

MINUTES
PLANNING COMMISSION REGULAR MEETING
January 18, 2022

CALL TO ORDER

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

Present:	Vice Chair	Chandra Thomas
	Commissioner	Edward Amaya
	Commissioner	Jarrold Miller
	Commissioner	Jessica Sutorus

Absent:	Chair	Randall Hamerly
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Staff Present: Lawrence Mainez, Community Development Director
Kim Stater, Assistant Community Development Director
Ash Syed, Associate Planner
Carlos Zamano, City Engineer
Matt Bennett, Assistant Public Works Director
Matt Wirz, Building Official
Scott Rice, City Landscape Architect
Camille Goritz, Administrative Assistant III

The Pledge of Allegiance was led by Vice Chair Thomas.

COMMUNITY INPUT (ITEMS NOT ON THE AGENDA)

None

CONSENT CALENDAR

1. Minutes from the December 21, 2021 Regular Meeting.

A MOTION was made by Commissioner Amaya, seconded by Commissioner Sutorus, to approve the minutes, as amended. Motion carried, 4-0-1, with Chair Hamerly absent.

2. Minutes from the January 4, 2022 Regular Meeting.

A MOTION was made by Commissioner Miller, seconded by Commissioner Amaya, to approve the minutes, as amended. 4-0-1, with Chair Hamerly absent.

PUBLIC HEARING

3. Conditional Use Permit (CUP 21-001) for a commercial development consisting of a 2,560 square foot and 4,050 square foot drive-thru restaurant building on approximately 2.04 acres at the northeast corner of Base Line and Buckeye Street, a Lot Line Adjustment (LLA 21-001) to create two (2) equal sized parcels, Design Review Application (DRA 21-001) for the site plan, building elevations, conceptual landscape plan, grading plan, and a Mitigated Negative Declaration (ENV 21-004). (Continued from December 7, 2021) (APN No. 1200-421-02 and -03).

Associate Planner Syed presented the staff report.

Commissioner Miller asked Associate Planner Syed to give a quick summary of what changes were made to the conditions.

Associate Planner Syed stated on page 99 which is under the Planning Conditions of Approval, the Applicant wanted to specify on condition # 2., the 4,050 square foot drive-thru restaurant building would be a multi-tenant building. Additionally, condition #15 under on page 101, the hours of operation are between 4:30 AM to 12:00 AM. Condition # 19 on page 101 the language has been modified to specify that the sign will be single sided. It will be maximum 60-foot-high single sided south facing freeway-oriented pylon sign is permitted.

Commissioner Amaya asked is the recommendation to place the traffic signal light at the entrance to the Starbucks on Base Line?

Associate Planner stated yes, the placement is at the Starbucks entrance.

City Engineer Zamano stated regarding the number of signals that are along the Base Line corridor it is true that the traffic signal is needed for this development and the existing development directly to the south of it. Constructing this traffic signal is to do signal coordination so it is maintainable, like Seine Avenue which is a traffic signal immediately east of the 210 freeway. It is a similar condition that we would maintain the flow of traffic through the main corridor, so we wouldn't have any issues with Caltrans on and off ramps.

Commissioner Amaya asked who is going to bear the cost of the traffic signal?

City Engineer Zamano stated that is something that needs to be investigated further by the developer. There's no doubt that there is a direct benefit to the development of the south as they would be able to maintain their left turn in and left turn out.

Vice Chair Thomas asked what would be the outcome if they decided not to participate in the cost share? What's the benefit for them to come to that table and agree?

City Engineer Zamano stated the benefit would be to maintain access into their facility, making that left turn in, left turn out. If they do not, that development would be a risk for elimination of that movement. The only other alternative would be to then construct the

signal at the Buckeye Street intersection, which would require us to extend the raised median through that area and prohibit that movement.

Commissioner Miller stated it looks like we do have some improvements in the public right of way. Is that correct?

City Engineer stated yes.

Commissioner Miller stated there is a turn lane that looks like could be a little bit of an expansion. All drainage will drain to an onsite infiltration or underground infiltration system, but will there be an opportunity to pick up any of that public right of way improvement related stormwater and treat that or is that not going to happen?

City Engineer Zamano stated the public runoff that is in the roadway is going to continue to drain to the west, so that is correct.

Commissioner Miller stated I just want to bring this city's attention that we've reviewed a few projects that do have public right of way impervious surfaces associated with the project that aren't getting treated. Typically, when you look at that situation and a Water Quality Management Plan (WQMP), the requirement is to go to the Regional Board and get approval for not treating all your project related imperviousness. I just want to emphasize again for the record that as we continue to allow these projects to move forward with public right of way improvements and we're not treating the water that we do run a risk of a finding during our next audit by the Regional Board.

Matt Bennett stated the dedicated right is being constructed by the Base Line interchange project and it is underway currently. It is not being proposed or constructed by the development.

Commissioner Miller asked none of the public right of way improvements are being constructed by the development?

Matt Bennett stated correct. The current widening of eight feet to the Pad A side is being constructed by the Base Line interchange project.

Commissioner Miller stated not just this project, but all the projects that we've been reviewing one of the goals for the city is to reduce imperviousness associated with projects. Out of all the projects we reviewed, I've only seen one project that used alternative pervious surfaces and that was done to avoid WQMP requirements. If this a goal of the city to reduce impervious surfaces, how are we seeing that translated into our actual project designs as they move through the plan check process?

