

PLANNING COMMISSION REGULAR MEETING MINUTES
September 6, 2022 – 6:00 P.M.

CALL TO ORDER

The regular meeting of the Planning Commission of the City of Highland was called to order at 6:05 p.m. by Chair Hamerly at the Donahue Council Chambers, 27215 Base Line, Highland, California.

Present:	Chair	Randall Hamerly
	Vice Chair	Chandra Thomas
	Commissioner	Jarrold Miller
	Commissioner	Jessica Sutorus

Absent: Commissioner Edward Amaya

Staff Present: Lawrence Mainez, Community Development Director
Kim Stater, Assistant Community Development Director
Ash Syed, Associate Planner
Angela Tafolla, Assistant Planner
Matt Bennett, Assistant Public Works Director
Matt Wirz, Building Official
Camille Goritz, Administrative Assistant III
Scott Rice, City Landscape Architect

The Pledge of Allegiance was led by Chair Hamerly.

COMMUNITY INPUT (ITEMS NOT ON THE AGENDA)

None.

CONSENT CALENDAR

1. Minutes from the August 16, 2022 Regular Meeting.

A MOTION was made by Vice Chair Thomas, seconded by Commissioner Miller, to approve the minutes as amended. Motion carried, 4-1, with Commissioner Amaya being absent.

PUBLIC HEARINGS

2. Municipal Code Amendment (MCA-21-001): An Ordinance of the City of Highland amending Chapter 16.06 (Definitions), Chapter 16.20 (Commercial Districts), Chapter 16.24 (Employment Districts), Chapter 16.44 (Specific Use Development Standards), and Chapter 16.52 (Parking Regulations) to eliminate ambiguities and inconsistencies in the code as well as reflections of new legislation related to service stations.

Assistant Planner Tafolla presented the staff report.

Commissioner Sutorus asked can you define what kind of vending machines will be on site?

Assistant Planner Tafolla stated coin operated vending machines that are outside.

Chair Hamerly stated point of clarification the chapters that go along with the Highland Municipal Code (HMC) Amendment is addressing parking. Are we addressing the parking for the service or fueling stations? At a prior Planning Commission meeting we discussed other parking regulations that were going to be studied.

Assistant Planner Tafolla stated it's only related to service stations.

Chair Hamerly stated regarding the definitions and consistency, it is mentioned that the separation between the fueling stations would be measured from centerline of canopy. Most of the stipulations that are talking about separation between one use and another, it is typically measured from the property boundary. Why wouldn't we keep that metric consistent for the purposes of fueling stations?

Assistant Planner Tafolla stated staff recognizes that property size and shapes vary significantly. We used the pinpoint of the center of the canopy because it is the main use of the fueling station and was the best metrics to evaluate that concentration issue to reduce any disparities if we were to measure from property line.

Chair Hamerly stated for example TREH Partners, even though it's a master planned project, they did subdivide within each of those parcels so they would have the ability to sublease to a vendor that was going to build and operate a service station, restaurant, or commercial use.

Assistant Community Development Director Stater stated it was to address alternate scenarios, for example, Food for Less and the service station that is on the parcel so that when we did have larger parcels, we had multiple users. The idea visually was we were looking to separate was the canopies.

Chair Hamerly asked so staffs opinion that the 250 feet buffer would addresses the concerns that we would have at the gateways along 3rd Street, 5th Street and Base Line?

Assistant Community Development Director Stater stated yes. We looked at many scenarios and we brought the one that we thought made the most sense, but we looked at 500/1,000 feet. Other communities had stricter guidelines, but it eliminates the opportunities that were necessary for fueling in the city.

Chair Hamerly asked is it staffs understanding that the term fueling was also applying to Electric Vehicles (EV)?

Assistant Community Development Director Stater stated yes, the definition itself we tried to be more expansive to make sure we included the EV.

Chair Hamerly stated page 17 on subsection 5 under canopies, there were only items A and B related to the exterior design of canopies. It stated should be located no closer than 10 feet from any property line, pronounced massing should be applied to canopy support posts. We have had some issue with applicants regarding that. It seems it's missing some of the other macro issues that we've had. The canopy lighting and signage, it can be very bright, and we've had some issues with some applicants regarding the maximum canopy heights. The canopy heights need to reflect what the primary vehicles are being serviced.

