the proposed Site Plan is under parked based on the Development Code. She explained Page 12 of the Staff Report to the Commission how the Commission can adopt either of three (3) variations; uncovered parking spaces and the parking number of

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deficiencies is seventeen (17) by R-4 Standards.

A comment was made by Commissioner Stoffel regarding other sites like this Site and what is normal parking and indicated that there is no other Project like this one and Economic Development Specialist Stater responded the R-4 Parking Standards, were adopted in the City's General Plan. City Planner Mainez added the R-4 overlay was adopted approximately six (6) months ago and added this is the first Project with an R-4 Parking Standard. Economic Development Specialist Stater added the R-4 Standard is the closest for a Project of this type to be evaluated against.

A comment was made by Chairman Hamerly regarding the R-4 Standards internally with the City and City Planner Mainez responded how the Standards were created in consultation with Developers and non-profit organizations from the perspective of R-4 Standards being at market rate. He stated there are a lot of amenities and allow the Applicant to explain to the Commission why he is short on R-4 parking.

A question was asked by Commissioner Stoffel if Rancho Cucamonga is functioning correctly and City Planner Mainez responded that he does not know. Economical Development Specialist Stater added that the Jeffrey Court project (located on Central Avenue) functions adequately and City Planner Mainez added that is an R-3, Senior residential project.

A comment was made by Chairman Hamerly regarding the types of similar parking densities, if clustered around universities and fall back to Staff and provided an example with 1:5 parking ratio. Economic Development Specialist Stater responded at the Workshop previously with regards to the PA 2 Residential Area, at the south driveway with an east / west linear drive would have a tunneling effect and the Applicant revised Plan Option "B" Applicant to mitigate that and the carport style. She indicated that on Page 14 of the Staff Report what the proposed topics are for the proposed Development Agreement that is being finalized.

Economic Development Specialist Stater she is looking at the topics and will be addressed in the Document and clarify the Greenspot Road improvements. The City is waiting for the Department of Finance's action in improvements which may take approximately two to three (2 – 3) months. She then said there were no comments submitted regarding the Project Notice, but there was correspondence with the IVDA and San Bernardino to resolve and satisfy their requirements. She then turned Staff's presentation over to City Engineer Wong.

City Engineer Wong explained the paper that was submitted earlier to the Commission regarding PA 3. He indicated that PA 1 & PA 2 is for tonight's consideration by the Commission. He indicated on Page 13 of the Staff Report

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same general bullet points if PA 3 is developed. There are nine (9) of them in the future change to No. Item 1 with substitute and explained how Staff met with the Property Owner / Developer tonight prior to the Commission Meeting and that No. 1 requirement is inconsistent with the COA and modified Item No. 1 and further explained to the Commission the location / portion of Greenspot Road to the Freeway to Access "C" is not.

A question was asked by Commissioner Haller if that would impact the Mitigation Monitoring requirement and City Engineer Wong said no and how to implement Mitigation Measure and there is no change for the Mitigation Measure.

Economic Development Specialist Stater asked if the Commission had any questions, hearing none, she then asked Ms. JoAnn Hadfield to address the Commission.

Ms. JoAnna Hadfield, of The Planning Center, stated this project has been a bit unique because of the delay after the draft EIR was prepared. They are working with City Staff to determine how to proceed when the project basically restarted and then at the Commission's discretion she can review the findings and the overall results of the EIR. She is going to start with going back to the project basically four years later after the draft EIR was prepared. The initial notice of preparation and initial study, the 30 day notice of preparation for an EIR went out in March 13, 2008. The scoping meeting was held and then the comprehensive draft EIR was prepared which addressed all the environmental topics with the exception of population and housing. It is an extremely comprehensive EIR that addresses all the topics and not only addresses all the topics it quantifies the analysis for two scenarios of the specific plan, the 83 acre scenario that doesn't include the flood control improvement, the flood control districts property and then the scenario that does include that. So the draft EIR was prepared at a project level that would entitle either project, what is decided is approved and then of course contingent on the acquisition of the flood control property for scenario one. Then the final EIR was prepared and the City received comment letters from five or six agencies, they prepared the screen check final EIR with all the responses to comments. They were dealing with some of the flood control issues when the project stalled for a few years. So they were brought back into the project last fall with an updated specific plan that was dated July 2012 and then worked with the City to decide how to proceed most efficiently, yet very defensively. A lot of debate about this because there were very few changes, the changes to the project description itself were very minor, recognized right away that would not require recirculation of the EIR but CEQA requires also that any changes be looked at in the environmental setting and their concern right off the bat was key project development related projects not only that have been developed in the interim but also applications that have been filed. A particular interest was the Greenspot Village & Market Place project which is 3,000 to 4,000 residential units and from a topical impact standpoint their primary concern

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was the impact of traffic. To give an overview, they had to consider whether there was a potential for any new significant impacts since their preparation of the draft EIR because any new significant impact that couldn't be mitigated or were substantially more severe would require recirculation of the draft EIR. It could have included an update of just a few sections or a major overhaul but would require recirculation to the public for 45 days so their debate was whether the change in conditions and the change in the project would trigger recirculation of the EIR. To read that straight from CEQA guidelines what would trigger recirculation would be lead agencies require to re-circulate an EIR when significant new information is added to the EIR. The two criteria they are concerned about would be defined as new significant information, would be a new significant environment impact would result from the project or from a new mitigation proposed to be implemented or a substantial increase in severity of a environmental impact would result unless mitigation measures are adopted that could reduce that to a level of insignificance. So without getting into a fairly comprehensive analysis of traffic we couldn't be comfortable that the project update or more accurately the change in conditions would result in the requirement to re-circulate the EIR update. They worked with staff to determine what analysis they had to do, ultimately they have prepared a very comprehensive updated final EIR that updates the changes to project, the project description and updates all the environmental conditions and briefly go through the changes and the studies that support the final EIR and why they are comfortable in not re-circulating the EIR. It has been a very conservative approach but it is very defensible. The final EIR updates the project description with all the exhibits, with all the statistical analysis from the updated specific plan. The air quality greenhouse gas modeling or climate change modeling to be defensible had to be completely modified, updated, not because of the changes to the project but because of the changes in the regulations and the modeling Southcoast Air Quality Management Districts requirements for modeling. So what they did for air quality and greenhouse gas, they completely updated the modeling and completely re-worked the EIR section in strike out bold so you can see the changes that were made. The findings are the same, actually the new modeling, the Cal EMOD for the greenhouse gas modeling, results in impacts that are reduced in comparison to the original and that is just because the modeling has changed and has been refined by Southcoast Air Quality Management District. The applicant's consultants updated the hydrology for the project, the hydrology and water quality studies. Subsequent to 2009 there was severe flooding and damage to the Boulder Bridge so they had to update those conditions. When they came on board it turned out Public Works had already required updated hydrology studies and Bloodsoe Creek hydraulic analysis. If you recall when we were preparing the initial final EIR in 2009, the flooding issue was one issue that had not been resolved yet. So all these updated studies resolved that. The changes to the project from an environmental standpoint, the most beneficial change in the project which resolved a big issue for City Creek was the fact that the hydrology was changed to retain the water on site within

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filtration basin and eliminate the requirement for an outfall structure to City Creek. That was also an issue to regulatory agencies, in particularly California Department of Fish and Game. The applicant's biologist had done the jurisdictional delineation; they looked at mitigation and issues related to the Creek that were eliminated with the change in the project and the change that the outfall structure would not be required. On the other hand, that meant for the final EIR that they really had to detail all the updated hydrology to substantiate that which they have done. So, they reviewed all those studies, worked with Public Works Director/City Engineer Wong, worked with encompass engineers and updated all the hydrology for the report and summarized that in the EIR. Also requirements for the Water Quality Management Plan, the onsite infiltration, a new drainage concept, which completely had to be documented. The biological resources on site had to be re-evaluated to be sure that there weren't any new species or habitat that had surfaced on the project so Tom Dodson and Associates Biologist went out and that is documented in the Appendix in the EIR. There are no new impacts there; no changes that would constitute significant impacts that would trigger the need to re-circulate the EIR. Finally from a more substantial update, the Planning Center updated all the quantified utility and public services requirements for the project. Again, not so much because the project changed so much but four years later a lot could change in the ability for providers to provide service. Not only for this project but for related projects, so that is also all updated in the EIR. At the end of the day we do not have any new significant impacts that would trigger re-circulation. The traffic analysis is extremely comprehensive and was conducted by Urban Crossroads but also reviewed by Public Works Director/City Engineer Wong, and the City's consultant, HKA. They worked very closely with them for weeks and weeks to ensure that they did not have new significant impacts that would trigger re-circulation. That all tweaked a lot of the mitigation for traffic and which is all documented. They completely updated the executive summary to pull of this together, when you are reviewing the final EIR, section 4.6, includes a complete update of the executive summary and the conclusions, the impacts and the mitigation, and so that has been updated as well was the mitigation monitoring program reflects all the revised mitigation. They do not have any new significant impacts. Just in summary on the findings of the draft EIR that were substantiated in the updated final EIR the project has the following significant unavoidable impact. Agriculture, 10 acres of the property designated as, by the State, as farm land of State importance and that will be lost. It cannot be mitigated, at the time of the original draft EIR they worked with City staff and contacted conservation groups and there was no groups that have any kind of mitigation banking for farm land within the City so that is the finding in the facts and finding said that it is not feasible to mitigate. Air Quality, the project is inconsistent with the Air Quality Management Plan mostly from the standpoint that the flood control property is zoned for open space so it's inconsistent with the basis of development of that property which is basically what the Air Quality Management plan is based on. Air Quality also is a significant impact, both for operations and construction;

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because even with all the feasible mitigation that is included in the project the emissions exceed the South Coast Air Quality Management District thresholds for criteria pollutants. Traffic, was a significant and unavoidable impact with the draft EIR as revised it is also significant and unavoidable. All possible feasible mitigation has been recommended and is included in the mitigation measures. Basically even if the applicant pays fair share and even if the City is comfortable that those improvements will be developed at the time of project build out or the accumulative impact for the City post 2030, from a CEQA standpoint the impact would be significant and unavoidable unless a specific improvement is on a Capital Improvement plan as a line item so if it's an intersection that needs two lanes etc it would have to be a line item on a Capital Improvement Plan or the Regional Transportation Program and show funding. So it's a very conservative finding, it's the CEQA finding that has to be made but it doesn't mean that the developer isn't contributing their fair share payment or that the appropriate mitigation has not been identified for any of the intersections that wouldn't operate at an acceptable level of service. The facts and findings review all the findings for the significant impacts, the feasibility of mitigation measures, identified in detail the unavoidable impacts as well as the alternatives. Five alternatives were reviewed, a comprehensive review of reasonable alternatives included the no project alternative, a reduced density alternative, an agriculture use alternative, again focused on eliminating the significant impact and a modified land use which would be higher residential unless commercial. The environmentally superior of those alternatives was determined to be the agricultural alternative because it wouldn't result in all the operational impacts and would preserve any onsite resources.

Chairman Hamerly stated one question regarding 5.3-1 and that had to do with air quality and having the flood control property either remains as open space and it was deemed it could not be mitigated successfully because it was planned development or specific plan. He guesses that piece of property is being considered equal to agriculture.

Ms. JoAnna Hadfield, of The Planning Center, stated no it's more related to, the air quality management plan, the basis for that is really the City's General Plan and land use as designated in the General Plan. So under scenario one, that property would be developed as commercial and tiny bit of residential as well, where the air quality management plan from the district considers it will remain open space. Actually her recollection is that the agriculture designated property is on the far east side along Greenspot. The property is not related to the flood control property at all. Again, her recollection and some of this is from four years ago, is that only scenario one has a significant finding that it is inconsistent with air quality management plan because only scenario one includes open space designated property. Scenario two would actually be consistent.

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Chairman Hamerly stated scenario two for the specific plan would be consistent with SQMD.

Ms. JoAnna Hadfield, of The Planning Center, stated with AQMD, the Air Quality Management Plan of the South Coast Air Quality Management District.

Chairman Hamerly stated so leaving it completely blank.

Ms. JoAnna Hadfield, of The Planning Center, stated not development, correct. Basically any project that requires a General Plan amendment might be inconsistent with the Air Quality Management Plan. If you go into the detailed analysis here...

Chairman Hamerly stated that is behind his question because he is wondering, its taking a holistic approach. You have a lot more dust and potential refuse, trash, all of that being circulated through the City with completely undeveloped land not cultivated land. If it was being farmed successfully you could make a case that yes, you only have trees and whatever you're going to grow there but if you have bare land with tumbleweeds and dust and every time the wind blows we have a problem with air quality. That is a tough stretch of the imagination.

Ms. JoAnna Hadfield, of The Planning Center, stated ideally that is what CEQA does, is compares to the Base Line conditions or the existing conditions which should consider that but the methodology from the Air Quality Management District strictly looking at their quantified threshold of emissions for criteria pollutants for construction which includes your particular emissions from the construction activities as well as the equipment emissions. You have a really good point, you don't quantify the particulates that are blown up in a problem already and mostly that's because it's a regional analysis with the exception of the local significance thresholds, which again because of the updated model came out better this time around so some of it seems arbitrary. It's not uncommon to be inconsistent with the Air Quality Management plan. A project of this scale typically is always going to have a significant air quality impact because of the traffic trips and car emissions.

Chairman Hamerly stated backing up to an earlier comment that was made and he just wants to clarify, it was only for the purpose of determining a threshold if we needed to re-circulate the plan to the different agencies for re-review and that was the significant facts that came into play in the time period between the draft EIR and the final EIR and that was the consideration of the impacts that this project would have on the Greenspot Village & Market Place project and vice versa, the impact that Greenspot Village & Market Place would have on this project. That was only considering the need for the threshold that had been met to re-circulate this EIR to the agencies for review, is that correct.