Matt Bennett stated the project was not designed to avoid a WQMP. The design was integrated for porous pavement such that it would perform as a BMP. Effectively you could have a WQMP book sitting over here and being approved, or you could have the same LID impact and that is what that project did. Your point about other sites, other locations for creating opportunities we certainly have heard that request and understand that. We have some projects that have that opportunity that are being developed by

Capital Improvement Project (CIP). There are small projects that don't have a drainage system on the right of way roadway that you could pick up and drop out into that drainage system and have that opportunity, so those are hard to come by. Private development a little more challenging in that way.

Scott Fawcett Applicant stated I am with Marinita Development Company, this project is an LLC. We have worked with the staff over the last couple years, we've had a very good relationship. We support the Conditions of Approval and the location of the traffic signal.

Commissioner Miller asked who will be responsible for onsite maintenance?

Scott Fawcett stated we have a porter service that services the property and now there's a common area charge in addition to the rent that the tenants pay. We have a sweeper that goes through every other week or every week.

Commissioner Sutorus asked what happened to forward with the digital sign?

Scott Fawcett stated we talked about the digital sign to a great extent. We spoke to the sign company, and they said the problem is for the visual signage to work it must be large enough and the other tenant signs would need to be reduced. Subsequently you would not be able to read the names of the companies/logos from a distance.

Associate Planner Syed stated this is El Pollo Loco's 2022 concept design and there are a couple locations that already look like this. This specifically wasn't exactly modified to fit Pad A, it is oriented north, which is away from the street, so some of the signage, accents, and parapets will noticeably change when it is time to submit.

Vice Chair Thomas asked when that does it will come back to the Planning Commission for review?

Associate Planner Syed stated it is not in the conditions, but you can add a condition where it should be brought back to the Planning Commission if you'd like to see it.

Commissioner Amaya stated it looks like the Habit in Mountain Grove in Redlands.

Michael Lundin, Representative stated I'm with the developer. El Pollo Loco is very excited about coming into Highland. This is their latest and greatest prototype and they told us this is a smaller unit in terms of building area, but much more efficient in terms of drive-thru and patio seating. The color scheme is very contemporary, and they want to do something exciting and magnetic. I'm not sure about the stencil component, but there are parts of the building are very simple and plain. I think it's consistent with the new Jack in the Box and Panda Express that are on the other side of the freeway as well.

Vice Chair Thomas asked do you know if it is paint stenciling as opposed to wrought iron?

Michael Lundin stated I think it is probably a combination from what I can gather. On the awnings, it looks like those are pre-colored or prefabricated, but I would venture to guess that it is a combination.

Associate Planner stated we can add a condition to the Planning Conditions of Approval, requiring that El Pollo Loco if they are to proceed with this location be required to come back to Planning Commission with a site-specific design and color scheme.

Community Development Director Mainez stated if I just clarify that directive or condition, you would be approving a Conditional Use Permit and that would allow the drive thru facility to go forward, so the developer can tell El Pollo Loco they were approved for the use. They would have to come back when they finalize the exterior design before this board. The entitlement would be approved tonight.

Commissioner Miller stated regarding the landscape plans, are these invasive species?

City Landscape Architect Scott Rice stated none of the plants on the current planting palette are invasive species. We have received notification from Public Services that they would rather not see the palo verde tree just due to the leaf litter. That is something we can work with the Applicant during plan check.

Commissioner Sutorus stated was there any thought put into trees that were specific to accommodate the nesting birds?

Sonia Hooker, Environmental Consultant, stated I want to clarify as to why we implement that mitigation measure, this site is very disturbed, and it does not have native habitat which is more conducive to supporting nesting birds. There are birds that are protected, and they are not endangered or threatened, but they're still protected under the Migratory Bird Treaty Act. We put that mitigation measure in as a precautionary measure. Construction can really start any time of year if it starts outside of the nesting bird season, then no additional precautionary measures are needed. If it starts during then we just have a qualified biologist go out, walk the site, make sure there's nothing that's protected under state law, and so it's really a precautionary measure.

Associate Planner Syed stated to clarify El Pollo Loco will has to provide revised architectural renderings, because what they've provided to us isn't even oriented towards the street, so they're going to provide revised drawings regardless.

Vice Chair Thomas stated ok, so adding that condition sounds appropriate.

Vice Chair Thomas closed the public hearing.

A MOTION was made by Commissioner Amaya, seconded by Commissioner Surotus to:

- 1) Adopt Resolution 22-____, to approve Conditional Use Permit (CUP 21-001), Lot Line Adjustment (LLA 21-001), and Design Review Application (DRA 21-001), subject to the Conditions of

Approval and Findings of Fact, and certify the Mitigated Negative Declaration (ENV 21-004); and

- 2) Direct staff to file a CEQA Notice of Determination with the County Clerk of the Board of Supervisors.
Motion carried, 4-0-1, Chair Hamerly being absent.

RESOLUTION NO. 2022 - 003

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HIGHLAND, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT (CUP 21-001), LOT LINE ADJUSTMENT (LLA 21-001), DESIGN REVIEW APPLICATION (DRA 21-001), AND CERTIFYING A MITIGATED NEGATIVE DECLARATION (ENV 21-004) FOR THE DEVELOPMENT OF TWO (2) DRIVE-THRU RESTAURANT PADS ON APPROXIMATELY 2.04 ACRES AT THE NORTHEAST CORNER OF BASE LINE AND BUCKEYE STREET.

ANNOUNCEMENTS

None.

ADJOURN

There being no further business, Vice Chair Thomas declared the meeting adjourned at 7:01 pm.

Submitted by:

Approved by:

Camille Goritz, Administrative Assistant III
Community Development Department

Chandra Thomas, Vice Chair
Planning Commission