

**MINUTES**  
**PLANNING COMMISSION REGULAR MEETING**  
**April 20, 2021 – 6:00 P.M.**

**CALL TO ORDER**

The regular meeting of the Planning Commission of the City of Highland was called to order at 6:01 p.m. by Chair Hamerly at the Donahue Council Chambers, 27215 Base Line, Highland, California.

Present:           Chair                   Randall Hamerly  
                  Vice Chair           Chandra Thomas  
                  Commissioner       Edward Amaya  
                  Commissioner       Jarrod Miller  
                  Commissioner       Jessica Sutorus

Staff Present:   Lawrence Mainez, Community Development Director  
                  Kim Stater, Assistant Community Development Director  
                  Ash Syed, Associate Planner  
                  Matt Bennett, Assistant Public Works Director  
                  Matt Wirz, Building Official  
                  Camille Goritz, Administrative Assistant III

The Pledge of Allegiance was led by Chair Hamerly.

**COMMUNITY INPUT (ITEMS NOT ON THE AGENDA)**

None

**CONSENT CALENDAR**

1. Minutes from the March 16, 2021 Regular Meeting.

**A MOTION** was made by Vice Chair Thomas, seconded by Commissioner Amaya, to approve the minutes, as submitted. Motion carried, 5-0.

**PUBLIC HEARING**

2. Request for a one-year Extension of Time (EXT 20-002) for Tentative Tract Map No. 20090 (TTM 17-001) and Tentative Parcel Map No. 19958 (TPM 17-002), and entitlements related to the 137-unit Blossom Trails housing development in the East Highlands Ranch. (Southwest corner of Church Street & Greenspot Road, APN: 1201-401-02, 1201-431-61)

Associate Planner Syed presented the Staff Report.

Commissioner Amaya stated covering the timeline, the City Council's first approval was in 2006 and there was a gap until 2017, was that due to market conditions?

Associate Planner Syed stated that is correct.

Commissioner Amaya stated since the Kangaroo Rat is an endangered species in California, is there a chance that is going to slow this development even more?

Associate Planner Syed stated the applicant was trying to obtain an Incidental Take Permit (ITP) required by the mitigation measures.

Commissioner Amaya asked how long does that take?

Associate Planner Syed stated it would be done within this year, which is why the applicant is applying for a one-year extension.

Commissioner Miller asked following up on the Kangaroo Rat, do we know if there is any mitigation land available to be used to offset the impacts for this project?

Camille Bahri, Applicant stated in 2006 that was a land use change based on City recommendations. When the market changed, and we went through the Recession we found what is more appealing for Highland is small lots and it would reduce our density by 60 percent to the map that was presented today. In 2017 we applied and received the approvals for this map in early 2018, but in September 2017 we thought the trapping on the property would not catch the Kangaroo Rats, but unfortunately, we caught four Kangaroo Rats. What slowed the process down was the agencies, we started with the United States Fish and Wildlife Service (USFWS) and we were very close to an ITP. The state has been petitioned to adopt the species as endangered. The latest challenge is now to get through the hurdle of California Department of Fish and Wildlife (CDFW), and we are close for the federal ITP, however the other one can happen anytime. Both agencies have identified the Santa Ana Wash Plan which is preferred as the mitigation land and that has not been spoken for or set aside for mitigation of Kangaroo Rat for any other activities in the wash plan.

Chair Hamerly asked since the onsite accommodation for the Kangaroo Rat is not an option, is it going to be out in the wash in the areas that are not designated for the mining operation?

Camille Bahri stated that is correct, and the incorrect part is that there is an onsite accommodation which is the Metropolitan Water District (MWD) area. There will be a block wall to the back of the property between the development, the projects footprint and MWD area. There is an onsite and an offsite mitigation.

Chair Hamerly asked if the MWD land is just at the extreme southwest corner of the property, correct? It does affect the overall design concept of lot M.

Camille Bahri stated that is a good point to clarify. The MWD area that is a part of our property is shown in purple, which is 90 feet wide, almost the whole length of the project. On the southwest corner that is not shaded in purple is about 100 by 150-foot area which used to be owned by the East Valley Water District and MWD bought the land.

Chair Hamerly what kind of exclusionary fencing?

Camille Bahri stated the agency is talking about a mesh material and I do not find it permanent. It does not have the structural integrity to be there for a long time, however we thought the vinyl fencing would work, because it is very smooth, and the agency is

asking for an additional couple of feet of the mesh. It would be the fence and something extending at an angle that prevents the animals from jumping over. That is what is described in our draft ITP with the CDFW.

Commissioner Miller asked will we have an Engineer take the time to do the analysis offsite to ensure that drainage does not worsen for this property owner or any of the adjacent property owners?

Assistant Public Works Director Bennett stated correct. The evaluation was done preliminarily to allow for this change.

Commissioner Miller stated in 2010 or 2011 we had some big rains and this property flooded and the water came out of Church Street and spilled through the property over to Greenspot Road located by East Valley Water District. It has had some historically flooding challenges; are those plans to be addressed?

Assistant Public Works Director Bennett stated those have been under design and will be completed by San Bernardino County Flood Control. The elimination of the catch basin on Greenspot Road is a minor pick up that was not related to those drainage impacts, and it is a minor impact conveying the flow currently along Greenspot Road on the southside of the road along the existing curb and gutter.

Chair Hamerly opened the public hearing.