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Ms. JoAnna Hadfield, of The Planning Center, stated yes. She probably didn't present that very well. She focused on the Greenspot Village & Market Place project because other related projects have either developed since the 2009 draft EIR or new projects have been filed. It's the large projects. If all the other projects that the initial project study had already been updated and looked at, the related projects were actually in place, that had been identified in the draft EIR now built, traffic counts had been updated and our question was but have you considered the Greenspot Village & Market Place project with about 4,000 units. Its not so much the fact that this, in a sense it is, the impact that this project on that project or vice versa, but from a CEQA standpoint it's the key moment of impact of not only the Greenspot Village & Market Place project but everything else that may have developed or be a reasonably foreseeable project. For example, Urban Crossroads traffic study has updated a page or two of related projects to look at traffic, our public services, our utilities, to go back to the same methodology that they used in the draft EIR to update it to be sure. For example, schools have been updated with all the student generation from any new projects. So its just to address the cumulative analysis to see if at the end of the day Greenspot now provides an incremental impact that makes that accumulatively considerable that would trigger re-circulation because it wouldn't only be a project specific impact, if it contributed to cumulative impact then re-circulation of the draft EIR would be required but if it had been only traffic that was a problem only traffic would have been re-circulated.

Commissioner Haller stated is the letter from the Airport without merit or it seems to indicate that they feel there is residential units within their safety zone or is that inaccurate statement.

Community Development Director Jaquess stated the letter from the Airport does not acknowledge the fact that the City and the Airport entered into an agreement for development around the Airport in 2007 which was agreed to by both the Airport and the City as specified how we would proceed with development activity in the area. It also resulted in the City adopting a Airport overlay which was done in a way similar to Airport Land Use plans and that was adopted by the City through the Planning Commission and the City Council. That plan as it was adopted by the City reflects that the type of development on this project would be compatible with the Airport. The letter from the Airport doesn't acknowledge or is not aware of the fact that this agreement has been done and that we have adopted an Airport plan which we coordinated carefully with the Airport when it was being adopted.

Chairman Hamerly stated is that due to the change in management at the Airport or just short term memory.

Community Development Director Jaquess stated he does not think so.

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Chairman Hamerly stated he does remember when we had that discussion with the other development, the Condo project, and that's when we had to have, it was part of the deed notification for any residences that had to be notified that they were in this flight area.

Community Development Director Jaquess stated in the agreement with the Airport, we adopted a concept of avigation easements was specifically a point where the City agreed that we would do that for projects developing around the Airport. So that would be something we would automatically require of this project as it goes forward.

City Planner Mainez stated he would like to add a comment. We did add a condition for avigation easements and there is also a condition about the height of our freeway signs and so on and so forth. It was noted the inter agency Airport agreement and this was done for the record. He is not sure the Airport is aware of this.

Mr. Glenn Ellsmann, Greenspot Village & Market Place Project, stated he must thank staff for their tireless efforts and staff's team as well. Ms. JoAnna Hadfield, of The Planning Center was able to come out and he thinks the Commission received just a snip it of the complexity and the critical nature of all of the moving parts that come into play in a comprehensive environmental impact report given all of the different dynamics that have occurred in the marketplace. He appreciates all of Ms. Hadfield's efforts as well as Public Works Director/City Engineer Wong, Economic Development Specialist Stater, City Planner Mainez, Community Development Director Jaquess and the entire staff. They have been working very diligently and very focused and hard to bring the project to this critical point. Given the nature of how often in the depth of your understanding of the project he did just want to focus on three areas of comment and recommendations from the January 15th Planning Commission workshop. He is going to go through these and then pass out some hand outs that will supplement what he is presenting with the PowerPoint. The first round of comments had to do with addressing some of the Main Street experience. There were some comments on how to strengthen the Main Street experience. Added elements that would come along with that, we've talked about the ability to hold functions whether its entertainment events, market night, farmer's market, those type of events, will be able to occur by closing off the southern end of the main street and the east/west end of the main street at the north side of Main Street. These gathering places, people refer to some places but certainly patio areas with fountains and fire places and so forth. Those are going to be here and he will show some of the enhanced modifications that they have made to the end of the Main Street. What you see is the prior site plan didn't more overtly link the Paseo pedestrian trail that runs east/west along the project from the residential to the Main Street retail planning area two. This is what has been done and they really modified that significantly on a couple of different ways. They have

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brought more architectural hardscape and design features into the connection point. These illustrate hanging light type of components, a stronger statement of entry, decorative pavement they have tried to delineate and its not that there will be lots of truck traffic but they have tried to delineate this more clearly. To draw people from the gathering place and come up and play in these areas, they have imagery what is contemplated to be. So, that has been significantly addressed as part of the retail comment. You can see comparison between the two as to how it's much more clear and strong. You also see aspects of the landscaping and those are in the larger plans where they picked up more landscaping around the back side of the house on the areas that didn't conflict with truck loading areas. A couple of keys points with the residential site, as it was pointed out, there is a real concern and they actually have worked with their architect renderer to start a laying process that was a very legitimate concern particularly as they got into more of the in depth study that their east/west street may have this, they call it a linear tunnel, so it needs to be addressed. They took and introduced a gateway element on the site plan and they modified the site plan. This orange is a location for a gateway. His thought was let's strengthen the connection from the Paseo going north and in the detailed site plan they moved this building here and t-boned into this building and flipped it so the connection is smoother. Another thing to point out is this concept introduces that there are three established recreational areas, three ways to break up this corridor so it connected that way. What they did was first, it didn't come through very clearly but they thought lets start with revealing the substance and articulation in the design of their buildings. If you look at the plans to scale, sometimes it's not as apparent but there is a tremendous amount of articulation in the buildings themselves. A lot of color, variations, vertical articulation back and forth but they are still looking at this and you can say we still have this issue and what are we going to do about that. So, the other aspect we did was to say well the plan didn't show any three dimensional landscaping so they introduced landscaping. They didn't try to do a bam boozle and put really big landscaping and make it huge so you wouldn't see what was going down because that is not a fair representation. Landscape will take time to grow and landscaping by itself is not going to completely address the issue but you can tell when you combine the articulation aspect of it, you get the landscape going, that tunneling affect starts to melt a little bit. Then they said let's introduce what they call their Village Gateways and that is in the package. This design here actually picks up from the elevation from the Clubhouse. So when you come into the Clubhouse, you will see strong elements from that and at those two key points, as you can see it breaks up that linear effect. Then the last slide show when you put in the parkway landscaping it further breaks it up. Again, they don't show the tree that's supposed to be here because it would hide this and again they are trying to be very overt to say how the laying and the insertion of those earlier changes really helps break up that long look. The last element they did was how to enhance the feeling of the car port. So the top is the Craftsman elevation and they pick up the colors and design of the Craftsman. They do that for the Spanish elevation and Monterey elevation. You can see

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how building 16 switched with building 1 and building 1 is a two story carriage unit. So on the southwest side of the project you have your two tall buildings, then you have a shorter building, a big gap, then your tall building, then your whole gateway entry. In the renderings you can see the taller palms break up the plain as well. He would like the Commissioners to also understand in meeting with the architect and exploring the ideas of perhaps extending patio space, bolting on extra patio space on the buildings themselves, they explored that and in the end they thought creating a broader benefit to the entire community, how you arrive in the community, how you travel through the community, the statement that is being made with those village gateways seemed like it could be a benefit to the broader community as a more stout benefit to the community. In the carport themeing they didn't illustrate this but you can see, for instance, in the Monterey elevation that if you pulled some of the blue into the carport it would have a stronger tie in and same with the Craftsman could bring in the green, so your colors could come in nicely.

Commissioner Huynh stated the gateway you talk about, it is it both Spanish architecture.

Mr. Glenn Ellsman, Greenspot Village & Market Place Project, stated yes.

Commissioner Huynh stated so what happens if it's a type one building. He looked at the site plans. For the gateway on the east side of the site plans, building number 8, what type of architecture is this building?

Mr. Glenn Ellsman, Greenspot Village & Market Place Project, stated on the packet that shows the building elevation styles, that building would be a Craftsman. When you come into the main entrance your eye terminates at the Clubhouse which is the Spanish mission and the whole design is picking up off of that and on the right hand side and on the left hand side those are also the Spanish mission. You kind of have a triad there of that style.

Commissioner Huynh stated it's a very nice idea.

Commissioner Haller stated is it going to have some lighting.

Mr. Glenn Ellsman, Greenspot Village & Market Place Project, stated yes, actually in the detail drawing, you will see lights hanging down.

Chairman Hamerly stated he knows it's not a specific construction drawing but given that Spanish colonial style makes really prominent use of wrought iron. It would be nice if both of the metal arch that is going over as well as the light fixtures picked up on some of that hand forged quality.

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Mr. Glenn Ellssmann, Greenspot Village & Market Place Project, stated he agrees, he concurs as well as the wrought iron over the mock window elements at the top.

Chairman Hamerly stated right because those you would typically see a finial or twisted bars that kind of hand hammered effect.

Mr. Glenn Ellssmann, Greenspot Village & Market Place Project, stated he thinks that kind of a patina type aged look gives it a time quality to it. Again, they tried very much to avoid just smothering it with lots of greens and trees to hide the issue. As we were developing the sketch up modeling and so forth it was really an insightful observation that this was something to address. They are glad this came out and decided to put the sequence so that the feature itself, the village gateway feature, would be in concert with everything else. With that, the only aspect that he would like to pick up on the condition has to do with the parking ratio. There were some good questions raised about what other projects we have and obviously there is none in the City of Highland, as the City went through the General Plan and updated the Housing Element and the R4 overlay, it turns out this is the first property to have the R4 overlay and he thinks staff did an admirable job of trying to solicit input from a variety of professionals. We weren't frankly part of the process, which is fine, but what they have been very focused on and must confess there is a certain embarrassment, this inconsistency they have here, and the reason we didn't pick up on it is that they had been working with their architect who is very proficient and does projects all over the place and a number of projects for developer communities that was providing some input for the standard. They really focused on the parking ratio and so their parking ratio right now is about 1.86 and their objective was to try to keep it between 1.85 and 1.9 as the mark to shoot for. So, their site plan that they submitted is within that range and he thinks there are a couple other extenuating elements that come into this.

Chairman Hamerly stated just so we don't lose anyone. The ratios that you are speaking about the 1.8 to 1.9, he is assuming he is talking about ratios of dwelling units to parking spaces as opposed to the number of parking spaces required per unit and taking that ratio and saying here is the number of guest spaces that are required based on the number of residential spaces required.

Mr. Glenn Ellssmann, Greenspot Village & Market Place Project, stated correct. This is the overall X units times the ratio.

Chairman Hamerly stated staff represented it as a 1 to 3 versus a 1 to 5 or 1 to 6.

Mr. Glenn Ellssmann, Greenspot Village & Market Place Project, stated on the guest parking that is correct. This is the overall ratio for the community. With that, they tried to ensure that every resident had either a garage or a carport and

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adequate open space parking as well. As Staff pointed out, he thinks maybe to a fault, they really focused on trying to create quality open spaces and a park like feel for the community. The trade off is losing that to asphalt or permanent pavement to keeping it as the strength of the Paseo and other green space areas. It turns out they are well above the open space standard but they were purposeful in doing that because they recognized the nature of this particular project. It's kind of groundbreaking into having a market rate luxury apartment and a resort style community for the City of Highland. As he understands from what Staff is saying am comfortable with the ratios that their architect worked to strive towards, they would prefer the site plan be adopted with the parking ratio and then they would update the specific plan to conform for the PA2 for this particular situation. Again, he apologizes for the oversight, they were really focused on quality open space and the parking ratio and this was a good catch that Staff picked up.

Chairman Hamerly stated one of the resolution items for tonight is the adoption of the specific plan, do you have any proposed language to submit where we would say okay, item #3B.

Mr. Glenn Ellssmann, Greenspot Village & Market Place Project, stated the other thing he wanted to say was in terms of vacancies, an apartment is considered fully leased if it's in about a 5% vacancy. Normally you will see anywhere from 5 to 7, people are pretty happy with it and you're always having turn over's so that also legitimately means you don't have every person in every parking spot at any one time. Turns out when you do the math it ends up being a lot of spaces. So, he would have to pause.

Chairman Hamerly stated so is 5%, 50 spaces because we are looking at numbers of about 1,000 spaces on the site.

Mr. Glenn Ellssmann, Greenspot Village & Market Place Project, stated it would translate to approximately that. If it's a 5% vacancy that's a really full community.

Chairman Hamerly stated one other practical thing, this just does have immediate adjacency to a fairly large parking area and if you think holistically about here's all the parking that's available for the entire specific plan. Not just here are the residents, here's the PA1, and do you envision having guests that are not staying overnight parking in the Village area and then going through the pedestrian access through the Paseo to visit their friends.

Mr. Glenn Ellssmann, Greenspot Village & Market Place Project, stated he would imagine that if he had kids and they were having a birthday party at the pool but we were going to go get ice cream over at the store, people would park at the store and come up, the answer is yes. He doesn't see it being farfetched to think that the interaction between visitors and the shopping center and coming into the

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residential area on a pedestrian manner versus driving in the gate and finding a place to park. That's the whole beauty of an integrated mixed use project.

Chairman Hamerly stated he was just wondering whether the numbers that are reflected in not only the Staff Report but in the language of the specific plan are addressing that. Saying okay, prime time for the PA1 is going to be these hours, prime time for guests is going to be these hours and they would share.

Mr. Glenn Ellssmann, Greenspot Village & Market Place Project, stated he thinks that is a good note. They could add language to the specific plan that acknowledges the exchangeability of parking. He thinks that is a good idea.

Chairman Hamerly stated he believes that concludes Mr. Ellssman's formal presentation.

Mr. Glenn Ellssmann, Greenspot Village & Market Place Project, stated yes, it does.

Chairman Hamerly stated he will now open the microphone for any speaker in attendance who wishes to participate in the hearing to present comments regarding this project.

Mr. Doug Goodman stated he represents one of the property owners who owns in the Planning Area 3 and he would like to express his appreciation to the last minute change that Public Works Director/City Engineer Wong and Engineering Project Manager Godfredsen went through and that has already been discussed with you guys. He thinks that was a very important concern of theirs.