Assistant Community Development Director Stater stated I have lighting, signage, massing of the canopy itself, materials, and canopy height, so I'll try and work on some language.

Chair Hamerly stated regarding item 9, it stated it is no more than one driveway with a maximum width of 35 feet should be permitted on any one street frontage and shall be located as follows and no closer than 50 feet from a street intersection. Some of the master planned developments have internal circulation and the service station basically is placed at a signalized intersection, but it's not placed directly onto the arterial. Using this definition, you would not be able to exit at even a signalized intersection.

Assistant Community Development Director Stater asked are you referring to a street intersection?

Chair Hamerly stated it says the driveway.

Assistant Community Development Director Stater stated maybe we should say standalone stations.

Chair Hamerly stated discussing fast charge stations would be required. The charging stations should not be anywhere in the vehicle cue for fueling for the pumps and the pumps should not block the access to the charging stations.

Commissioner Miller asked do we know where we stand from a supply and demand standpoint in the city in regard to how many gas stations, we need to meet the demand that we currently have today? How is that going to dissipate over the next 10 to 15 years as we move to no gasoline?

Assistant Community Development Director Stater stated we don't have an outside market study; we currently acknowledge what's happening in the industry. At the bottom section D, it stated abandoned or converted vehicle fueling stations, it talks about when they cease operation, requiring a removal of the gas pumps, the pump islands, and the freestanding canopies. We could add a statement that states converted to a usable alternative within that period of time.

Vice Chair Thomas stated another data point that we should consider is, right now if we have a gas vehicle, we can't fill our gas vehicle at home, we must go to a gas station or if I have my EV, I can use my own charging station at home.

Commissioner Sutorus stated there are Tesla fast chargers off Highland Avenue because people are commuting to the mountains, and that's the last stop before you go up the mountains. Also, everyone who drives an electric car knows that it degrades going up that hill very quickly more than going downhill.

Chair Hamerly opened the public hearing.

Commissioner Sutorus asked can we recommend in the future of forecast study?

Assistant Community Development Director Stater stated yes.

Chair Hamerly closed the public hearing.

A MOTION was made by Vice Chair Thomas, seconded by Commissioner Sutorus, to approve Resolution No. 2022-024 recommending the City Council approve Municipal Code Amendment 21-001:

1. Adopt a Notice of Exemption and instruct staff to file a Notice of Exemption with the County Clerk of the Board, and;
2. Introduce an Ordinance to amend Chapter 16.06 Definitions as instructed and amended, Chapter 16.44 Specific Development Standards and Tables 16.16.030.A Uses Permitted within Commercial Districts; and 16.24.030.A Uses Permitted within the Employment District of the Highland Municipal Code to prevent the over concentration of service stations and proactively address the state's efforts related to the zero emission vehicles. Motion carried, 3-1-1, with Commissioner Miller dissenting and Commissioner Amaya being absent.

Community Development Director Mainez asked Commissioner Miller to clarify why he voted no on this item.

Commissioner Miller stated I do not feel like the analysis that was provided was adequate to address the issues to make a determination. There was not adequate evidence to support the revisions that are being proposed.

RESOLUTION NO. 2022 – 024

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HIGHLAND, CALIFORNIA RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ENVIRONMENTAL EXEMPTION AND DIRECT STAFF TO FILE A NOTICE OF EXEMPTION WITH THE COUNTY CLERK OF THE BOARD AND ADOPT AN ORDINANCE AMENDING THE HIGHLAND MUNICIPAL CODE LAND USE AND DEVELOPMENT TITLE 16, CHAPTER 16.06.010 AMENDING DEFINITIONS FOR SERVICE STATIONS, CHAPTER 16.20.030.A UPDATING THE COMMERCIAL DISTRICTS USES TABLE, CHAPTER 16.24.030.A UPDATING THE EMPLOYMENT DISTRICTS USES TABLE, CHAPTER, CHAPTER 16.44.200 UPDATING EXISTING SPECIFIC USE DEVELOPMENT STANDARDS FOR SERVICE STATIONS, CHAPTER 16.52.030.A UPDATING PARKING SPACE REQUIRMENTS AND CHAPTER 16.40.480 UPDATING VIDEO MONITORING SYSTEMS (MUNICIPAL CODE AMENDMENT MCA 21-001)

