

MINUTES
PLANNING COMMISSION REGULAR MEETING
April 19, 2016

1.0 CALL TO ORDER

The regular meeting of the Planning Commission of the City of Highland was called to order at 6:10 p.m. by Chairman Hamerly, in the Donahue Council Chambers, 27215 Base Line, Highland, California.

Present: Chairman Randall Hamerly
 Vice Chairman John Gamboa
 Commissioners Trang Huynh
 Marc Shaw
 Milton Sparks

Absent: None

Staff Present: Lawrence A. Mainez, Community Development Director
 Kim Stater, Assistant Community Development Director
 Ernest Wong, City Engineer and Public Works Director
 Jim Godfredsen, Project Manager
 Brandy Littleton, Community Development Administrative Assistant III
 Amy Greyson, City Attorney

The pledge of allegiance was led by Chairman Hamerly.

2.0 COMMUNITY INPUT

There were none.

3.0 CONSENT CALENDAR

3.1 Minutes of March 15, 2016, 2016 Regular Meeting

RECOMMENDATION: Approve the minutes, as submitted.

3.2 Minutes of March 31, 2016, 2016 Special Meeting

RECOMMENDATION: Approve the minutes, as submitted.

A MOTION was made by Vice Chairman Gamboa, seconded by Commissioner Huynh to approve the consent calendar, as submitted.

Motion carried, 5-0.

4.0 OLD BUSINESS

4.1 Adoption of the Harmony Specific Plan to Facilitate the Development of a Master Planned Community within the Seven Oaks Community Policy Area. Land Use Entitlements Include Certification of an Environmental Impact Report, Adoption of a General Plan Amendment, Zone Change, Specific Plan, Development Agreement, and Two Tentative Tract Maps (Continued from March 31, 2016)

Jane Slamer turned in a speaker slip at the March 31, 2016 meeting but was not present.

Ed Mara turned in a speaker slip at the March 31, 2016 meeting, but was not present.

Lisa Skidmore turned in a speaker slip at the March 31, 2016 meeting but was not present.

Sonia Bates turned in a speaker slip at the March 31, 2016 meeting but was not present.

Laurie Stallnaker turned in a speaker slip at the March 31, 2016 meeting but was not present.

Shirley Mulligan turned in a speaker slip at the March 31, 2016 meeting but was not present.

Bud Long turned in a speaker slip at the March 31, 2016 meeting but was not present.

Vivienne Marquez turned in a speaker slip at the March 31, 2016 meeting but was not present.

Lisa Pierce turned in a speaker slip at the March 31, 2016 meeting but was not present.

Casey Erikson, Allways Air Aviation, explained that the Harmony project could hinder the Redlands Airport from keeping their aerobatic practice airspace issued by the FAA; the only aerobatic practice area in the Los Angeles Basin. Ms. Erikson requested that the Developer work with the FAA to ensure the airspace is not lost.

Bruce Campbell, Finest US Realty, spoke in favor of the item. Mr. Campbell explained that new train lines and trolleys could help alleviate some of the traffic concerns. Mr. Campbell suggested working with SANBAG now to create solutions for transportation challenges; by expanding the train and trolley lines system.

Kaitlyn Coonrad, Mentone resident, stated there is a lack of students in the area. Ms. Coonrad explained that she is only 16 years old but feels there is an overwhelming response of, "Let's get out while we can" since most of the youth feel they do not have a voice. Ms. Coonrad has memories growing up in an agricultural area and feels the development will lose her memories, as well as potential memories for her kids. She does not want to be like the communities in LA, where most of the kids raised there want

to leave. Miss. Coonrad knows one day she will leave, but does not want to leave something behind that is important to her and the community. She wants to leave a legacy.

Tamara Kawas, Highland Chamber of Commerce, spoke in favor of the item. Ms. Kawas had a business in Highland for 16 years but was forced to leave due to a lack of viable business development. Ms. Kawas explained that she supports the project because we need viable, educated employees for us to grow, and she wants to hire employees to help her business sustain itself.