Chairman Hamerly stated the signalization?

Mr. Doug Goodman stated yes.

Chairman Hamerly stated called for any other speakers, seeing none, he will leave the hearing open. Would it be appropriate to break this item and basically have seven mini hearings, okay if anyone has any questions about the General Plan amendment, anyone has any questions about the first things, our recommendations to Council and then we have motions to pass all those things and then continue the Public Hearing and discussion?

Community Development Director Jaquess stated that would be useful he would think, makes it easier.

Chairman Hamerly stated the first item on the Agenda list was to certify the final environmental impact report including the mitigation monitoring reporting program for the Greenspot Village & Marketplace Specific Plan. Does anyone

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have any comments or questions?

Chairman Hamerly stated seeing no speakers who wish to speak on this item; the public hearing is now closed regarding Item #1 on the Agenda. He will now entertain discussion on Item 5.1.1, the EIR. Seeing no discussion, he will entertain a motion.

A Motion was made by Commissioner Haller and seconded by Vice Chairman Huynh that the Commission recommends to the City Council to Certify the Final Environmental Impact Report including the Mitigation Monitoring Program for the Greenspot Village & Marketplace Specific Plan Project and adopt the Statement of Overriding Considerations and ENV 009-003). Motion carried on a 6 – 0 vote with Commissioner Willhite absent.

Chairman Hamerly stated he will re-open the Public Hearing on the General Plan amendment 009-002. Does anyone have any comments or questions?

Mr. Doug Goodman stated he hadn't really thought about till tonight. He has a clarification question regarding the site plan. His question is does the General Plan amendment and the next item being covered, the zone change, does it include what is on this map, the not apart parcels, the two up at the top and also the one over here.

Chairman Hamerly stated yes, if you look at the early map from the Staff Report he thinks that would clarify your question.

Mr. Doug Goodman stated it does suggest that all those properties are included this site plan is more for the purpose of precise plan or design of Planning Area 1 and 2. So if someone were to come in and wanted to develop within this specific plan area, one of those not apart pieces they would have to comply with this specific plan, correct?

City Planner Mainez stated this is correct.

Chairman Hamerly stated is that a good or bad thing for you?

Mr. Doug Goodman stated it's just a point of information because he may have clients who are interested.

Chairman Hamerly stated he did have a question for Staff. It's actually more pertinent to Item #3 but he will ask it now to get it out of the way. The zoning designation would be changed to SPR 006-001, what would happen if the flood control parcel, if the sale of that property to the applicant was not successful, would having a designation that they are in full compliance SPR 006-001 would that impact the usability of that triangle piece of property.

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Economic Development Specialist Stater stated for the purposes, if the question in the future, can they continue to use it for flood control purposes?

Chairman Hamerly stated partly yes.

Economic Development Specialist Stater stated if this isn't successful in retail...

Chairman Hamerly stated because if you think about if its included as part of the specific plan and its completely unapproved, do the best practices kick in and say okay you need to make sure that all of these erosions control, dust control, temporary fencing etc., etc., that are being applied to this project, do those apply to the County flood control land because its technically kind of part this specific plan and its not improved yet so its by virtue of that fact that they have to maintain the temporary measures until it is developed.

Economic Development Specialist Stater stated that is correct and it would continue as an existing non conforming land use.

Chairman Hamerly stated he understand about the existing non conforming but he is talking specifically about do they have to maintain hay bales, the riff raff, the temporary fencing and everything else that would be a condition of approval for unimproved portions of this site if its bound by the conditions in the specific plan and in the conditions of approval.

Community Development Director Jaquess stated the specific plan conditions would apply to future development of the property. It wouldn't apply to the existing operation that flood control is using.

Chairman Hamerly stated so if there is a condition of approval within this document and we adopt it by Resolution and we are adopting lets say scenario one that does include that property as a condition of them being able to do the more expanded version of PA1 it seems by inference that it is saying that then all those temporary measures have to be maintained in place until that property is developed.

Community Development Director Jaquess stated as a function of the development process that is true but the property would, he thinks the non conforming provision outweighs the reference Chairman Hamerly is making to specific conditions for the existing operation.

City Planner Mainez stated also too the site plan application tonight does not include flood control.

Chairman Hamerly stated okay.

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Economic Development Specialist Stater stated the residential doesn't but the commercial does.

Chairman Hamerly stated that is why he asked that specific question. He made a note to himself saying okay he understands the commercial doesn't, the residential did not include but the commercial did so what kind of conflict is that creating because that is kind of hedging a little bit. Seems like its going to happen but the Resolution assumes that it's not going to.

Economic Development Specialist Stater stated correct.

Chairman Hamerly stated so we are kind of splitting the difference there.

Community Development Director Jaquess stated he believes for the retail purposes we are comfortable with specific plan applying as an entitlement but if you get down to a specific action on an interim basis it wouldn't modify the accommodation of the existing land use until it was something that caused that to change.

Chairman Hamerly stated is the mechanism for handling that an approval of a conceptual plan and when you get a physical anchor tenant then you bring us back the precise plan design and then we say yes that works and this mechanism is already built into the conditions of approval.

City Planner Mainez stated correct, plus there is a development agreement. There is a development agreement specific to what the applicant controls. So, if there is any change to a site plan and he has an expansion all the way to the freeway or expansion of his apartments then of course the site plan would have to be amended. It might even result in an amendment to development agreement or maybe a separate development agreement but at this point we don't control what the flood control is going to do. They are a separate agency and they have that as a staging area, there are a lot of complexities with that site right now.

Chairman Hamerly stated the simplest thing to do is just lump it in with the specific plan designations zone change and say we've got it just in case.

City Planner Mainez stated just like you would do with the zoning map.

Commissioner Stoffel stated part of what is being said is are they going have to maintain it and keep it up like it was a private owner.

Chairman Hamerly stated sounds like the answer is no because it is an existing non conforming use. It's going to be maintained as flood control.

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Commissioner Stoffel stated so what happens when all that crud comes over to the project. Are they responsible then to clean stuff up?

Community Development Director Jaquess stated the property owner is always responsible to address issues created by his property.

Commissioner Stoffel stated it's not his property though.

Community Development Director Jaquess stated its flood control.

Chairman Hamerly stated flood control would have the responsibility to make sure their levee holds.

Commissioner Stoffel stated if you go over there to the area, if part of it was developed or started to be developed and some wind or something comes all that dirt will come onto his property. Is the County going to be responsible for maintaining to keep it down?

Community Development Director Jaquess stated yes.

Commissioner Stoffel stated we have no teeth though to make them do so right?

Community Development Director Jaquess stated there are air quality laws, water quality laws, nuisance laws and all kinds of laws that apply that allow that obligation to have to be met by the property owner.

City Attorney Steele stated really the ownership of the County in this particular context isn't really relevant. It's no different than any owner of any vacant property next to a commercial or residential for that matter development if your property causes nuisances, quote, unquote; to the property next door you are responsible for abating those nuisances. So if there is run off or any of those things and typically what happens is there will be some communication or some arrangement between the adjoining property owners especially with the regards to things like drainage and erosion to make sure that the investment that one property is making and developing is not going to be undermined by the conditioned on the other. That is really for property owners to work out among themselves and the City sort of conditions as appropriate project to project but like any other vacant property; somebody developing next door has to work out those accommodations with the neighboring property owner.

Commissioner Huynh stated the way he understands it is that's the applicant and the flood control property owner and in this case the County may negotiate for the future transaction of that property. Does it mean the County flood control will only get into the transaction with this applicant because it seems likes it's a land

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lock. Like no one else can go in there and negotiate the County to purchase that land because there's no access or nothing.

Community Development Director Jaquess stated the County's property goes out to Greenspot and its about 20 acre parcel. The General Plan amendment is on a portion of their property. If the applicant successfully negotiates with the County Flood Control and get the portion of PA1 then automatically the applicant has the control of the PA2 for the future development.

City Planner Mainez stated there are a lot of scenarios that can happen. This developer may not have control ever of the flood control, it might be a separate developer that purchases the flood control but if he does approach flood control, as you indicated, then we would most likely modify the development agreement possibly. What's on the table tonight is the site plan, the best effort that he is making assuming that the applicant has a good shot of developing the site but it could change.

City Attorney Steele stated he doesn't think the Planning Commission should, with all respect, engage in sort of speculation as to what the applicant's assumptions are regarding that site. What's important is that the City's assumption regarding that site as proposed in the specific plan would be that there would be a development consistent with the General Plan across the site regardless of who owns the site. So what you're being asked to consider in this specific plan is basically the legal framework under which that development is occurring. What you're being asked to consider is a law that would permit that type of development on the site and set up the broad framework of it regardless of what the ultimate deal or who the ultimate participants in the deal turn out to be. So, there have been a number of discussions and a number of proposals about who owns that site and what kind of transaction would be needed to get development going on that site. That is really separate from the issue that is before the Planning Commission which is this overall sort of legal framework appropriate and consistent with the General Plan. We are not here tonight to try and figure out how to facilitate getting something built on the other site other than to provide the legal framework under which it could occur.

Chairman Hamerly stated that is understood. He thinks they are trying to understand how all the different pieces fit together under the framework of what they are approving or excluding in consideration tonight. That is for himself, he's trying to fill in the voids but he understands now.

Community Development Director Jaquess stated he wanted to comment on the General Plan amendment zone change. It's really kind of a fix of a problem that came about years ago when we did the General Plan and the zoning at the time, there was an interpretation of a boundary of land use based on what appeared to be kind of a topographic issue at the time on the flood control property. In talking

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with flood control later, it became evident that flood control felt that the land was developable farther north than we had assumed in 2006 because of their work in the channel and their knowledge of the flood needs of the area. So, the General Plan reflects that boundary adjustment between the two land use categories which really is a reflection of the updated thinking by Flood Control. We are really taking that rear portion and making it developable in the General Plan and zoning even though at the time, in the early 2000's, it appeared that it wasn't developable.

Chairman Hamerly stated what are the risks to this specific plan that virtue of their actions tonight by jumping on board saying this is something we support in concept, of us making the zone change/land use General Plan amendments for this property and then the County thinking they just won the lottery and they go out and start marketing this property to other participants who may or may not want to play ball with Mission Development. Is that a risk we are getting into or is the County kind of negotiating in good faith and they want to be on board with this process?

Community Development Director Jaquess stated he can only tell you where we are today, he can't say what course of events might happen sometime in the future but as of today Flood Control has agreed if they sell the property, they will sell it to the City or through the City to another developer. We've agreed we would agree on the price based on an appraisal. Actually we've done a couple of appraisals already but we didn't arrive at a conclusion because we didn't have a buyer. This also is kind of tied in with the whole Redevelopment Agency elimination process because the Department of Finance has agreed that our agreement with Flood Control is an enforceable obligation and we can continue to maintain that under the auspices of our Successor Agency.

City Planner Mainez stated he would like to add to that. The comment about risk is interesting that the term is used but we do zone changes all the time. We have land use authority and we adopt our zoning map consistent with our General Plan. So, there really isn't any risk in just reflecting what City Attorney Steele stated that we are not looking at the deals or who's going to make money or who's not. It's really reflective of the vision. If you feel that triangle portion next to the freeway is appropriate for retail, big box, housing, then that's what the specific plan is going to reflect. If somehow the deal on the side or the market changes then we will bring back a change to the specific plan and then you will look at that. It might be industrial or something, who knows, he is just thinking hypothetically. He wants the Planning Commission to be comfortable approving the specific plan land use and maybe separate your selves from any multi million dollar deals that the County is going to make on the market. He is hoping you will agree this is a perfect site for retail and there's really no argument about it. It does implement the General Plan vision for the Golden Triangle.

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Chairman Hamerly stated the reason he brought that up when he did in the process of marching our way through the list is that if we take actions 1, 2 and 3 and then we get down to Item #4 where we start consideration of the specific plan Market Place Greenspot Village and if we look at the area that would be impacted by the flood control people not playing ball we are almost taking out Main Street. This is a central defining factor of the whole retail and if we are buying into the vision and we take that whole triangle away, we lose our anchor tenant; we lose the functionality of Main Street and what's left to reconsider of the specific plan. When he was talking about risk he was saying the risk of the vision, not the risk of how does the Real Estate go. He is talking about the big picture.

Community Development Director Jaquess stated on the other side of the equation is what the specific plan does is it starts to eliminate that risk because you define that as a comprehensive position for the property and that's the City's position. If somebody wants to change that at a later date for some reason, then we have a starting point and that is the specific plan as it approved. At this time we think it's a good thing to make the overall area part of the specific plan.

Chairman Hamerly stated he is on board with that. He was just trying to bring it full circle and say how does this action impact if things head south and we can't get that flood control parcel to play ball does that jeopardize the vision of what we are buying into with the specific plan.

City Attorney Steele stated he thinks it's a great point and something the Commission really should consider in the visioning kind of process. Staff perspective over a period now of several years is well taking a step back, its sort of the chicken and the egg kind of concept. Back when we had a redevelopment agency and we first entered into the exclusive negotiating agreement that we had with the County Flood Control District which was a lengthy process to get done. The thought was the way the redevelopment agency could best motivate a sort of consistent overall project in that area was to have some control over that flood control property and be able to do a disposition and development agreement that would then say here's what's going to be developed as you buy this property. We can't go to that length anymore and so the kind of shifting philosophy is that if we express, in Legislative terms, here's the vision for the whole area that may motivate people who are interested in the flood control property because they then know what it is expected there. It's not a big hole, they know what the Legislative limits are and what the expectations are but it also signifies to the development community that the City does have a vision and the City has got the Legislative plans and an EIR in place which eliminates a whole bunch of uncertainty for a developer coming into this.

Chairman Hamerly stated he will now close the public hearing. We are back at Item #2 and called for any further discussion on the General Plan amendment, seeing none he will entertain a motion at this time.