3. Conditional Use Permit (CUP 22-004) to permit the development of a 187,870 square foot warehouse and associated improvements, Design Review Application (DRA 22-006) for the Site Plan, Building Elevations, Grading Plan and Conceptual Landscape Plan, Tentative Parcel Map No. 20584 (TPM 22-005) to combine four (4) parcels into one (1), and Variance (VAR 22-002) allowing the warehouse building to exceed the maximum building height permitted in the Business Park Zone by five (5) feet. (APN No: 1192-491-

01, 02, 49 & 50.

Associate Planner Syed presented the staff report.

Chair Hamerly stated I noticed one of the exhibits, the number of parcels had been modified. In the grading and site plan, there is a parcel designated as not a part, but in your exhibits here it is showing that it is being included. I'm assuming this is the modification that you're referring to.

Associate Planner Syed stated when I spoke with the Architect Firm, they were able to modify the site plan and the landscape plan in time for the meeting. However, we have conditioned the project in the Conditional Use Permit (CUP) conditions to make sure that all plans match the modified site and landscape plan.

Chair Hamerly opened the public hearing.

Delshawn McClellon, Public Speaker stated I am a member of the Southwest Regional Council of Carpenters, which we represent 6,000 members in San Bernardino alone. We would love to work in the city. We are in favor of this project and I'm asking you to be in favor of it too. Our local members, your constituents, would love to work on this project for obvious reasons like being close to home, not having to spend two and four hours on the freeway every day and just the fact of coming home and being able to spend more quality time with their family.

Angel Esparza, Public Speaker stated I am a representative of the Southwest Regional Council of Carpenters. I'm also a 23-year member of the Carpenters Union. I've been able to flourish from somewhere I came from. I came from a dark place at one point in time in my life, making bad choices when all the doors were closed for me, Carpenters Union said come on in. The apprenticeship program that the Carpenters Union has, and it has in place a state accredited apprenticeship program, buildings like this, is what I started my career in 23 years ago. I've been able to buy two homes, many cars and support many kids not being supported by the system. We urge the Planning Commission today in approving this project. I believe that this project will benefit the environment and the local economy by utilizing local skilled and training workforce. The developer will be utilizing the local skilled training work and all workers will be covered under the proper protocols of Health and Safety Department while building this project.

Rolando Garcia, Public Speaker stated I am a local member of the community. I am a member of the Southwest Regional Council of Carpenters. I am a product of the apprenticeship, been a Union Carpenter since I was 17 years old. I urge you all to really review this and approve this CUP. I have a similar story to Angel. We went through the apprenticeship. We want your local community members to be working locally. We don't need other people coming from other communities coming to work here and take their money elsewhere. This would help save traffic, keeping the environment good in this area. I'm also the training coordinator for the local apprenticeship, and I have 1,500 apprentices from San Bernardino County a few 100 from City of San Bernardino, few hundred from the City of Highland. These are people that are thriving in your community.

Christina, Public Speaker stated it seems like me and my husband are the only ones that are here from the neighborhood of the Cypress Street. Some of our concerns are the

devalue of our property with the warehouse being located right in front. Is what you said was that trucks would be coming out of Cypress Street as well?

Associate Planner Syed stated yes. Trucks would be able to only make a left turn out of the of the exit at Cypress Street and go towards the intersection.