David Jaracz, Mentone resident, spoke in opposition to the item. Mr. Jaracz inquired how the Ems grove would be affected by this project, as it is a family grove and they have yet to be contacted. Mr. Jaracz also expressed his concern for traffic on HWY 38.

Karl Hager, Highland resident, spoke in opposition to the item. Mr. Hager stated there have been fires and floods and it is a cause for concern for people trying to get in and out during an emergency.

Richard Garcia, Highland resident, spoke in opposition to the item. Mr. Garcia stated the project is doomed for failure due to earthquakes, fires, Santa Ana winds, and gridlock during flooding.

Joyce Schutten, Highland resident, spoke in opposition to the item. Traffic is a concern, there is overcrowding in schools, and the roads are bad. Progress and change occurs but there needs to be proper infrastructure with lights, roads, schools, and safety.

Aaron Gerth, Highland resident, spoke in opposition to the item. Mr. Gerth inquired how the Santa Ana River Trail would be affected by the development. Mr. Gerth's main concern is access to the Santa Ana River Trail once the development goes in since he sees little to no arteries to access it through the neighborhood.

Citabria Gernetzke, Redlands resident, spoke in opposition to the item. Ms. Gernetzke does not like the development and believes kids need somewhere to play. Ms. Gernetzke continued that the aerobatic box at the Redlands Airport has trained some the best pilots in the military.

Dr. Timothy Krantz, Crafton Hills Open Space Conservancy, spoke in opposition to the item. Dr. Krantz stated the Sunrise Ranch project was denied years ago due to a lack of infrastructure. Dr. Krantz is concerned with the road stub at the most remote portion of the project property, as it will connect to HWY 38. Dr. Krantz believes the connection will have to occur further to the East, which would negate the wildlife corridor.

City Attorney Greyson clarified if anyone had spoken and had additional comments, the additional comments can be submitted in writing. If anyone has submitted written comment, they are included in the record. The Planning Commission will make a decision on what they feel should be done with this project. Merely arguing there is new information is not sufficient enough for the Commission to find that there needs to be recirculation of the EIR.

Chairman Hamerly closed the public Hearing.

City Engineer Wong presented information pertaining to Traffic and Circulation.

Chairman Hamerly asked for clarification between Node Based Analysis verses Segment Based Analysis, studying traffic on roadway segments. City Engineer Wong responded that a roadway segment analysis is done in an urbanized setting. The signals control how well the roadways function when analyzing intersections, it indicates that the roadways are doing fine.

Chairman Hamerly asked what determines the radius of influence. City Engineer Wong responded traffic guidelines.

Chairman Hamerly inquired how Right-of-Ways would be addressed. City Engineer Wong responded it is common to have development projects that require physical work outside of the project limits. The Developer will make an effort to acquire the Right of Way, and in the rare case, the City can acquire the Right of Way on behalf of the Developer, at the Developer's expense. The City can also modify the Condition of Approval, if it is outside city limits, or the City Council can use the Powers of Eminent Domain, if it is within the city limits. Chairman Hamerly asked if the intersection of Garnet and Newport could not be negotiated, would that require a redesign of the tentative tract map. City Engineer Wong responded they could simply follow the existing Right of Way with a ninety (90°) degree turn, but would still be a signalized intersection.

Chairman Hamerly asked if the Developer is paying for fair share of an improvement that is off site, not doing the actual improvements, and one improvement is necessary to maintain a minimally acceptable level of service at an intersection, what assurance does the City have that the level of service or improvement will be done. City Engineer Wong responded that if the intersection is outside the City of Highland, Highland does not have assurance. It will be up to the city that it is in to determine how they will utilize the money for the projects fair share. Member Huynh asked for clarification regarding paying for a projects fair share and the possibility of there being no action taken for years. City Engineer Wong responded that it is up to the controlling jurisdictions that to do projects and determine how they utilize that project contribution. The Harmony project will be required to pay their fair share, and no more. Chairman Hamerly asked if the process had started for the improvements on University off of the 10 Freeway. City Engineer Wong replied he did not know what Caltrans or SANBAGs plans were.