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A Motion was made by Commissioner Haller and seconded by Commissioner Gamboa that the Planning Commission Adopt Resolution 13-004 recommending the City Council Approve General Plan Amendment 009-002 (GPA 009-002) to designate a portion of the Project Site Planned Development (PD), and amending the General Plan Circulation Element and Land Use Element. Motion carried on a 6 – 0 vote with Commissioner Willhite absent.

Chairman Hamerly stated opened the public hearing on the Zone Change, called for any speakers, seeing none; the public hearing is now closed. He then called for any items for discussion, seeing none; he will now entertain a motion.

A Motion was made by Commissioner Haller and seconded by Vice Chairman Huynh that the Planning Commission Adopt Resolution 13-004 recommending the City Council Introduce an Ordinance to amend the City's Official Zoning Map to include a new Designation for the Specific Plan Site entitled, "SPR-006-001" (ZC 009-001). Motion carried on a 6 – 0 vote with Commissioner Willhite absent.

Chairman Hamerly stated opened the public hearing.

Chairman Hamerly stated one item he did have a question on is, at one point we saw exhibits for street profiles specifically Greenspot and Boulder which included really nice curvy things, had cars and trees, lights and everything. Everything that is in the specific plan document is basically just a roadway profile, are we okay with that because the elements such as landscaping and street architecture are included in other elements in the specific plan or do we need to have these exhibits reflect the overall vision of what's being communicated in the show and tell documents.

Economic Development Specialist Stater stated Staff is comfortable because each planning area comes back for your review and there will be additional amendments especially to that section because there's an Edison utility easement that will run along Boulder and that will affect the site plan even as you see it. So it's going to come back to you. Staff is comfortable but its Planning Commission discretion.

Chairman Hamerly stated the exhibits on page 47, it is Greenspot and Boulder and they are reflecting street profiles and they do include the median but there really are no accruements that are picking up the accent lighting and parkway treatment.

Community Development Director Jaquess stated those are all covered by separate exhibits either here or separately in the master plan for Greenspot Road.

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Public Works Director/City Engineer Wong stated although this project is conditioned to fully improve Greenspot Road from the freeway to Boulder Avenue in phases as they develop PA1 through PA3. You also know the City of Highland City Council has allocated in the order of about 14 million dollars to improve Greenspot Road if that money is made available to the City by a letter of authorization from the State Department of Finance which the City anticipates to receive in the near future. So in our minds, Greenspot Road, the majority part of it which is a condition of this project would be paid for and constructed by the City. However the condition does not assume the City will do it because until it's done there's always that small chance it won't be done so this project is fully required to do the improvements on Greenspot Road. The City already has a fully completed design for Greenspot Road from the freeway ramp across the entire project frontage which includes a landscape median with the City's landscape contract, landscape architect designing it, and this project is conditioned to build the landscape median per the City's construction plan. So there is actually another separate document fully designed that this project has been conditioned to follow. Not only is there the construction plan for the landscape median but also the full widening of Greenspot Road including reconstructing several intersections at the project entrance with decorative brick pavers and also with installation of decorative streetlights along both sides of the street and within the median itself. So to ensure, there is a construction drawing that addresses most of the design features of Greenspot Road. What is not being built by the City, using the RDA monies, is parkway improvements which would be parkway landscaping, the sidewalk, other decorative streetscape features and a decorative bus shelters. Those are conditioned to be built by developer but the design has not been done and it would be presented to you when the developer is ready to move forward with the development.

Chairman Hamerly stated so you are saying the developer is responsible for everything from curb and gutter to property line in terms of right of way improvements for developing the Greenspot corridor.

Public Works Director/City Engineer Wong stated yes except the curbs and gutters itself and except the streetlights itself those will be built by the City but everything else beyond the curbs and gutters will be built by the developer.

Commissioner Haller stated he thinks the discussion on parking indicating a change would be required, if we want to consider the reduced parking requirements.

Economic Development Specialist Stater stated she did some calculating during the discussions. She spoke about some of the differences between R4 and page 107 and the guest parking ratios, R4 being 1 to 3 and the guest being 1 to 6. If we took the overall reduction of parking spaces as it stands within the site plan the applicants requesting 1,010 spaces. If we back that into the model on page 107

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she doesn't think we could balance it on guest parking because it makes the ratio 1 to 18. It doesn't make a lot of sense, necessarily. What she would refer you to is the architectural site plan scheme B but the applicant did analysis of total proposed parking and she will read that and if you will note on page 107. There is no studio units provided so that doesn't need to be amended. On the one bedroom units the specific plan calls for the ratio, if you add the two together, the uncovered and covered, of 1.5. On the site plan its 1.4. If you look at 2 bedrooms this specific plan currently calls for 2, one covered and one uncovered. The ratio on the site plan is 1.8. For 3 bedrooms the site plan again calls for 2, one covered and one uncovered. The site plan calls for 2.1. It's the third unit so the ratio is a little bit higher and the guest parking is 1 per 5. If this is the direction the Planning Commission were to head, she would recommend the ratio be the 1 space either covered and then the fraction fall under the uncovered and then the guest be the 1 to 5. The site plan as it proposed by the applicants it's the exhibit is PA2-A-1. The recommendation but necessarily her recommendation but what is shown on the site plan PA2-A-1 refer to as architectural site plans scheme B the ratio proposed is for one bedroom units, 1.4, two bedroom units, 1.8, three bedroom units, 2.1, and guest spaces at a ratio of 1 to 5.

Chairman Hamerly stated since this is a specific plan, is there any additional latitudes saying they could, under a holistic approach, to the parking say okay this area over here in one corner, PA1, could be considered as overflow guest parking but he understand they also have a bust on their allowable parking for required parking for PA1, is that correct.

Economic Development Specialist Stater stated that is correct.

Chairman Hamerly stated and what was that number?

Economic Development Specialist Stater stated with respect to the R4 or you mean overall spaces in PA1. She would have to look back at the conditions, it's over 2,000.

Community Development Director Jaquess stated the City Attorney made a comment earlier privately that raised a question that if we were going to acknowledge a potential for using the PA1 area as overflow parking area for the PA2 area. There is a very real possibility that those projects would be owned by separate people and therefore we would want to make sure we had a provision for a joint agreement for parking.

City Attorney Steele stated reciprocal access and that makes it important if that's going to be there. The theory of parking on site, that makes it important to be closer to the actual code of parking requirements because obviously the more you shave down in parking the tougher it is to share.

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Community Development Director Jaquess stated the parking for the retail area actually exceeds the code.

Economic Development Specialist Stater stated it does, the required is four spaces per every 1,000 square feet and he's providing 2,240, 5.14 is the ratio.

Chairman Hamerly stated so he's 1.14 over on that and so then a reciprocal parking agreement would be a viable alternative if we take the whole site as opposed to segmenting out PA1 and PA2.

Community Development Director Jaquess stated yes, based on the fact that there appears to be excess parking in PA1.

Chairman Hamerly stated is the remedy to adjust the language in the specific plan so that it is at least consistent with what they are showing in their exhibits and in parallel with that adjust a condition of approval for the reciprocal parking agreement and do we need some other language in their adjusting required parking or is that a separate issue that doesn't need to be addressed because its part of a specific plan. Our actions approve a specific plan as submitted. So then the language would have to be corrected in the specific plan and then we would have to have the language about the reciprocal agreement and that would be it.

City Attorney Steele stated and just to keep the record clear, he thinks Economic Development Specialist Stater's description of the figures on the site plan need to be transferred into as you said. The table on page 107 and we would also as Chairman Hamerly suggested where we refer to parking in the specific plan include a requirement for reciprocal parking agreements between the planning areas. Its really important to have something that important of a requirement in the specific plan itself and not rely on conditions of approval that sometimes get lost over time.

Chairman Hamerly stated just to be certain he heard correctly, you are not recommending that the specific plan have a reference to a reciprocal parking agreement or are you saying to.

City Attorney Steele stated he is recommending that the change be made to the table as Economic Development Specialist Stater read it which is table 5-8, on page 107, and then in conjunction with the language there on that page and 5.6.1 we would add the director's ability to require the reciprocal parking agreement between parcels, to mitigate the reduction, the total number of required stalls that is referenced on page 107.

Economic Development Specialist Stater stated as a matter of housekeeping, she would amend the planning condition for PA2 to reflect the site plan and not

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the R4 that it currently reflects.

City Planner Mainez stated he was going to ask if the applicant was comfortable with this first but go ahead.

Mr. Glenn Ellssmann, Greenspot Village & Market Place Project, stated he is and he was just going to say on the east side, reciprocal for PA3, even though it's not specifically site planned that would be another point for accessible parking.

Chairman Hamerly stated it would actually be preferable in terms of access because it's closer to the entry.

Mr. Glenn Ellssmann, Greenspot Village & Market Place Project, stated if you're on the east side, PA3 would make sense because there's conditions of all kinds reciprocal access between all three planning areas and throughout the conditions of PA1 and PA2. He is like what is being suggested, just insert PA3.

City Planner Mainez stated he was going to add exactly the same thing but he was going to add a little bit of a road block. For discussion, he wants to get clarity on this, the overlay required is an R4 overlay and it was very clear by Council and he's not asking or telling you your decision or your thought process in the direction we are going is bad or good. He just wants to make it clear for the record that there is a sense that the developer must comply with the R4 standards. Particularly with the apartment, that doesn't apply so much with PA3 which the applicant brought up, which makes a lot of sense because it's a mixed use, it's a true mixed use. There's a parking structure and all that but the product that is before you tonight is a 3 story multi family apartment complex. There is an expectation by the City Council when they adopted the overlay that there would be covered parking and in all those parking, most of those parking spaces have to be in garages. The way we drafted the final ordinance said covered or garages so there is some flexibility there. He is saying this because if you start introducing parking off site when it comes to R4 standards he just wants to put in the record that the applicant may have to come back and revise that site plan because he doesn't think that's going to be accepted by the City Council. He just wants to let him know up front that it is a very strong possibility.

Chairman Hamerly stated would they reject the site plan or would they reject specific plan.

City Planner Mainez stated they would want the site plan to accommodate, very close, to the parking standards in the R4. As Economic Development Specialist Stater pointed out he's already short a range of 59 to 125 parking spots.

Chairman Hamerly stated depending on which standard.

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City Planner Mainez stated if the Planning Commission is giving the developer direction to say its okay to have some of those parking spaces on the Southside of the Paseo, in a commercial retail area where people will park and walk to their apartments whether they are visiting or tenants because you really can't control that, that's going to be probably a very hard argument with the City Council.

Commissioner Stoffel stated the language on this is for mainly guest parking, we are not talking about...

City Planner Mainez stated that's how it started. It's going to be hard to control who parks in there.

Commissioner Stoffel stated is there another plan that had been done that said okay this is what it will look like with the open space gone if you add those parking spots and was that actually something that was looked at.

Mr. Glenn Ellssmann, Greenspot Village & Market Place Project, stated they did not create a plan for that. They were focusing on the different ratios.

Commissioner Stoffel stated if it were him, its almost like talking to Mom or Dad, that he would approach them differently, show different ways but he would be like look how pretty this one is and this is the way you want it.

Mr. Glenn Ellssmann, Greenspot Village & Market Place Project, stated he thinks City Planner Mainez has a legitimate observation. Their conundrum is that we are doing a little bit of pioneering here and this is the first project of its kind to go through the process. Alternatively it may be possible that the Council sees the broader, there is a lot of detail, and there are components they haven't seen before and so forth that they may see the value and the trade offs and they would cross that bridge when they get there.

Commissioner Stoffel stated he was kind of thinking where those parking spots would go in his head.

Chairman Hamerly stated the first thing he eyeballs is the pink triangle of the flood control that we are assuming is part of the project is PA1; we're assuming it's excluded from PA2. If we said there's more than adequate room to get 1,500 parking spaces in there, it's a country mile away from the east side of the project to the parking spaces but it does allow for a higher proportion of parking on site if we make the same assumption in PA2 that we had assumed in PA1. PA1 would not work for the same reason, if we exclude the flood control area from that, we wouldn't be able to meet parking most likely, well he guesses they would because they would be eliminating an anchor tenant.

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Mr. Glenn Ellsmann, Greenspot Village & Market Place Project, stated we own all the property adjacent to PA2 to the south. We would be comfortable with these reciprocal agreements. He thinks the vision and the objectives that the Planning Commission and frankly was ultimately embraced by the City Council to have a comprehensive mixed use community. That has implementations that allows you to recognize that this isn't a multi family community on a remnant parcel surrounded by existing homes or build out development conditions, this has been designed as a total project and so circumstances are different and to recognize that being a guest, as an example, and parking at different places as part of the overall project he thinks has legitimacy from a planners point of view, from livability, walk ability, the whole aspect of the broader vision of this type of community. A lot of comments about flood control and its interface, they have made purposeful decisions to try to show how it all can be integrated particularly from a retail point of view and so forth. In discussions, they would love to ultimately be in position to have an executed ENA to acquire the flood control property and that would have impact on the integration on certain pieces as well but because its not before you today, they certainly support the language and ideas that have been crafted and when it gets to the City Council they will have to see where they ultimately go with that.

Chairman Hamerly stated the political battle, the big picture, which we are up against is they are test case #1 for a higher density model. It was a pretty big hurdle in getting our Housing Element adopted we had to propose these higher density models and here's where we can accommodate them in the City and there have been direct quotes from City Council that will never allow high density apartments in our City. Now, they have back peddled from that and said okay, we do see examples where that works and are willing to entertain that and so now this is them sticking their toe in the pool and saying yeah, this works. So, we are kind of guarded saying we need this model to work in the City so we need to do everything we can to ensure its success so the City Council can't come back and say we tried that but it blew up in our face and we don't ever want to try that one again.