Christina, Public Speaker stated where the driveway is on Cypress Street is where our house is located at. We will be highly affected by that area, and I am a little bit concerned of that driveway being on that street, especially since we have no traffic as of right now going down that street. We are concerned about is the noise, although there are gates that are going to be up, it's only going to limit the noise. As far as the forklifts, we are concerned with the hours of operation. I am sure when you guys go home from work, you guys want to be going to a place that's peace and quiet. We think that this may be a disturbance to our peace and quiet once we come home. A little back story is my neighbors, my mother-in-law which she wrote a letter and I believe it was on the final paperwork that you had online. I was able to go through this study and I obviously see that majority says it's low impact, but it's not 100% guaranteed that it's going to be a low impact to us neighbors. A lot of our neighbors on our street are longtime members. My husband's family lived in the house that we own now, it was his grandfather's house. We bought it because it held a lot of memories and we wanted to continue to build memories in that house. We just had a child. My neighbor again is my mother-in-law, and she's lived on that street for over 30 years. My other neighbor that was here before, at the last meeting has been there for quite some time. I just wanted to voice my opinion because since I'm the only one representing us on that street. So as far as I can think of, that's most of our concerns is that and the health risk. I understand that there's new regulations that are in place for the health risk and that lowers the risk of those health concerns as far as cancer and things like that. You can say that you're you only have 2% to have cancer, but you could still be that 2% that gets that cancer and from what I've been reading is warehouses that are near community houses now in days our air pollution isn't getting any better. Please take into consideration everything that's being built in our neighborhood because as you can see there are a lot of warehouses that are being constructed in our neighborhood.

Chair Hamerly stated it looks like there is sufficient depth in the truck bay that somebody has plenty of room to back into the truck bay and maneuver and have both an ingress and egress for all trucks on the Victoria Avenue point of access. The site plan was adequate for what I was mentioning because it shows the relationship, the depth of the truck bays, there's plenty of space in the truck area on the east side of the parcel. So, if the point of greatest impact to the surrounding community is on Cypress Street, would there be a way for all truck traffic comes out on the southwest corner as opposed to exiting onto Cypress Street? Then have the staff and guest parking that is in the northeast corner that would be entering and exiting through Cypress Street. If fire is requiring through access, we could condition that gate to be operable through a Knox Box or something similar, so that fire would be the only person or entity that would have through access, and then the vehicles would go to the north, the trucks would go to the west. This was the same concern that was expressed by the two individuals that attended our last meeting.

Assistant Community Development Director Stater stated that was a consideration that staff looked at, gave thought to, and speaking with the applicant, they felt that there was conflict with all trucks coming and going from the same point of access on Victoria

Avenue. We did look at that but did not recommend it as a Condition of Approval (COA) just based on the conflicts coming from a large street like Victoria Avenue with only one point of semi-truck access.

Chair Hamerly stated ok, but the ultimate right of way on Victoria Avenue is designed to be a main arterial that's feeding into the airport. Cypress Street is not sized for truck traffic.

Assistant Community Development Director Stater stated it is not a truck route, however there is some additional right of way that will be granted to make that larger than a traditional residential street, like the project that you had reviewed at Cypress Street and 6th Street.

Vice Chair Thomas stated I think the largest issue is going to be when the trucks are coming out facing the residential community with lights facing directly into the houses.

Associate Planner Syed stated what is shown is passenger vehicle access, which is left in, left out, right in, and right out. For the trucks, it's just right in, left out onto Cypress Street.

Vice Chair Thomas stated even a left out, they're going to be coming out facing those houses.

Assistant Community Development Director Stater stated another consideration by staff was that the future improvement of Victoria Avenue and Cypress Street intersection will have a signal. That would be a safe movement for trucks to come out onto Cypress Street, westbound to Victoria Avenue and then be able to make movements fully improved signalized intersection.

Chair Hamerly stated the north access to the site with trucks is tight, even with the additional right of way a truck wanting to make that 90 degree turn to get in. Especially if they were eastbound and trying to make the right in, they're going to be swinging wide to make that turn and not take out the landscape, assuming that is a 36-foot driveway right there.

Commissioner Miller asked what will the hours of operation be?

Assistant Community Development Director Stater stated at this point it is unrestricted with a proposal.

Chair Hamerly stated we need to put restrictions on the CUP, then when we have a known entity that says this is how we operate and hours of operation.

Associate Planner Syed stated we can specify hours of operation for now as part of the CUP and then in the future if the tenant wants to modify those it is up to Planning Commissioners discretion.

Kevin Rice, Applicant stated I appreciate all your considerations and time and effort it takes to review the project. As it relates to the project, I hear the considerations along but to your point about queuing, that's exactly we're trying to avoid by having multiple access points on Cypress Street and Victoria Avenue. Anytime you have residential,

industrial, commercial, whatever that usage happens to be, but that doesn't mean that my rights would be subjugated because of my neighbors. As far as putting restrictions of hours of operation in the building, you don't see that in surrounding communities, so I'd be handcuffed relative to other folks. I'm not in favor at all of any kind of limitations on hours nor in access along Cypress Avenue.