Eliza Laws, Albert A. Webb and Associates, presented the report pertaining to the Environmental Impact Report.

Chairman Hamerly asked how the threshold for establishing the wildlife area, onsite or near site, was determined. Ms. Laws responded that there is a menu approach due to flexibility and they need to be determined in consultation with all the regulatory agencies involved.

Chairman Hamerly asked for clarification on the methodology to determine how two (2) of the five (5) fault branches were determined to be inactive. City Engineer Wong stated that as part of the Development Review process, projects that are close to an

earthquake zone are required to do an earthquake trench excavation to locate the faults and design around those natural constraints. Chairman Hamerly indicated the trenching method would not uncover an active fault that could be several kilometers below the surface; would other methods be employed to determine a risk factor. City Engineer Wong stated the City has relied on experts with experience to determine that.

Commissioner Huynh indicated there are several references in the EIR, pertaining to seismic activity that was outdated. Ms. Laws responded that the language was from the CEQA guidelines thresholds and pertains to a definition of a type of expansive soil; it is merely for definition purposes.

Chairman Hamerly asked what mitigations are taking place to separate the wildlife in the corridor from the trails network. Ms. Laws responded there would be signage to alert the public that they are in a wildlife corridor to protect the animals and the plant species.

Ms. Laws presented the report pertaining to Air Quality.

John Mura, East Valley Water Department, presented the report pertaining to Water and Sewer.

Chairman Hamerly asked for clarification regarding the reclaimed water being available in which Mr. Mura responded no, it would not be available for irrigation, only raw water.

Commissioner Huynh inquired about having a waste water treatment center onsite and offsite. Mr. Mura stated after analyzing the options, it would best serve the current and new residents to open the Sterling Natural Resources Center, which their EIR has been certified. It is expected to be up and running by the end of 2018. Should the flexibility that was embedded in the EIR not happen, the package plant on the Harmony project will not make it with the new guidelines. EVWD does not want to be liable for a one (1) million gallon plant with no benefit.

Chairman Hamerly asked for clarification regarding sewage capacity in which Mr. Mura explained that there are peak flows and regular flows. We should be looking at storm flows since it is the most extreme situation.

City Engineer Wong presented the Staff Report pertaining to Drainage and Flood Flow.

Chairman Hamerly asked if the agencies were to allow the mitigation measure to raise the elevation out of the Flood Plan A, what is the elevation increase and what options would be available to mitigate that condition. City Engineer Wong responded either building a flood wall or not developing that area; the Applicant would be required to satisfy those agencies. Chairman Hamerly asked if that would be determined when they submit specific grading plans, WQMD, for the separate planning areas which would be an additional public hearing and EIR findings or would it be a targeted EIR for making those findings. City Engineer Wong responded if FEMA agreed to modify the map, we would not approve the final map, they cannot proceed. If they convince FEMA they have a solution and they modify the map, we would allow the map to be recorded; but before we issue any building permits, they would have to construct the mitigation measures and get any necessary permits. Chairman Hamerly asked if the measures being addressed

to retain drainage and reprecipitate the water from storm flow onsite, the plant life and habitat in the Mill Creek and Santa Ana river channels need a certain level of roughage or rough debris flow to maintain the basin in a healthy state, he wonders if that study is required for the WQMP in which City Engineer Wong responded that the Applicant would have to satisfy the controlling agency.

Bernie Cavanah, Redlands Unified School District, introduced Steve Gald.

Steve Gald, California Financial Services, presented the report pertaining to schools.

Commissioner Shaw asked how schools will handle situations where households could be split up among schools. Mr. Gald responded they try to keep households together, within their power.