Mr. Doug Goodman stated he would like to offer some pros and cons to the concept of borrowing parking spaces from planning area one for the shortage for planning area two. It isn't really known at this point, as you know, what all the uses in planning area one are going to be. Typically you have different parking ratios for different uses, restaurants; medical buildings have a much higher parking demand than big box type of retailers. So, on the one hand the pro, advocating your concept is that it may be that you have 500 extra spaces out there when you actually get all the uses filled up or you may have competition for those spaces just because of the retail and all the other multiple uses that could happen in planning area one. As a participant in planning area three, he would be very reluctant and caution you not to, in a sense, borrow from planning area three when that's not really a design review that you're doing tonight. You don't

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really know what the uses are at all and that's not being proposed to be reviewed tonight. He certainly is in support of reciprocal access and the potential for reciprocal parking if it's mutually beneficial to the whole project. He thinks you have to be cautious with this and you also have the potential advantage of doing an overall parking evaluation that is relevant to the timing of businesses. It may be your total parking demand, you did an analysis, that way it would be a little less than what it is on a basis of one to 250 square feet or whatever it may be. It's a complex issue but he thinks it's something you have to be cautious with and he would appreciate you not committing to planning area three yet because that is not before you yet tonight.

Chairman Hamerly stated so does that include by reference to say that reciprocal agreements would extend, not only to PA1 and PA2 but also PA3, without specifically allocating any spaces within PA3 to either One or Two. The ideal is that each one of these planning areas are self sustaining or self supporting from a parking standpoint but recognizing reality as a pedestrian model that we are trying to create here, where all three parcels are kind of joined at the hip. So were trying to say we are encouraging that pedestrian activity and that's why the pedestrian thoroughfare have been so prominently featured so that if there are needs where they do need to temporarily borrow a few spaces here and there across property lines we would have that mechanism in place to do it with a reciprocal parking agreement, that would remedy is one that is proposed because one side is over parked and one side is under parked right now strictly between PA1 and PA2.

Mr. Doug Goodman stated he believes he follows what is being said and he's in agreement with the concept if we could eliminate pavement entirely and make more areas landscape and planter he would be very much in support of that but in concept he guess to simplify it he would say if there is a move towards reconciling where one area is short and one long right now that that not be spilled over into planning area 3 that isn't being reviewed. That you don't take into account numbers that aren't before you yet.

Chairman Hamerly stated to Community Development Director Jaquess, back to your comment that it should be included by reference, what would it change it to if we exclude PA3 from consideration right now and then conditions of approval for PA3 came up we would say okay, there needs to be reciprocal agreements drafted between PA1 and PA3, similar to what was done between PA1 and PA2.

Community Development Director Jaquess stated it would seem that there's agreement that the concept of reciprocal agreements between the whole properties is acceptable to all the property owners. He thinks Mr. Goodman is just arguing don't count mine until you know how many I'm going to have. If he recalls the discussion earlier, we were pointing out PA1 in the specific plan and on the site plan has parking spaces that exceed the minimum code requirement.

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So we could consider borrowing or allocating some of those for the residential use of PA2 without having to draw up a specific number for PA3 at that point and time.

Chairman Hamerly stated his concern seems to be including by reference, just saying all three parcels have to have reciprocal parking agreements and it sounds like he's reading into that saying don't even mention PA3 right now because you don't know if there's any spaces available.

Community Development Director Jaquess stated he was going to suggest, if we are going to go this whole route, is that we specify somewhere in the conditions or whatever that X numbers of spaces in PA1 are available or allocated to PA2. The option that City Planner Mainez has pointed out and perhaps something worth considering is using the specific plan to define the parking standards as Economic Development Specialist Stater pointed out if you adopt that table on page 107 that becomes the parking standards for PA2. They meet that standard, you don't need to think about reciprocal, you don't need to allocate spaces and you leave the parking standards for PA1 as it is in the specific plan. Just don't try to address a problem that doesn't necessarily exist.

City Planner Mainez stated the reason he brings this up, for clarification, is when you think of a true mixed project you are looking at a conceptual PA3 which gives you really high density. You have a parking structure, you have a lot of little open spaces, you have hotels, courtyards, and it really is a true vision of a vertical mixed use. Whereas if you step back and look at what you are looking at tonight is a site plan for commercial and then horizontally you have on the north side residential. It really is two separate projects; however, the applicant has done a terrific job of linking it from a circulation perspective of vehicular and pedestrian. It would be a better approach to have the parking stand alone.

Community Development Director Jaquess stated he thinks it's technically sound to treat them as independent. The reality is you can always go back and forth even if we don't require it, it's still allowed but the standards in the specific plan should, if we are agreeable that the site plan is the way we want to go, and then the standards in the specific plan should match the site plan.

City Planner Mainez stated having additional parking in a retail area is good and if you look at the record, back in the minutes from all the times he's said that, he's never said that. He's always said our parking standards, the old County standards, are way over parked. Every project we've brought forward to the Planning Commission we've always done a parking study and we've reduced that significantly. So it looks like there's a lot of cars in front of a business and when you have a parking problem that's a good thing, when you have Kmart, for example, that used to sit out there with a big field of parking and hardly any cars in the front, one aesthetically it doesn't look good and you don't need all that

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parking. The issue here is so many laws have changed in California in terms of water quality, we all know this, with swells and site design and filtration facilities and by giving the applicant the additional space you might be able to put more landscaping in, more trees and have events. He's mentioned about Farmer's Market and let him point out; he will have to coordinate that time because it's going to be a parking problem so having additional parking on this side versus the Southside of Greenspot is a good thing. Let's not forget that and not take up valuable parking space in the retail and again as he indicated let's adjust the parking for the apartments and we take that recommendation forward to Council because he likes the word that Mr. Ellsmann used this is a resort apartment complex and it has the all the amenities of a resort and if the Council doesn't see that and they start saying they don't care, let's impede on that Paseo and put additional parking or let's get rid of some of the amenities. The applicant has done a really good job of packing up the standards in this specific plan and he's taking it a step further and refined a site plan. He's learned, he's discovered that what he proposed in his specific plan probably isn't good enough. He's actually showing on a piece of paper that the design with all the amenities is the standard and he's asking us to replace what is in the specific plan with what he has in his site plan.

Chairman Hamerly stated but if he's jumping into the mindset of the City Council now you've created all these amenities and what happen with really outstanding amenities. It's a place where people want to go. So are we creating a magnet that instead of having a 1 to 3 now you need a 1 to 2 because everybody wants to be there? Are you creating that draw by having outstanding amenities and you could see where the Council could go with this and say these are great things everybody is going to want to be there.

City Planner Mainez stated that's a good point and you're going to get that. One, have a higher demand for higher rent, the tenants are going to demand those resort amenities and they are going to rent out and have parties at the Clubhouse and there might be a demand for visitors but let's not say that what's going to happen out there is reality. People are going to park probably in the commercial property or on the streets during those odd events. He just wants to caution the Commission and not put that as a standard and accept it and make the City accept the fact that you are going to allow parking to be in that retail.

Chairman Hamerly stated he wasn't making that case, he's saying we are treating PA2 as a stand alone and we're codifying it into the specific plan and down investing these things to .4 and .8 instead of 1 and .5. So, if we are doing that to make everything internal and consistent we are kind of going against logic and saying this is now acceptable because its in the specific plan when reality might be that we created a draw by all of these extra amenities that we may need to exceed even the R4 standards to adequately guest park the site because its going to be such a draw. He is saying the two sides of that argument don't

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match well because we are saying we are trading benefits and we're trading those in exchange for parking spaces. We are giving away parking spaces to get more stuff.

Community Development Director Jaquess stated its kind of an argument like the chicken and the egg. We often say if we have a parking problem in retail that's a good sign and if we have a parking problem in high quality residential area that means the high quality residential area is desirable and maybe that's a good thing. There is a condition in the PA2 conditions that say basically you can't subdivide it down so you have a different owner for every building because that would be a chaos and unacceptable. We want common ownership of the whole project.

City Planner Mainez stated its not that you're giving up something to get something else. You look at it as a balance. It's a bar that you're setting. So, staff has probably said enough on this.

Chairman Hamerly stated he will now close the public hearing.

Commissioner Huynh stated if the specific plan parking ratio or requirements that have to be matched with the site plan then the only way the applicant have to do will be to revise the site plan and determine the number of buildings in order to meet the parking standards from the specific plan correct?

Community Development Director Jaquess stated when he said the specific plan he was referring to it as it was revised and our numbers which makes it all consistent with each other.

Chairman Hamerly stated what is the feeling of the Commission on the parking.

Commissioner Gamboa stated he thinks if we go according to the revised table it will be good enough to go.

Commissioner Huynh stated he thinks he agrees with the idea of having the PA1 and PA2 separately because if we start borrowing parking spaces from another one, the way he looks at it, there's a day you may have a community parade or some sort of community activity in the PA1 area and you need a lot of parking there. He thinks again the idea of treating them separately probably the right approach and somehow we need to balance the parking ratio. He hopes the applicant will not be lead on all the amenities because he thinks the project, with the picnic areas and all of that is really a resort type of project. He has seen quite a lot of those in a lot of places in the Inland Empire and they start to incorporate their own amenities within the project area itself.

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Commissioner Haller stated he believes there will be a Homeowners Association and will there be restrictions on RV parking and boat parking.

Mr. Glenn Ellsman, Greenspot Village & Market Place Project, stated this type of community you really can't have that so that is why they will go across the street to the mini storage place and park those oversized vehicles there. We can't accommodate those types of uses on this type of community.

Chairman Hamerly stated by their nature, a reciprocal parking agreement is two ways; he can't vision a scenario where somebody wants to go whoever is the anchor tenant and they are going to park in somebody's carport space through the gated community and come back in to use the retail. How does it work on a true reciprocal parking agreement where it's really a one way flow?

City Attorney Steele stated typically what we call the agreements are reciprocal access and parking agreements and they provide for the reciprocity is access so the circulation works between the two areas. It's not necessarily the case that parking reciprocal as well. Typically the property owners are trading access to driveways and access to circulation patterns and things like that. That's the reciprocity and then there's a deal within that which provides parking spaces. In this case planning area 2 would be trading access to the extent it was required and you sort of can't predict that at this stage. Then they would be acquiring some parking spaces from planning area one or three.

Community Development Director Jaquess stated there won't be any acquiring of parking spaces.

City Attorney Steele stated use thereof not acquiring but acquiring the rights to use. So the reciprocity is really access and the agreement itself will provide who has the right to borrow the use of parking spaces. Sometimes you have situations where two commercial developments adjacent to each other go back and forth with parking and access.

Chairman Hamerly stated that's an easy thing to do but where you have a gated community that has a certain degree of exclusivity and they don't want anybody that's going to anchor tenant A using their pool and their sand volleyball court. That's where the reciprocal agreement starts to get a little muddy because what are we trading is its reciprocal access in exchange for reciprocal parking on the commercial property where we really don't want to have 2,000 people streaming in to use the community pool.

City Attorney Steele stated the owners would have to work that out among themselves. He would note that the residents are going to be traveling from the residential portion of the property theoretically to the commercial portion of the property. So they have to have some way to access from property to the other.

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Chairman Hamerly stated we try to encourage that and enhance that but we don't want the traffic going the other way.

City Attorney Steele stated he agrees it ought to be encouraged but if those parcels, in the future, are separately owned the possibility exists that the owner of one could put up a fence and say no, you residents of this apartment community have to go the long way around to the public street or something. In developments of this size and this magnitude, you provide for those things and in the course of that agreement he presumes and if needed, there would be an agreement that allows for the sharing of some of the parking spaces off site in some particular number.

Chairman Hamerly stated so in City Attorney Steele's opinion he would modify the conditions of approval or not modify the conditions of approval if we make the adjustments to the table on page 107.

Economic Development Specialist Stater stated we would still need to modify the conditions because they reflect the R4 standards and not the specific plan standards. Either way they will have to be modified.

Chairman Hamerly stated specifically in terms of the reciprocal agreement do we not add that the conditions of approval for all the reasons that have been discussed because we are making the document internally consistent by adjusting the table so we're not adding any additional problems or wrinkles by saying you need an reciprocal access agreement between PA1 and PA2 because we've handled it on this table but we have to amend some conditions of approval to say we're not recognizing the R4 standards, we are recognizing the specific plan standards. Is it eliminating the need to go for the reciprocal access agreement?

City Attorney Steele stated he doesn't know if we can say right now that it eliminates the need to go for the access agreement. He thinks what needs to be considered doing is amending the specific plan to allow the Director as it is stated in the plan on page 107 it allows the Director to make some adjustments. Reduction the total number of required parking stalls for any use provided the applicant provides parking and adequate parking will be provided. He would suggest when the table gets amended we add the language there that allows the Director to acquire a reciprocal agreement when warranted by parking requirements.

Chairman Hamerly stated so you would include that language in the specific plan as opposed to the conditions of approval.

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City Attorney Steele stated yes and also just notes that as Ms. Hadfield pointed out the same table or almost the same table is in the EIR 5.13-10 so we would need to amend that table as well to change the cover and uncover ratios.

Chairman Hamerly stated does that mean we need to reopen Item #1. City Attorney Steele stated you can just give direction to Staff to make that adjustment.

Chairman Hamerly stated he directs Staff to make that adjustment. Assuming we could add that as a footnote, #2, to table 5.8.

City Attorney Steele stated actually he was going to suggest it be added in the text of 5.6.1 just above the table because there's already text relating to the Director allowing a reduction in spaces.

Chairman Hamerly stated just an add another comma, require a reciprocal...

City Attorney Steele stated comma and may require a reciprocal parking agreement if warranted.

Chairman Hamerly stated do we want to say parking or just access or leave it open.

City Attorney Steele stated well why don't we just say reciprocal agreement if warranted and that will leave it open to the Directors discretion.

Commissioner Haller stated planning condition #48 states every 8th parking spaces there will be a landscaped island which isn't shown on the plan right now so will that reduce the number of parking spaces.

Chairman Hamerly stated if you look at the landscaped plan and look where the trees are he is assuming that's counting for some of those islands that are diamonds and that kind of thing as opposed to a full blown island.

Mr. Glenn Ellsmann, Greenspot Village & Market Place Project, stated if you do a finger island or a linear island your over hang where the tires stop can go into that planter area in between the trees. You can insert those without reducing the parking. We made sure this does work.