Chair Hamerly stated what I was considering would be limiting truck access during certain hours of the day to eliminating potential conflicts with either morning or afternoon rush hour to try to mitigate some of the impacts on the neighbors.

Kevin Rice stated we're talking about a linear distance there of every 200 feet from future signalized intersection.

Assistant Community Development Director Stater stated the depth of the building is 391 feet between the landscape and the driveway.

Kevin Rice asked ok, so we're talking about restricting hours of operation for four driveways? Four people need to get out to work in the morning, maybe 8:00 AM, and so I should have hours restricted because of those four people?

Commissioner Miller stated one of my concern was people trying to go to sleep at night and being woken up by a semi-truck with lights blaring through their window.

Vice Chair Thomas stated I agree.

Kevin Rice stated as a general statement, the vast majority is warehouses, they're not 24 hour operation, they operate same business hours from 8 AM to 6:00 PM, it would be extremely typical for something like that to happen. I can't handcuff myself out of the gate, right, for obvious reasons.

Chair Hamerly asked in your parking study, what were the findings the truck traffic trip generation?

Sean Kilkenny, Dudek Consultant, stated we prepared several technical studies and worked with the city on the Initial Study and Mitigated Negative Declaration based on similar uses that we have worked on in the past. The expectation and reasonably foreseeable users of this size of warehouse and location, and the traffic study documented approximately 88 truck trips a day and 233 passenger vehicle trips a day. 313ish total trips is about 119 more than the existing conditions with the existing uses on site. The peak times which are the busiest times of day would be two-hour peak period, 7:00 AM - 9:00 AM and 4:00 PM - 6:00 PM and it's about 10 trucks per hour, so about one vehicle every 6 minutes.

Chair Hamerly asked is that averaging the San Bernardino and the Redlands warehouse that were surveyed?

Sean Kilkenny stated this was based on the IET manual, so it's based on an aggregation of hundreds of projects and there's specific generation rates for different classifications of land uses. So, for this type of warehouse land use. The parking study was based on similar size and uses in different jurisdictions that were alike from what we have seen from Patriot.

Chair Hamerly stated we will now go over the Design Review Application, starting with site plan.

Vice Chair Thomas stated I am still not comfortable with the access along Cypress Street. I understand the right to develop this for that use, it just seems like there's disregard to the neighbors in that community. City of Highland is about being neighborly also, and I just didn't hear that from the Applicant. I am still concerned for the homeowners across the street. Has it always been zoned for this type of use?

Assistant Community Development Director Stater stated at least since 2006.

Community Development Director Mainez stated in 2006 is when we re-evaluated, and we keep it Business Park. There are policies and provisions to look at the interaction between the land use, you are always going to have that in the planning process. This is not the Applicants first project; I think he's just been through this a lot, and what you are hearing is the frustration of the process. So, what we've done is we looked at different scenarios and it is speculative, so it makes it more difficult.

Chair Hamerly stated given the right of way width of Cypress Street as it currently exists, I think an eastbound right in is going to be a problematic turn with a full semi-truck. I can see it being less of an issue having a westbound exit coming out on the Cypress Street because that's a reasonable turning radius coming out of that drive isle. If you can choose to exit onto Victoria Avenue right in, right out, but if you're going to exit onto Cypress Street, it's a left out only, and not have any entrance coming in because you also must consider not just the residents but the traffic that's going back and forth on Cypress Street. Has staff had any thought of making the wall a bit taller?

Community Development Director Mainez stated we did. There was a noise study and then we looked at the line of sight.

Assistant Community Development Director Stater stated we can go higher. The code allows the taller wall for various reasons, noise mitigation and aesthetics.

Associate Planner Syed stated we can go to 10 feet according to the HMC. There is 20-foot setback between the property line and where the wheel stop for the trailers would be.

Community Development Director Mainez stated that's good that the trailers wouldn't be parked right against the wall.