Commissioner Gamboa inquired if Moore Middle School would be enlarged in which Mr. Gald responded that if Harmony was the only development, there would be no need to expand, but with other and future developments, they are trying to analyze those needs.

Chairman Hamerly asked if RUSD would accept the joint use park, being adjacent to the elementary school, the park would have to have the ability to completely secure during school hours. Mr. Gald responded they would consider it as a potential solution. The main concern would be securing the area during school hours. Chairman Hamerly explained that if the majority of the parks onsite are designed to be a public benefit and it is completely enclosed during the day, would it be a private gated community amenity or where the school would open the gates when school is not in session. Mr. Gald responded that the concern of the District would be during school hours.

Chairman Hamerly asked if the Development would cover the costs of operating that school, in which Mr. Gald clarified that costs would be for constructing the facility. The District expects the additional enrollment generated by the development will generate the matching State funding from an operational standpoint. Mr. Gald explained that capital facility funds are on a grant basis which must be applied for and received based on need. The Districts operational costs are funded on a per average daily attendance basis.

Assistant Community Development Director Stater presented the report pertaining to emergency access.

Chairman Hamerly asked if the distance was to the entrance of the site, in which Assistant Community Development Director Stater responded yes, since that will be where the first units will be constructed, Phase 1.

Commissioner Huynh stated his concerns regarding response times. There would be 1,000 permits before a temporary fire station would be constructed; with around 3,500 residents; despite mutual aid. Commissioner Huynh understands the fire station will be built by the Developers but asked for clarification regarding resources and staff. Assistant Community Development Director Stater responded that the DA establishes a timeline for when to expect the fire station and first fire engine. Property taxes will cover a majority of funding for the station. Commissioner Huynh reiterated that revenue would

not be available until the homes are built. Assistant Community Development Director Stater responded yes, that would be when the demand would be there. Vice Chairman Gamboa stated the response time is too slow.

Commissioner Sparks inquired if there would be a Sheriff Department substation in which Assistant Community Development Director Stater responded yes, as well as a Public Works yard.

Assistant Community Development Director Stater presented the report pertaining to Cultural.

Assistant Community Development Director Stater presented the report pertaining to notification.

Assistant Community Development Director Stater presented the report pertaining to the Aerobatic Airspace.

Commissioner Huynh inquired about the usage of the airspace in which Ms. Erikson responded it is open to the public as long as they meet the requirements and is used, on average, between 50 and 75 pilots, who regularly to semiregularly use the airspace.

Assistant Community Development Director Stater presented the report pertaining to Commercial.

Commissioner Huynh asked for clarification on the idea that the commercial overlay may not be established depending on the market and could be residential. Assistant Community Development Director Stater responded that the idea of commercial was to support Harmony and the surrounding communities; however, if the market is viable, the Developers will provide a commercial overlay around the existing commercial.

Commissioner Hamerly inquired about the consistency of the Planned Development with the General Plan in which Assistant Community Development Director Stater stated there is a difference between consistency and compatibility. Projects may or may not be compatible with the surrounding uses, as each jurisdiction must make that determination, but Harmony is consistent with the General Plan, which calls for a Specific Plan overlay.

City Engineer Wong presented the report pertaining to Circulation and Bikeways.

Chairman Hamerly asked what the distance was between the furthest resident and the public transit stop. City Engineer Wong responded that would be within Omnitrans jurisdiction. Chairman Hamerly asked if the bike paths linked on the northern extremity of the project have pedestrian paths. Community Development Director Mainez responded that was the concept and vision for connecting the various trails and roadways.

Community Development Director Mainez presented the report pertaining to CFD Mello Roos.

Chairman Hamerly asked for clarification on the term 'resident' in respect to residents at

large funding the project. Community Development Director Mainez responded yes, with the CFD, there are components of the project that only that development has created, and there is a cost. The Development will be paying for that particular facility. City Engineer Wong stated future Harmony residents will have a special tax annually. Commissioner Huynh put forth the question of foreclosed homes; where residents walk away from the CFD assessments. Community Development Director Mainez acknowledged the concern and stated the bonds are set up in a way that the existing community is not responsible, it is just that project.