Chairman Hamerly stated on page 132, bullet point 2, its saying at least three features that add visual interest such as arcades, decorative cornices, windows and windows with trim and entry awning should be used, at least two of those things in his mind don't count as adding visual interest because they are considered kind of a minimum threshold that you would expect so it doesn't look like a tilt up warehouse and that would be cornices and the windows. He is fully

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in support of saying that they should have at least three features but he might suggest changing some of the wording as to what those acceptable features would be so that's it not anything as simple as just saying put trim on the parapet and have a window because it goes without saying that you have to have those just to have a minimally acceptable visually and we are looking at a big box and trying to break that up somehow, something more substantial than cornice or a window would be required to do that. He will let his team of architects and designers decide on the best language for that but he would encourage to have some things like wall offsets or something like that which would really define and break up those spaces even go as far as having little kiosks. If you have a really big box sometimes you will see little kiosks added around the entry that are actually physically attached to the building something like a Sunglass Hut or something like that. That does a nice job of breaking up the mass of some of the really large boxes. Under the design guidelines, Item 6.3.4, the elevations that reflect the packet that is being reviewed are Spanish, Colonial, Monterey and Craftsman and he was wondering, for internal consistency, why the Folk Victorian and Colonial Revival were included in the packet if they are not being utilized, is that an option if there is a merchant builder that comes in.

Mr. Glenn Ellsmann, Greenspot Village & Market Place Project, stated this specific plan covers the single family residential area that's to the North of us and this is a means of not restricting a particular style that could occur as an example outside of planning area 2 or if there's a different style that comes up in planning area 3. It tries to give more latitude and options.

Chairman Hamerly stated on page 138, under wall, and this is specifically Spanish Colonial but also fits with the Monterey, you are referring a smoother sand stucco finish and even the pictures that you're showing as reference do not have smooth stucco on the walls and that is something that is fairly typical especially in the Monterey and Spanish Colonial, is typically they are plastering over adobe block and so you got the natural undulations in the wall. He would support having, as opposed, to sand and smooth stucco finish that the walls have a little more relief to them and the stucco is more uneven which is reflective of those different styles of architecture.

Mr. Glenn Ellsmann, Greenspot Village & Market Place Project, stated ultimately you can have a smooth or sand finish that is uneven versus like a gunite look.

Chairman Hamerly stated it looks like a bush hammered effect where it's really, really rough and abrasive to the touch but he's just saying pick the language but it should be an uneven smooth texture. The picture shows it very well but the language, if he's a contractor saying okay smooth stucco got it. It doesn't have any life to the wall. Under the roof its saying that it has overhangs with tight rakes, 12 inch eaves, and then we have the detail saying decoratively shaped

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rafter tails. Typically you get those when you have a broader eave so you have time to really carve up the rafter tail, that's a very attractive feature when you have the shaped rafter tails. He's just not sure if that latitude is allowed when you have a tight rake and a narrow eave so it might be a little tough. He prefers the rafter tails to be shaped as its more authentic. The garage door patterns complimentary to style, if you look at the gates maybe even elaborate and say extensive use of ornamental hardware like clabos is encouraged to give it that old world feel.

City Attorney Steele stated do you want the roof column to take out the 12 inch eaves and say something like to accommodate the decorative...

Chairman Hamerly stated if the eaves are clarified as options as opposed to a checklist because it's saying you can do both of them but he's saying they are kind of at odds with each other. If you trying to do both, you're not going to be able to, if you have a tight eave you're not going to have an ornamental rafter tail. On page 144, on the walls this is down on the Craftsman section, one of the most important elements of the Craftsman style is having that face that is anchored to the ground and it's almost always stone. So having those two things in there, where it says stone or brick phase, stucco with stone base, those are important elements. One of the things he noted in the elevations that were submitted is he couldn't find any of the stone detail unless he missed something or the scale was so small he couldn't see it but he would encourage the applicant to incorporate these design guidelines and incorporate some of the ledge stone detail and the scone features in the key areas to break up the three story in height. Under 6.3.8 154 second bullet point down minimize the impact of the garages facing the street by baring garage doors set back patterns utilizing deep recessed door varying colors, splitting doors into single doors and using alternative garage configurations such as corner lots, etc. All of the elevations that showed garages, it looked like the garages were in alignment, the doors had been broken up, you're not using any double doors but he wasn't seeing any offsets. There was either an absolute symmetry or they were all lined up to the extent possible within the constraints of the site plan. If we can add some relief onto the garage doors because we are dealing with some fairly tight tolerances, if we can create some of those offsets that would be encouraged as well. Page 155, 6.3.10.1, under architectural style the first sentence has individual developers should select one or more styles, he would strongly encourage that they be encouraged to select multiple styles if they are going to buy one particular project area as a merchant builder he doesn't want anybody thinking they can come in and pick one style and have two versions, Plan A and Plan B and mirror and repeat. He thinks we would lose a lot of the charm and character that the applicant has been trying to build into this by having distinct neighborhoods within the project. So by reference we are modifying 107, Staff has the exact wording for 107?

Economic Development Specialist Stater stated yes.

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Chairman Hamerly stated you have the language for 5.6.1 or are you just going take that as a directive and modify the table as you noted.

Economic Development Specialist Stater stated yes, correct.

Chairman Hamerly stated instead of one bedroom its going to be .4, two bedrooms is .8.

Economic Development Specialist Stater stated and the three bedroom will 2.1 and the uncovered will be 1.1.

Chairman Hamerly stated why don't we keep it at 1.0?

Economic Development Specialist Stater stated you could, we will leave it at 1.0 and the guest will be modified to 1 per 5.

Chairman Hamerly stated we will change the one bedroom, two bedrooms and leave the rest as is and change the guest to 1 per 5. This internally balances it correct.

Economic Development Specialist Stater stated for the site plan. If you could leave the caveat that if something doesn't calculate it, we will modify it to reflect.

Chairman Hamerly called for any further discussion on Item #4, Specific Plan, hearing none; he will entertain a motion.

A Motion was made by Commissioner Haller and seconded by Vice Chairman Huynh that the Planning Commission Adopt Resolution 13-004 recommending the City Council Introduce an Ordinance to approve Specific Plan 006-001 (SP 006-001), for the Greenspot Village & Marketplace Specific Plan with the understanding it will include the modifications to the Plan which were summarized in discussion. Motion carried on a 6 – 0 vote with Commissioner Willhite absent.

Chairman Hamerly stated he will open the public hearing and staff will discuss Item # and for reference turn to page 14 in the Staff report. Any discussion regarding what has been discussed thus far to effect of the terms of development agreement.

City Attorney Steele stated they do not. The Planning Commission responsibility in reviewing the development agreement is generally to look at the land use aspects of us which would be the consistency of the General Plan as well as the advisability of allowing development over a period of time. The business points, the deal itself is really within the discretion of the City Council.

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Chairman Hamerly stated he will now close the public hearing and will entertain a motion at this time.

A Motion was made by Commissioner Haller and seconded by Commissioner Gamboa that the Planning Commission Adopt Resolution 13-004 recommending the City Council to Approve Draft Topics for a Development Agreement to ensure the Project proceeds in an orderly and economic fashion to the benefit of the City. Motion carried on a 6 – 0 vote with Commissioner Willhite absent.

Chairman Hamerly stated he will open the public hearing.

Commissioner Gamboa stated in the draft specific plan, it referred to the kiosks throughout the exhibit, there was two different types of kiosks. One had all stone and one had stone with different base. Which kiosk will be used?

Mr. Glenn Ellssmann, Greenspot Village & Market Place Project, stated it depends on the particular area. The objective of the specific plan is to have the latitude depending on what design element is more desirable to extenuate the specific plan. For instance, there is coordination which goes along with the Greenspot Master Plan and some of their design features which have been incorporated that he believes have more use of stone but there could be an example where the architecture may be better suited for the brick one. It will depend on the location and the design of the ultimate product.

Commissioner Gamboa stated to him, he was figuring there would be one type of gateway sign throughout the entire project; he would like to see just one type of usage being used throughout the whole thing.

Chairman Hamerly stated do you envision this as being submitted as part of a sign master program because this is a way finding or is this separate architectural element. It seems as if you were to do a sign master plan there would be some internal consistencies.

Mr. Glenn Ellssmann, Greenspot Village & Market Place Project, stated the sign master plan and the reason why you see the additional options for signage on the columns grew out of a recognition that along the Greenspot Road corridor as an example. The main boulevard access C to PA2, they have a sign program for the varying type of signs but if you are driving and you are a guest driving down Greenspot Road, how would you know where the community is. It turns out the construction design for Greenspot Road improvements actually has provisions for this type of sign, monument sign, versus being a 15 to 30 foot multi paneled sign. We need signage on that corner and these are anchor points that would say Main Street or a retail store, it's a tasteful way to get key uses and have a classy effective way of doing, similar to what is being done at Victoria Gardens.

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If he drives throughout Victoria Gardens he doesn't see one post style throughout he thinks he sees brick ones in certain areas. As an example, if you come into the residential community, closer to the Paseo and Gateway, there might be a different look and style which coordinates more effectively with the multi family versus what might be at the entrance to Main Street.

Chairman Hamerly stated if you look at the objective of what these many monuments are trying to do. They are trying to say here's how you get to what you're trying to find. So if we arbitrarily said that the brick one is for the hotel, the middle one is for the residential and this one is for retail components. If you have that theme and the monuments are carrying through the architecture now you know I'm trying to follow the river rock to get back to the residential. The signs are telling me where to go to find the brick and its kind of helping you navigate between the three separate projects if you will. He likes the latitude of having the individual kiosks themed to the architecture in which they are trying to direct you to. He thinks there is certain continuity there in spite of the fact that we do like to see the signage have a theme carried through the entire project. We may be able to achieve that with actual sign itself and in the architecture of the monument within reflect the architecture of the area.

Commissioner Gamboa stated he sees that point too and he wasn't thinking it was as huge a Victoria Gardens where we needed to have three different types of buildings.

Mr. Glenn Ellsman, Greenspot Village & Market Place Project, stated he thinks there are two aspects to that. One being it is a very long road from the freeway to Webster is shockingly long. Two being you have three signalized entrances and then you have several non signalized entrances. He thinks the uniformity is in the shape and the height and the style versus one may have more river rock or more stucco or a different logo.

Commissioner Gamboa stated he just wanted to make sure since he saw three different one and it makes sense now to have a difference between PA1, PA2 and PA3.

Chairman Hamerly stated if one of those villages took on a Craftsman theme how would you articulate that in one of these signs that he is reading predominately as either brick or stone or stucco. How would incorporate that Craftsman theme into one of these, would you change the style of stone or would you ever think about having a portion of it being horizontal siding or shingles.

Mr. Glenn Ellsman, Greenspot Village & Market Place Project, stated he thinks the way to address that is if there is a significant building that has a particular strong architectural style that doesn't conform to the specific plan samples here then it would be part of a package to say we would like to keep the theme going

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and modify that column to reflect. He thinks that would occur as part of the final detail and if there is a particular amendment to clean that up it would be good.

Chairman Hamerly stated on the site plan, the first driveway in from the 210 off ramp, he noticed a difference in alignment between the study session and the apparent alignment of that. It looks like it's a little more offset.

Mr. Glenn Ellsman, Greenspot Village & Market Place Project, stated there is likelihood there is going to be a final refinement in the construction documents.

Chairman Hamerly stated he likes the other one better because it was a straighter transition.

Mr. Glenn Ellsman, Greenspot Village & Market Place Project, stated that will get cleaned up in the construction documents.

Chairman Hamerly stated he noticed from the study session, they had modified the approach coming off the street to Main Street feature. All that happened is they flipped the gas station for the corner and go back to the original comment that taking and extending that Main Street feature introducing it all the way out to Greenspot so you're drawing people into the site with the Main Street theme. He is still not convinced that a gas pump canopy is really an adequate introduction to a design feature like that. He was wondering if there is any other location on site as an appropriate location for a gas station that looks like a car wash and wouldn't be on Main Street.

Mr. Glenn Ellsman, Greenspot Village & Market Place Project, stated their ideal answer is that they are able to get into a negotiating position on the flood control property and if that were to occur the preferred location would be to the west on the first entrance.

Chairman Hamerly stated since this site plan is more or less assuming that you have the ability to design that flood control property would it be a reasonable request to say can we just slide that over into that position over there were you prefer it to be in the southwest corner and introduce another element that might enhance the corner of Main Street.

Mr. Glenn Ellsman, Greenspot Village & Market Place Project, stated he understands they are in alignment with the goal and objective. In our past discussions, in terms of trying to work out the plan and the uses and whether certain ones had restrictions or no restrictions and compatibility there is a whole range of retail requirements and compatibility issues that layer into this in a big way.

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Chairman Hamerly stated can he explain one of the compatibilities because he can understand where one retailer might say he doesn't want his customers driving past a gas station.

Mr. Glenn Ellssmann, Greenspot Village & Market Place Project, stated you have specific ones like that or you may have a tenant who says we will restrict a category use in your project throughout.

Chairman Hamerly stated like a car wash next to a dine outside restaurant.

Mr. Glenn Ellssmann, Greenspot Village & Market Place Project, stated you have more like somebody saying we sell prescription medication we don't want another use being able to sell prescription medication.

Chairman Hamerly stated that he can understand. He is trying to dial into the gas station location; he is wondering what type of restrictions.

Mr. Glenn Ellssmann, Greenspot Village & Market Place Project, stated we have had to wrestle at different times where that could go. At this point, we don't have any tenants so we don't have anybody saying well you can't go there or you could go there. From their perspective he thinks it would help to have a note in the condition that there is a preference to shift the gas station use to the west and replace it with a use that creates or conditions the architectural draw and theme for Main Street. The challenge he has is he doesn't know that, by the same token would a different type of design, gas stations have also come along way in terms of some of the more substantial prototypes and so forth.

Chairman Hamerly stated with the exception of two that come to his mind, he has yet to see a gas pump canopy anywhere in this valley that would even start to come up to the bar that Mr. Ellssmann is speaking about where they are architecturally pleasing and be considered a proper anchor to Main Street and a property gateway statement saying here you are coming into the core of this marquee project. Both of those seem to be working at odds with a gas station canopy.