Chair Hamerly stated along the western facade and the northern façade there are multiple exit doors coming out of the warehouse and then there's a 5-foot-wide DG path connecting all those pads. That's cutting into the landscape area and it doesn't look like it's a path of egress since it is a DG path. Why we wouldn't run a DG path straight out to the sidewalk, since there's a sidewalk that wraps all the way around the building? That would give us more opportunity for landscaping to mask the taller structure. It would also reduce the amount of DG/concrete because it's a shorter path directly to the sidewalk and it is connecting all those pads out there.

Bridget Herdman, Herdman Architecture stated we proposed this as a solution for those access doors. There's a grade differential from that finished floor down to the sidewalk. If we did connections strictly out, we'd end up with a lot of stairs. We have done this on other developments to mitigate having so many stairs along the perimeter.

Chair Hamerly asked what is the grade differential between sidewalk and floor?

Bridgett Herdman stated two to one is the max. We have a 0.5% slope to the south.

Chair Hamerly stated moving onto the photometric plan. At the northeast corner, we are getting a 0.3 – 0.4 foot candle bleed. It goes past the centerline of Cypress Street. We'll probably have conditions about shielding the parking lot lights because that is where it is coming from. The northeast corners getting a bleed between the 0.1, but it maxes out on Cypress at 0.3 and 0.4. We need to catch that in plan check or condition it so the parking between the landscape and the shielding on the parking lot lighting that we've got the light infiltration.

Associate Planner Syed stated ok, I will take note of that.

Chair Hamerly stated moving onto the building elevations. What is the minimum and the maximum parapet height measured from the roof deck?

Associate Planner Syed stated 4 feet at maximum.

Chair Hamerly asked the metal panels that are called out as standing seam, what is the profile of that? Is that an actual clip standing seam or is that more of a ribbed product?

Bridgett Herdman stated it would be more of a ribbed product, like what we're trying to exhibit in the 3D view that we have on the front page.

Chair Hamerly asked would that be a concealed fastener system, or would that be exposed?

Bridgett Herdman stated concealed.

Chair Hamerly stated the four material combinations that are present on the elevations, is there a uniform parapet cap, or is it changing based on the material and on the height of the parapet?

Bridgett Herdman stated the parapet cap will be uniform where the parapet is aligned, so even though transitions from concrete, glazing to a metal panel it would be a continuous cap.

Chair Hamerly asked do we know what the plant pallet would be for the city street trees on Cypress Street and Victoria Avenue?

Assistant Community Development Director Stater stated I do not think have a designated street tree for Cypress Street. So, on page 100, condition #19, they both address the tree height and the other addresses the Cypress parkway.

Chair Hamerly stated condition #19 would address it to because we don't have anything designated for the street trees, so that was one opportunity. We need a little bit more height and mass along the street frontages.

Assistant Community Development Director Stater asked did you want a recommendation from our City Landscape Architect for a particular species?

City Landscape Architect Scott Rice stated we may need to supplement conditions #19 and/or #22. In general, we have been taking the feedback from each of these buildings. It's this is a multiple building from the same applicant. They've been very receptive to the plan check comments as they come through. I don't have a lot of concern that they won't be willing to carry on the conditions we have in place. Responding to the street trees, we are also providing shade for the sidewalk. There is a unique character for each of these buildings that Patriots proposing and so we end up getting the same plan on the landscape plans submitted.

Chair Hamerly asked what kind of trees are you coming up with in that process?

City Landscape Architect Scott Rice stated we are using the building facades.

Assistant Public Works Director Bennett stated I would like to make a correction on the Engineering conditions. On page 113, condition #17, I would like to remove 6th Street. On condition #28, the last sentence I would strike 6th Street and add Victoria Avenue.

Commissioner Miller stated I would like to restrict hours of operation from 10:00 PM to 6:00 AM.

Chair Hamerly stated ok, so from 10:00 PM to 6:00 AM would be restricted hours for truck delivery. The hours of operation are a CUP planning conditions.

Assistant Community Development Director Stater stated right now there is a modification to page 72, condition #5, striking long term. The addition of condition #14, the easterly and southerly cement masonry wall shall be 10 foot tall as measured from the adjacent on-site grade. If you were to add a condition, we could make that condition #15.