The Planning Commission recessed from 9:33 PM till 9:56 PM.

Tentative Tract Map

Vice Chairman Gamboa stated the size of the school is too small for the tract map.

Chairman Hamerly suggested tailoring the grading to better maximize values, views, and to respect the existing contours; preserving natural drainage courses. Chairman Hamerly also suggested more interconnectivity in the commercial lots.

Chairman Hamerly suggested not having a main point of access into a planning area, immediately adjacent to a roundabout.

Chairman Hamerly suggested minimizing cross slopes in Lot EEE.

Chairman Hamerly suggested differing the grading on Lot 30 until it is subdivided to maximize the access to each individual parcel.

Chairman Hamerly stated the engineered slopes on some of the neighborhood entry parcels go to the corner, which could pinch on the ability to do more dramatic neighborhood statements, and should be addressed.

Development Agreement

Chairman Hamerly asked how the section on page 12 would affect Conditions of Approval on subsequent planning areas in which Community Development Mainez responded that it is on higher elevation and we focus on the project getting into the actual size, fencing, and setbacks. We have a document so we can be consistent when those specific projects come in. City Attorney Greyson clarified that if the setback is 5', then the City is stuck with the current applicable setback, unless the Developer proposes something, instead of that.

Chairman Hamerly stated Item 5.1 is described in a way that the MCFD would continue and the deficit was temporary. Chairman Hamerly thought funding mechanisms would be temporary until the project is built out enough to run a surplus; why would the MCFD not be phased out with a sunset clause? City Engineer Wong explained that the project has been evaluated with the criteria that maintenance items would be provided by the City on all infrastructures, except streets and pavements; which are to be borne by the residents in this project; Harmony residents will have an additional special tax. Chairman Hamerly asked if the revenue generated by Harmony to fund fire, police, ect., would the

MCFD continue in perpetuity and the \$1.1M would go into a general fund for City services in which City Engineer Wong stated that was correct. Chairman Hamerly inquired if the permanent open space would be maintained by the City in which Assistant Community Development Director Stater stated there would be no additional mitigation measures required.

On Item 5.7, Public Benefit Payments, Chairman Hamerly asked for clarification on the cost in which Community Development Director Mainez responded there is an initial payment of \$3M. City Engineer Wong later stated that based on this formula, the first 2316 units, 86,800 per unit, the end payment is a shortage of \$1,200. Initially, they were trying to reach a number of buildings which would generate the payment closest to \$18,750,000. That is why they did not specify 23,316. Something . In order to make the math correct, we should specify that the next unit after 2316 unity, would be required to pay an additional \$1,200.

Item 8.1.2, PA 44 Community Park, Chairman Hamerly suggested the detailed plans go before the Planning Commission for review.

Item 8.4 Chairman Hamerly asked if the contract with Cal Fire would be included in the maintenance costs to the HOA or if the City would incur that cost once the space is developed. Mr. Loy responded that it is built into the fiscal impact study.

Commissioner Hynh asked, regarding Section 7.3.2 park deficit payment, if \$160,000 was the maximum deficit or would it increase. Community Development Director Mainez responded it would not increase, that is their fair share.

A MOTION was made by Chairman Hamerly, seconded by Commissioner Shaw to continue the item to the Panning Commissioner next regularly scheduled meeting, May 3, 2016.

Motion carried, 5-0.

5.0 NEW BUSINESS

There was none.

6.0 ANNOUNCEMENTS

There was none.

7.0 ADJOURN

There being no further business, Chairman Hamerly declared the meeting adjourned at 10:43 p.m.

Submitted by:



Brandy Littleton, Administrative Assistant III
Community Development Department3

Approved by:



Randall Hamerly, Chairman