Mr. Glenn Ellssmann, Greenspot Village & Market Place Project, stated he is not a gas station operator and obviously he knows people who are and the trade off is that if it is a well designed, well run marketed competitive gas station they draw a lot of people. That's a counterbalance to you have to get people to come in and go down Main Street to support the tenants that you want to have there.

Chairman Hamerly stated half the battle is getting them on site and if that gas station is really the magnet you've got them onto the site and the look across the parking lot and say wow that looks really neat let's park and walk up Main Street.

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Mr. Glenn Ellssmann, Greenspot Village & Market Place Project, stated it can have benefits to do that frankly and so, having said all that we obviously don't have a specific architectural package for a gas station at this point. He thinks Chairman Hamerly's point is well taken and noted that if in the final configuration of things that's the only suitable site that bar for high expectations to address those goals which are being described are clearly going to have to be achieved. Chairman Hamerly stated his big fear is you get your ideal anchor tenant and let's say it's Shell, not any particular reason, but they come in and say you're getting our design standard #3, like it or leave it. If we don't get what we want, they are leaving and then you come in say please don't let me lose my anchor tenant.

Mr. Glenn Ellssmann, Greenspot Village & Market Place Project, stated the good news is when it comes to a gas station versus other types of specific retailers; gas stations don't tend to be the 800 pound gorilla. So he thinks candidly the ability to ensure that the goals and objectives are met if that particular gas station operator or developer doesn't want to step up there's going to be others who will.

Chairman Hamerly stated okay, because some of our most attractable battles from a design standpoint have been over gas stations.

Mr. Glenn Ellssmann, Greenspot Village & Market Place Project, stated he agrees and what he suggests is that maybe note a condition that if it's a gas station on a prominent corner it has to achieve criteria in which is described.

Chairman Hamerly stated can that be a two prong condition that you would amendable to. First preference is it would not go on Main Street and if it has to go on Main Street it would have to conform to the architectural character of Main Street.

Mr. Glenn Ellssmann, Greenspot Village & Market Place Project, stated absolutely.

Commissioner Stoffel stated could some stuff be done with the entry like what is behind AT&T such as screening.

Chairman Hamerly stated that is behind his question or comment rather because if you look at the design of the eastern corner of the intersection it has the Paseo that goes back through there and that is a very tough to do because what would be framing your view of, straight of a gas pump. So you don't have the balance of either landscaping even if you were to put up some trellis elements or something that would mimic the architectural opposite of that you're framing a view that is not a desirable view so you would say you really need to screen that whether it's through berming.

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Mr. Glenn Ellssmann, Greenspot Village & Market Place Project, stated there are good examples, he believes or really solid attempts. We all know Victoria Gardens, when you get off at Foothill Boulevard there is a whole host of out parcels along Foothill which various types of users that have really embraced the overall theme of the variety and timelessness of the Victoria Gardens.

Commissioner Stoffel stated he never even noticed the gas station in front of Victoria Gardens just till the other day.

Mr. Glenn Ellssmann, Greenspot Village & Market Place Project, stated there is a Chevron there and the Chevron happens to have more of 50's theme. It has a very specific theme and is themed to flow with the other uses there.

Chairman Hamerly stated its playing off the Route 66 marker. Could Staff take this as a directive and work up some language to that effect.

Economic Development Specialist Stater stated yes.

Chairman Hamerly stated the northern terminus of the Main Street access, the earlier version of that plan actually some of the earliest versions of that plan did not have the parking on the north side which is right before the Paseo that goes into PA2. He was wondering, it was a more prominent plaza effect, they had some curved landscape elements, you had some water features at one point but it was more of a parkway that was the northern terminus of that access.

Mr. Glenn Ellssmann, Greenspot Village & Market Place Project, stated Mr. Chair are you saying you are concerned with the parking itself or the asphalt.

Chairman Hamerly stated he is saying the location of that parking at such a critical position on Main Street terminus. If he had a preference he would say he would rather lose those parking spaces and create a really nice Plaza at the end of that visual corridor that we are establishing and do something really special with extra trees and extra outdoor sitting areas.

Mr. Glenn Ellssmann, Greenspot Village & Market Place Project, stated what he is wrestling with is the two phase aspect of the use. During the low peak times there is benefit of having easier access and during the high peak times you want to have no access. He thinks their architect happens to have been the one who did Riverside Plaza and so the low traffic time...

Chairman Hamerly stated he is sure the merchants want people parked right in front of their front door.

Mr. Glenn Ellssmann, Greenspot Village & Market Place Project, stated there is a time when its low volume times that they do and when its higher pedestrian use

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times then that's when you have the option to do close the intersection off. He thinks a solution to enhance that is to expand the decorative paving options within the parking area so that when it's closed off.

Chairman Hamerly stated he was going to say its still decorative when the wheel stops and could feel like a pedestrian corridor and its enhanced paving all the way out.

Mr. Glenn Ellssmann, Greenspot Village & Market Place Project, stated the other thing he has seen and doesn't know if anyone has been to Lancaster recently. The former Redevelopment Agency of Lancaster did an amazing job of their boulevard was two building flanking the streets and it was a wide street. They put dual parking in the middle with pavers, with trees, with various kiosk and other architectural features. What was remarkable was they put trees at the beginning of the parking spaces they actually have trees in the parking area.

Chairman Hamerly stated were they doubling lining it and parking stalls were two feet apart. That's one way from keeping somebody from parking too close and denting doors but any of those ideas would be appropriate. His biggest concern is we are doing so much and that central access to reinforce that space, and it's a shame to say here's what you're looking at.

Mr. Glenn Ellssmann, Greenspot Village & Market Place Project, stated and what they would do in the final design come back and Staff has the comments to make sure that's addressed in the final design. He thinks those are good points and very doable.

Public Works Director/City Engineer Wong stated in response to the comment about the design of the first driveway off the freeway where its kind of like an S curve since there is a related engineering condition for that particular location he would like to propose we add some language to the conditions so that we can memorialize your comment which is concurred by the applicant. If you go to engineering condition #20, starting from the fourth line, which is the second sentence, he is proposing to add the following language. "Remove the reversed curve in the drive aisle and align the project entrance with the existing entrance of Greenspot Road." The new language would be to remove the reversed curve in the drive aisle and align the project entrance with the existing entrance of Greenspot Road.

Chairman Hamerly stated does Planning Staff have any language for the gas station at this point.

Economic Development Specialist Stater stated the preferred location of the gas station is off of Main Street. If it must be located on Main Street the architectural building elevation shall strictly adhere to the specific plan standards.

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Chairman Hamerly stated just to clarify we are approving conceptual building elevations, conceptual landscape plan, conceptual grading plan and so any final plans will be brought back to Planning Commission for Design Review to address any specifics as different tenants come in, is this correct?

Economic Development Specialist Stater stated yes, correct.

Chairman Hamerly stated he will now close the public hearing and entertain a motion.

A Motion was made by Commissioner Haller and seconded by Commissioner Gamboa that the Planning Commission Adopt Resolution 13-004 recommending the City Council Approve Design Review 009-003 (DRB 009-003) for Greenspot Village and Marketplace Planning Area 1 (PA1), "Highland Marketplace," including the Site Plan, Conceptual Building Elevations, Conceptual Landscape Plan and Conceptual Grading Plan with the following revisions to Engineering and Planning COAs for PA 1. Motion carried on a 6 – 0 vote with Commissioner Willhite absent.

Chairman Hamerly stated he will open the public hearing. Is it a significant point that the landscape plan and the grading plan are conceptual and the site plan and the building elevations are not noted as conceptual being that we have the Flood Control land is a still pending issue.

Economic Development Specialist Stater stated the way the conditions are worded is that this is for scenario 2 and not scenario 1. So it recognizes it upfront and that they are certain ones are conceptual and others are not. For example the building elevations are more refined for PA2 than they were for PA1.

Chairman Hamerly stated he guessed he lumped building elevations in with the site plan when it seemed like there were options out there that the site plan could significantly change potentially depending on what happens with scenario 1 or scenario 2.

Economic Development Specialist Stater stated the way the conditions are worded this is approval for scenario 2 if the flood control property becomes a part or there is a site plan in the future it will come back for Planning Commission approval.

Chairman Hamerly stated will the same be true since its mentioned in the specific plan that if a merchant builder comes in and decides to take over one of the phases or purchase one of the phases that we would then see those elevations come back if they choose to make refinements to those elevations.

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Economic Development Specialist Stater stated yes.

Chairman Hamerly stated he had a comment on the planning conditions of approval, Item #33, all of the bullet point conditions, A-D, except Item D, these are all referencing incandescence standards and he's wondering why we wouldn't have included by reference performance specifications about lighting levels in terms of luminance suitable for the area that they are lighting. Seems to him we are locking into incandescence standards when it really wouldn't even be appropriate for some of these lighting applications.

Economic Development Specialist Stater stated okay, we can remove those. The lighting plan and photometric plan will need to come back for your review but she wanted to remind the Commission they will see both of the plans back.

Chairman Hamerly stated he understands but his understanding is the conditions of approval won't be coming back so we're locking this in. So Staff should take it as a directive to find the equivalent lighting power of each of these fixtures and specify that in lieu of watts.

Economic Development Specialist Stater stated yes.

Chairman Hamerly stated Item #38 on the same page, all lighting fixtures shall be adjusted and designed to shine downward to avoid spill over. One of his visions for the key walk way areas in the core of the project is that they would employ either building mounted lights or up lighting to more dramatically feature the architecture or gateway elements and up lighting is the most effective way of achieving that. He is wondering if this precludes them for being able to do that.

Economic Development Specialist Stater stated she thinks may be there should be an if at the beginning, "if the lighting fixture is situated, it's such that it's a down lighting standard than it shall be".

Chairman Hamerly stated he thinks if we eliminate everything up to the word downwards, the goal is you're trying to avoid spill over beyond the property line and light pollution to the surrounding neighborhood. So if they achieve that objective and they can screen trees, buildings, and carports they would be allowed to do the architectural feature lighting within the core of the site especially along the pedestrian corridor where you want higher lighting levels. Conditions of Approval #39, specifically D, there's quite a bit of language in there trying to prescribe how to make the walls attractive and so from the entire second sentence it seems more appropriate when we had the discussion on kiosks would be any of these walls should reflect the architectural character of the buildings that they are nearest to, whether that's ledge stone, stucco or block. It gives the project a little more continuity.

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Mr. Glenn Ellssmann, Greenspot Village & Market Place Project, stated how would that work with perimeter type walls.

Chairman Hamerly stated the perimeter walls, at least from the street side, if it's a solid wall there's already provisions in here where there would be planning with vines so it doesn't seem like the architecture of the wall really comes into play on the outside of the wall but he's thinking on the inside of the wall when you're on the project and you're looking at the wall and it doesn't have the same degree of screening with the vines you would want that inside face of the wall to reflect the architectural character of the buildings.

Mr. Glenn Ellssmann, Greenspot Village & Market Place Project, stated it would seem like you would want to understate the walls from the inside with landscaping or vines or other things and not draw architectural attention to the wall. If it's a little step wall or small retaining wall or something to have to coincide with something like that but he can see it just being really billboardish and busy and confusing. We don't have a lot of walls on the project but he can see interior which wouldn't be five or six foot wall.

Chairman Hamerly stated he will read the sentence and he will say why he's concerned. All walls shall be designed and constructed to incorporate design features such as tree planter wells, variable set back, split faced block columns or other special features provide visual and physical relief along the wall face. So in lieu of that laundry list of architectural elements that the wall has to incorporate, all he's saying is make sure the wall reflects the architectural character. You can still have all these other things if you want to but the out layer to him seems split face block. He doesn't see split face block fitting in with the architectural styles of anything that's on the site. So if you're going to go through all this length to make sure the walls are attractive why not it reflects the architectural character of the buildings has.

Mr. Glenn Ellssmann, Greenspot Village & Market Place Project, stated not to get into the nitty gritty but as an example how would you do that. Let's say you had a Craftsman building adjacent to the street on Boulder, how would you theme that wall.

Chairman Hamerly stated for instance on the pilaster, he would probably go with a dry stack ledge stone put that kind of pyramid shaped cap similar to what you're doing with the kiosks and say that's the pilaster space it one every twenty feet or whatever you're going to have but its picking up the architectural theme and then if you use a buff colored stucco for one portion of the wall on the building you would then have a stucco face wall on the inside carrying through the wall cap or something like that or if you had siding, you come in with a vinyl solid fence or something like that which looks like its carrying through the architectural character of the building. He's just trying to get away from your

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standard split face block, no cap and to him it's degrading.

Mr. Glenn Ellsmann, Greenspot Village & Market Place Project, stated okay, he understands.

Chairman Hamerly stated Item #49, Planning Conditions of Approval, its talking about shrubs located in front of parking stalls. We've got some pretty narrow tolerances between some of the parking stalls, walkways and planters. He's just wondering if wheel stops will enable us to get a little more use out of the planting areas if that would be a viable option instead of saying no plants in the first two feet of the every parking space.

City Planner Mainez stated wheel stops are a little bit tricky.

Chairman Hamerly stated this is PA2, not PA1, so this is residential so you don't have as much volume of bodies running through there.

City Planner Mainez stated they become a maintenance issue, both for private and public parking lots.

Chairman Hamerly stated point clarification on Item 67; this has to do with the CC&R's, the letters of advisement. We have Item A which is dealing with noise impacts specifically Redlands Shooting Park and then we have item G, gun range activities located within the Wash. Isn't that Redlands Shooting Park or is there another one.

City Planner Mainez stated it's a duplicate on our part and can be deleted.