Chair Hamerly stated however condition #14, wouldn't that be DRA?

Assistant Community Development Director Stater stated on page 100, condition #24. Planning COA for design review will make an equivalent condition.

Chair Hamerly asked so condition #24 would have the wall height?

Assistant Community Development Director Stater stated correct. The conditions cross reference each other, but this way we won't miss it.

Chair Hamerly stated ok, now for condition #15, hours of operation. Do we want to specify that it would be hours of operation for pickup and delivery as opposed to operation of the warehouse because they could conceivably have 24-hour operation?

Commissioner Miller stated yes.

Community Development Director Mainez stated if you look at condition #3 on page 72 there is a step requiring the applicant to have a supplemental review by the planning department and they would have to submit documents identifying the use, a letter of intent and parking requirements. We can add hours of operation at that time.

Kevin Rice stated this condition where there's residential, I hear the local community concerned with this condition where you have these seems it's my right since 2006. You never see usage restrictions put in place at this time. I've never had it happen to me. So, it's extremely unique and like I said, in all likelihood it's not the case, but to hamstringing me, we'd be the only building that would have a usage restriction, speculatively, that I'm aware of at this point in this context.

Vice Chair Thomas asked what about your neighbors, how do you feel about their impacts?

Kevin Rice stated I'll tell you about myself, I spent a dozen years as an officer in the Marines in Iraq and Afghanistan. So, she has the right to come and voice her opinion. We talk about things like this project, there are zoning and building codes. They're set to a standard, so if I color inside the box, I have done what I'm supposed to do. We have gone through probably nine months of iteration with staff. I'm not breaking the rules. I'm painting inside the box, and I have someone arbitrarily saying I don't like the way you paint inside the box. I mean the cost and time we go through to make sure we've mitigated this, this isn't some arbitrary standard where I think this looks good. This is the box that I'm painting into that are not just opining, but experts, their professional credentials higher than any of us in that specific field, have laid down and said this is the standard California we adhere to. So, I get upset when I come in here, I adhered the standards, and I get told arbitrarily, no, you can't. I have rights too and I fought for my rights, I fought for your rights.

Vice Chair Thomas stated that coming through loud and clear in all that you presented tonight. I understand what you're saying, it just does not sit well with me, but I believe everything that you just said about you having your rights too, it's just a complete disregard for the impact of your neighbors and that's not being neighborly. I don't know how else to express that, but it doesn't matter because you're within your rights, I understand.

Chair Hamerly closed the public hearing.

Community Development Director Mainez stated the use is not exactly by right if you look at the tables. It is listed as a use, and we require a CUP.

Assistant Community Development Director Stater stated what if we restricted a certain window of restriction not just completely prohibited trucks but required all the truck traffic to go only from Victoria during those hours from 10 PM to 6 AM. Just something to think about.

Commissioner Miller stated maybe to restrict the usage of Cypress Street from 6:00 PM to 6:00 AM to keep the semi-truck headlights from going into those homes.

Assistant Community Development Director Stater stated I wasn't recommending particular hour, but instead of just prohibiting altogether, restricting traffic to Victoria Avenue during those hours.

Community Development Director Mainez stated I sense we are going to have to come back in the future to restrict the hours of operation.

Assistant Community Development Director Stater stated condition #15 stated prior to the issuance of a business license the perspective tenant's business operations shall be reviewed by the Planning Commission to determine hours for access of truck traffic on Cypress Street.

A MOTION was made by Vice Chair Thomas, seconded by Commissioner Sutorus, to:

1. Adopt Resolution No. 2022 - 025 approving Conditional Use Permit CUP-22-002 for the development of a 187,870 square foot warehouse and associated improvements, subject to the Conditions of Approval, and the Findings of Fact as modified;
2. Adopt Resolution No. 2022-026 Approving Design Review Application (DRA 22-006) for the project's Site Plan, Building Elevations, Grading Plan and Conceptual Landscape Plan, subject to the Conditions of Approval, and the Findings of Fact as modified;
3. Adopt Resolution No. 2022-027 approving Tentative Parcel Map (TPM 22-005) to combine six (6) parcels into one (1), subject to the Conditions of Approval, and the Findings of Fact as modified;
4. Adopt Resolution No. 2022 – 028 approving Variance (VAR 22-002) to allow the warehouse building to exceed the maximum building height permitted in the Business Park Zone by 5 feet; and
5. Adopt Resolution No. 2022-029 certifying the associated Mitigated Negative Declaration (ENV 22-004), and direct staff to file a Notice of Determination with the County Clerk of the Board. Motion carried, 4-1, with Commissioner Amaya being absent.

RESOLUTION NO. 2022-025

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HIGHLAND, CALIFORNIA, ADOPTING CONDITIONAL USE PERMIT (CUP 22-004) FOR THE DEVELOPMENT OF A 305,617 SQUARE FOOT WAREHOUSE AND ASSOCIATED IMPROVEMENTS AT THE NORTHWEST CORNER OF 6TH STREET AND VICTORIA AVENUE. RELATED ENTITLEMENTS INCLUDE DESIGN REVIEW APPLICATION DRA-21-005, VARIANCE VAR-21-001 AND TENTATIVE PARCEL MAP 20384/TPM-21-002.

RESOLUTION NO. 2022-026

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HIGHLAND, CALIFORNIA, APPROVING DESIGN REVIEW APPLICATION (DRA 22-006) FOR THE SITE PLAN, BUILDING ELEVATIONS, ROUGH GRADING PLAN AND CONCEPTUAL LANDSCAPE PLAN PERTINING TO THE DEVELOPMENT OF A 187,870 SQUARE FOOT WAREHOUSE, LOCATED AT THE SOUTHEAST CORNER OF VICTORIA AVENUE AND CYPRESS STREET. RELATED ENTITLEMENTS INCLUDE CONDITIONAL USE PERMIT (CUP 22-004), VARIANCE (VAR 22-002), AND TENTATIVE PARCEL MAP NO. 20584 (TPM 22-005).

RESOLUTION NO. 2022 -027

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HIGHLAND, CALIFORNIA, APPROVING TENTATIVE PARCEL MAP NO. 20584 (TPM 22-005) TO MERGE SIX (6) EXISTING PARCELS INTO ONE (1) PARCEL IN ASSOCIATION WITH CONDITIONAL USE PERMIT (CUP 22-004), DESIGN REVIEW APPLICATION (DRA 22-006), VARIANCE (VAR 22-002) TO DEVELOP A 187,870 SQUARE FOOT INDUSTRIAL WAREHOUSE, LOCATED AT THE SOUTHEAST CORNER OF VICTORIA AVENUE AND CYPRESS STREET.

RESOLUTION NO. 2022-028

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HIGHLAND, CALIFORNIA, APPROVING VARIANCE (VAR 22-002) TO ALLOW AN INCREASE IN THE MAXIMUM BUILDING HEIGHT IN THE BUSINESS PARK ZONE FROM 35 FEET TO 40 FEET IN ASSOCIATION WITH CONDITIONAL USE PERMIT (CUP 22-004), DESIGN REVIEW APPLICATION (DRA 22-006), AND TENTATIVE PARCEL MAP NO. 20584 (TPM 22-005) TO CONSTRUCT A 187,870 SQUARE FOOT WAREHOUSE, LOCATED AT THE SOUTHEAST CORNER OF VICTORIA AVENUE AND CYPRESS STREET.

RESOLUTION NO. 2022-029

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HIGHLAND, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM (ENV 22-004) FOR THE DEVELOPMENT OF A 187,870 SQUARE FOOT WAREHOUSE AT THE SOUTHEAST CORNER OF VICTORIA AVENUE AND CYPRESS STREET. RELATED ENTITLEMENTS INCLUDE CONDITIONAL USE PERMIT (CUP 22-004), DESIGN REVIEW APPLICATION (DRA 22-006), TENTATIVE PARCEL MAP NO. 20584 (TPM 22-005), AND VARIANCE (VAR 22-002).

ANNOUNCEMENTS

The next Planning Commission meeting is scheduled September 20, 2022.

ADJOURN

There being no further business, Chair Hamerly declared the meeting adjourned at 8:58 p.m.

Submitted by:

Approved by:

Camille Goritz, Administrative Assistant III
Community Development Department

Randall Hamerly, Chair
Planning Commission