Chairman Hamerly stated Item 69, again its more language, trying to simplify it and give the designers a little more leeway. All the exterior elements shall be designed in a manner that's consistent with the respective architectural theme because some of them have the grills on the windows, some have shutters, some have trim and rather than try to limit pop outs, list all the grill works, pop outs and shutter just say all the windows and exterior opening or features need to be designed and consistent with the architectural style that has been selected. There's some pretty specific standards to list that are in the specific plan that deal with the architectural features that are common in the both the Monterey and Craftsman and Spanish styles. Item 71 goes to lengthy discussions we've had about the housing element, adding in of lieu fees, and he is wondering if this is mandating an in lieu of fee or actually saying let's take that 10% instead of in lieu of fee we have 800 units let's get our 10% and say we actually have the physical units instead of saying the City has to go out with the fees and try to find suitable housing and convert it to the low and moderate income housing as if we had the ability in a higher density development to actually provide for those housing units.

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Mr. Glenn Ellsmann, Greenspot Village & Market Place Project, stated they are concerned about constructing inclusionary affordable housing units by covenant and he doesn't even know what the affordable housing RDA demise but by density. As he understands the State Housing element the R4 designation, in essence by default has the higher the density the more affordable price point you have within that community. So we're doing it through the R4 designation versus saying we're going to take X% and put income restrictions upon those particular units that we think the density addresses the affordable factor versus requiring inclusionary housing.

Chairman Hamerly stated it is heading in that direction and has the opportunity to do it and that's why we've put in the R4 into the housing element but unless we physically provide those housing we don't get the brownie points through the housing element to enable our next plan to get certified because even though we've accommodated it we haven't met our goals.

Community Development Director Jaquess stated the Housing Element by direction of the State says the density is over 20 then it's automatically is assumed to be affordable.

Economic Development Specialist Stater stated your comment would be correct in the RDA setting that unless you have the covenants and provide the actual units, you're right you would have not received any credit.

Chairman Hamerly stated so you're saying with the demise of the RDA, now we do get the credit.

City Attorney Steele stated it used to be with RDA is there used to be two separate sets of requirements. One was a requirement of redevelopment law that required that an absolute number of units be provided or percentage of units be provided within projects constructed in the redevelopment project area. That requirement no longer exists because the redevelopment agency is not there to either help it or require it. The State Housing law separate requires accommodation and requires we have the mechanisms in place to allow that type of housing to be developed. As Community Development Director Jaquess stated there is a presumption with this particular density that income level will be met. So we are allowing it, we're complying with State Housing Law and the RDA requirements for specific units aren't on us at this point anymore.

Chairman Hamerly stated under PA2, this is scenario 1, correct?

Economic Development Specialist Stater stated correct and before we leave conditions Staff would like to bring to your attention condition #18 will be modified to reflect the site plan, the minimum number of required parking spaces. Was

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scenario 2 stated for Planning Area 2?

Chairman Hamerly stated for PA2, its scenario 1.

Economic Development Specialist Stater stated 2, not inclusive of the flood control property. Scenario 1 in both PA's, includes the flood control so PA2 is scenario 1 including the flood control, PA2 is scenario 2 not including the flood control.

Chairman Hamerly stated okay mitigation monitoring requirements 13.3, table 3.1; we've got scenario 1 mitigation measures.

Economic Development Specialist Stater stated we adopted the mitigation plan, the mitigation monitoring requirements in its entirety for both scenarios but we wouldn't apply that mitigation if it...

Ms. JoAnna Hadfield, of The Planning Center, stated all the mitigation and EIR mitigation monitoring is specified. The way the EIR was set up was that we analyzed scenario 1, we analyzed scenario 2, we determined significant impacts that needed mitigation for scenario 1, for scenario 2 so if you look at the mitigation monitoring plan you will have the impact and then you will have scenario 1 mitigation and then scenario 2 mitigation. It might say it's the same but if there's any difference it will be specified in the mitigation plan.

Chairman Hamerly stated he appreciates the clarification; it was 13.3, page 22, the mitigation monitoring requirements.

Ms. JoAnna Hadfield, of The Planning Center, stated what is the particular mitigation measure.

Chairman Hamerly stated the whole next three pages, okay, you've listed scenario mitigation measures those wouldn't apply because we are adopting scenario 2 but they are still included in the mitigation monitoring requirements even though they don't apply.

Ms. JoAnna Hadfield, of The Planning Center, stated if you're starting on page 22, 13.3, page 23 continues scenario 1 mitigation and page 24 scenario 2 mitigation measures. It will say whether you have to pick up some from scenario 1 but should be self explanatory exactly what is required for scenario 2.

Chairman Hamerly stated okay he just wants to make sure since it was included as a mitigation measure even though we're not adopting it. If that needed to be crossed out or if its just be default going to be overridden by the mitigation measure on page 24 that says here's scenario 2 ignore Items 1, 2 and 3.

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Ms. JoAnna Hadfield, of The Planning Center, stated that goes back to the earlier discussion for the whole project. The EIR, the way they set it up was that the decision makers would select either scenario 1 or scenario 2. Then the mitigation measures, which were required, would be clear.

Chairman Hamerly stated this is fail safe, we've hit both of them so we don't have to re-circulate if scenario 1 kicks in we've approved scenario 2.

Ms. JoAnna Hadfield, of The Planning Center, stated right.

Chairman Hamerly stated he knows in the specific plan it mentions for the Craftsman, in general the residential design, were trying to have subdued earth tones and one of the defining themes of Craftsman is it tends to go into more of the deep jewel tones and you will see a lot of the rusts and the greens. He was wondering if it was possible to have a couple of feature elements in there to really pop that out whether that's through the incorporation of some shingles which are also mentioned in the specific plan guidelines. The one color that is concerning him is on scheme 1 and it has a lot of fairly light stucco which wouldn't be really characteristic of the Craftsman style. You do a nice job on the siding as it pops out but then you get back to the body of the building its almost all stucco and you've got light and then a cream color which really wouldn't be consistent with a Craftsman theme.

Mr. Glenn Ellsmann, Greenspot Village & Market Place Project, stated he is certainly open to modifying the color to create that richness that is being talked about. He thought the same thing.

Chairman Hamerly stated if we could work on scheme 1, scheme 2 has that real depth to it and he likes those colors. Scheme 1 looks like a Mediterranean style of Craftsman.

Mr. Glenn Ellsmann, Greenspot Village & Market Place Project, stated yes, we can modify those.

Chairman Hamerly stated there would be two comments that apply to Craftsman try to get the stone in at the base to break it up, especially were you have the 3 story element, in the gables one of the common themes is they would articulate that with some shingles up in the gable, even doing some the fish scale if you wanted to get artsy on it but it would give you another element to break that up, same things on the side elevations. In general, Craftsman style would feature more prominent use of gables with the articulated outriggers and portholes and it would feature more prominent use of wood detail and joinery. He doesn't know to what extent you could pick that up in the railings but if you had some of the common themes you see in the Craftsman style would be narrow space where you have three vertical posts and then a bit of a gap with horizontal and then

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three verticals. You also have some of the Prairie style where you have tighter spacing around the perimeter at the top and the bottom and it frees up in the middle; explore some of those themes so that railing starts to take on the character of the architecture. You started to do that with the Spanish style by having it look like wrought iron and get creative on that and do some twists or knuckles on those railings to try to bring some elements there but do something equivalent with the Craftsman style that articulates the railings. That's where the Craftsman would really start to shine and show off on the railings. On the Spanish theme the list of architectural elements has a lot of detail that you would see. The side elevations, Spanish style, and some of the others don't look like it has quite enough of those flourishes to break it up. He's looking at PA2-A-11 in this case that's a pretty stark elevation. If you could add some architectural flourishes, however you want to achieve that sometimes they will put those eyebrows with the shed style roof with the tile on it and it will have the wrought iron underneath that as a support portal, that's an element you might add down the first four windows. Just something to break up that vertical because your accent band doesn't occur all the way till the 3rd floor so that's a really tall wall right against the walkway. Then specifically on type 5, front elevation, one of the most attractive elements of the Spanish style is they really do elaborate entry features. You look at Balboa Park they really gone over the top with it but around all those entries they've got really dramatic precast elements and tile around those entries. That archway that's underneath the window is completely bare and he's assuming that goes to the front door that would be an ideal place to really articulate one of those entries.

Mr. Glenn Ellsmann, Greenspot Village & Market Place Project, stated you're talking about the second story on the upper left.

Chairman Hamerly stated it's actually the first floor and he's assuming that archway that's going to the front door.

Mr. Glenn Ellsmann, Greenspot Village & Market Place Project, stated you're talking about doing a pop feature on the arch.

Chairman Hamerly stated do something whether its precast or tile but that would one opportunity on the project because there aren't that many of that particular unit so that would be a place to really show off and feature that architectural style. Recreation courtyard 1, that's where we have the half court basketball court what is the long brown rectangle that's just the north of the half court.

Mr. Glenn Ellsmann, Greenspot Village & Market Place Project, stated he thinks that may be Bocchi ball.

Chairman Hamerly stated would that be a gravel or lawn version of it. You've got a whole quad between the carports and it's hemmed in by the residential units

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and he's reading it all and its 100% hardscape which could do two things. One is very warm and be very loud, number two. So he doesn't see a lot of landscape in there similar to the other areas where you've got lawn, you've got really nice undulating perimeter around these features. This one he's reading is completely hardscape.

Mr. Glenn Ellsmann, Greenspot Village & Market Place Project, stated we can address that.

Chairman Hamerly stated if we can soften that up and put down some ground cover, lawn or whatever you like.

Chairman Hamerly stated he will now close the public hearing and entertain a motion.

A Motion was made by Commissioner Haller and seconded by Commissioner Stoffel that the Planning Commission Adopt Resolution 13-004 recommending the City Council Approve Design Review 009-004 (DRB 009-004) for Greenspot Village and Marketplace Planning Area 2 (PA2), "Residential Villages", including the Site Plan, Building Elevations, Conceptual Landscape Plan and Conceptual Grading Plan with the following revisions to Planning COAs for PA 2. Motion carried on a 6 – 0 vote with Commissioner Willhite absent.

A comment was made by Attorney Steele that the Commission take an action regarding the Commission's Resolution and Findings.

A Motion was made by Commissioner Haller and seconded by Commissioner Gamboa that the Planning Commission Adopted Resolution 13-004 with recommendation to City Council and in which the Planning Commission took separate actions and were voted on by the Planning Commission. Motion carried on a 6 – 0 vote with Commissioner Willhite absent.

A comment was made by Economic Development Specialist Stater that Staff would request the Commission, if desired, that the Large Set of Plans be returned to Staff in order to be used for a future City Council Meeting.

NOTE: Modifications to COAs.

Engineering COA to PA 1

C* 20. (Westerly Access)

Construct a 56-foot wide drive aisle at the Westerly Access, a street type intersection with 35-foot curb return radii, a southbound left-turn lane, a southbound through / right-turn lane, a westbound right-

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turn pocket, a westbound left-turn pocket, and a eastbound left-turn pocket. Remove the reverse curve in the drive aisle and align the Project entrance with the existing entrance south of Greenspot Road. If medication to the existing traffic signal is required, submit a Signal Modification Plan to the City Engineer for review and approval.

Planning COA PA 1 “Highland Marketplace” - DRB 009-003 for Scenario 1

- 75. It is preferable that the Service Station not be located on the internal road at Access “A”. If it must be located along this road, then the Architectural Building Elevations shall strictly adhere to the Specific Plan Design Guidelines.

Planning COA PA 2 “Residential Villages” – DRB 009-004 for Scenario 2

- 18. A minimum of one-thousand ten (1,010) parking spaces shall be provided in Planning Area 2. The following is a breakdown of the parking facilities required by the Specific Plan for Planning Area 2, or as approved by the Planning Commission:

Remote Garage Parking	30 spaces
Carriage Garage Parking	90 spaces
Carport Parking	426 spaces
Open Stall Parking	<u>464 spaces</u>
TOTAL	1,020 spaces total

- 33. All garages, walkways, and driveways shall be lighted during the hours of darkness as follows:
 - a. Garages. At least one 60-watt (or equivalent 800 Lumens CFL or LED) light for each two spaces, located inside the Garage.
 - b. Walkways from Paring Areas to Dwelling Units. One 100-watt (or equivalent 1,600 Lumen CLF or LED) light per 35 linear feet of Walkway.
 - c. Driveways and Alleys. One 100-watt (or equivalent 1,600 Lumen CLF or LED) light per 50 linear feet of Alley or Driveway.
 - d. Fixtures for all lights shall be of the type that are protected from breakage.

- 38. (NS) All up-lighting shall avoid spillover and glare on the surrounding area and San Bernardino International Airport operations.
- 39.d. Landscape Plans shall show any proposed walls or fences. All walls shall be designed and constructed to complement the architecture of the Building nearest them. The walls shall incorporate design features such as tree planter wells, variable setback, split-face block, columns, or other special features to provide visual and physical relief along the wall face.
- 67. a Potential noise impacts associated with traffic along SR 210, Greenspot Road, Webster Street and Boulder Avenue.
- 69. (NS) Every window, door and vent must be enhances through the use of similar architectural features consistent with the architectural design selected.

Motion carried on a 6 – 0 vote with Commissioner Willhite absent

6.0 ANNOUNCEMENTS

Community Development Director Jaquess explained the Items that are tentatively scheduled for the Commission’s Regular Meetings for April 2, and April 16, 2013, at 6:00pm. He further explained the Citrus Harvest Festival is scheduled for March 30, 2013; on March 23, the HIT Team will be abating the Historic District in preparation for the Citrus Harvest Festival; at the March 26, 2013, the City Council will be declaring Commissioners Gamboa and Willhite’s seats vacant and that Staff will distribute to them a Public Service Application Form at the following Commission Meeting to complete and submit to the City Clerk; Staff prepared a draft letter for City Council consideration indicating that the City is supportive of the League of California Cities’ CEQA Reform, and; Public Safety Appreciation Week is scheduled from April 2 – 5, 2013.

7.0 ADJOURN

There being no further business, Chairman Hamerly declared the Meeting adjourned at 10:22p.m.

Submitted by:

Approved by:

Linda McKeough, Community Development
Administrative Assistant III

Randall Hamerly, Chairman
Planning Commission

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