Gary Leobold, General Manager for East Highland Ranch stated I started in 2015 and this project had some whiskers at that time. We would like to see this developed; this is the last vacant piece of land within the ranch boundaries which some parts are 36 years old. At some point it would be nice to complete the development, Camille's project also has a pool area that we will add to the amenities for the ranch overall. We support the project, we all like the Kangaroo Rats, however it seems like a minor item to hold up a development like this.

Chair Hamerly closed the public hearing.

**A MOTION** was made by Commissioner Amaya, seconded by Commissioner Thomas, to approve:

1. Adopt Resolution No. 2021 – 004, approving Extension of Time application (EXT 20-002) for a one (1) year extension of Tentative Parcel Map No. 19958 (TPM 17-002), and
2. Adopt Resolution No. 2021 – 005, approving Extension of Time application (EXT 20-002) for a one (1) year extension of Tentative Tract Map No. 20090 (TTM 17-001), subject to the amended Conditions of Approval and Findings of Fact. Motion carried, 5-0.

#### **RESOLUTION NO. 2021 – 004**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HIGHLAND RECOMMENDING THE APPROVAL OF EXTENSION OF TIME APPLICATION (EXT 20-002) FOR A ONE (1) YEAR EXTENSION OF TENTATIVE PARCEL MAP NO. 19958 (TPM 17-002) RELATED TO THE PROPOSED 137-UNIT BLOSSOM TRAILS HOUSING DEVELOPMENT IN THE EAST HIGHLANDS RANCH.**

**RESOLUTION NO. 2021 – 005**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HIGHLAND RECOMMENDING THE APPROVAL OF EXTENSION OF TIME APPLICATION (EXT 20-002) FOR A ONE (1) YEAR EXTENSION OF TENTATIVE PARCEL MAP NO. 19958 (TPM 17-002) RELATED TO THE PROPOSED 137-UNIT BLOSSOM TRAILS HOUSING DEVELOPMENT IN THE EAST HIGHLANDS RANCH.**

3. Conditional Use Permit (CUP 19-001) and Design Review Application (DRA 19-009) for the construction of a 22,000 square foot shopping center with retail, office, and dining space on a 1.96-acre parcel. (6909 Victoria Ave, APN:1191-351-01)

Associate Planner Syed presented the Staff Report.

Commissioner Sutorus asked if there were any Electric Vehicle (EV) infrastructure since it is a requirement.

Associate Planner Syed replied it was not discussed on the initial submittal, however that can be implemented during plan check.

Commissioner Amaya asked why is the Architect submitting the list of permitted uses? Looking at the Municipal Code there is 150, which seems to be a lot.

Associate Planner Syed stated this site is zoned Planned Development and the applicant is applying to use Planned Commercial Development standards. The use that the applicant has suggested is dining, retail, and office space which are on the list and included in the staff review.

Commissioner Amaya stated yes, and for example it has staff review as what is permitted and we want to make sure that is going to be approved here that would be possible use down the road.

Assistant Community Development Director Stater stated certain uses are subject to a CUP. What is being approved tonight is retail, office, and restaurant, and if they change tenants in the future would be subject to these standards. If the use specifies CUP, we will bring it back for Planning Commission approval.

Commissioner Amaya asked does the City normally have the City of Highland sign for a commercial development?

Associate Planner Syed replied no; however, it is a corner statement and for such a prominent intersection and it is usually preferred. The name of the shopping center as well as advertisement for the city is a good idea.

Commissioner Sutorus gave suggestions regarding the trash enclosure.

Chair Hamerly stated I noticed on the renderings there was not a cover on the trash enclosures, and I believe that is a requirement for water quality.

Associate Planner Syed stated correct.

Chair Hamerly asked assuming all the drainage on the property was going to drain towards Pacific Street and Victoria Avenue which would be north and west, right now it looks like the site is sloping on the opposite direction. What is the grade separation proposed at the southern property line?

Assistant Public Works Director Bennett stated I do not know the exact grade separation where the southwest corner will discharge its overflow. That is the natural drainage pattern for that site coming down south along Victoria Avenue.

Chair Hamerly stated at the southeast corner was also a low point. It looked like to get everything to drain from the east to the west or from the south to the north is the case maybe towards Pacific Street. That could lead to a significant vertical separation between the southern property, adjacent property, and the subject property. What is that separation?

Assistant Public Works Director Bennett stated the various plans I have seen had shown retaining cases along the perimeter on the southside. I have not seen in detail the southern perimeter wall. There could be a great impact to the southside, I would not know how that is described in his floor plan.

Chair Hamerly stated the reason why I am asking is more to do with context than the technical aspects of drainage.

Jonathan Zane, Architect for Applicant stated the covers on the trash enclosures will be on there as well as the same red color that we are using on the building, they just were not shown on the renderings. The drainage on this property was a problem and, in my career, I have not had as much trouble passing a Water Quality Management Plan (WQMP) than this project. It has taken me three Engineers in over a year to get approval. Everything drains down to that southwest corner because of grading, and the southeast corner is being elevated by grading to allow the water to flow towards that corner. We have subterranean water purifiers, because there was not enough room to have a retention basin and we are paying the extra fee to put it under ground. Where that red line is on the lower left-hand corner that is approximately where the chambers go.

Chair Hamerly asked the five-foot fire corridor along the east and south edge of the property, is that within the structure or is that outside?

Jonathan Zane replied that has been a point of contention for us, what we would do is set the building back five feet and have a five-foot concrete walkway back there. It would be handicap accessible that way if someone needs to use the rear door you can access it from the outside without getting into a corridor. We would build a six-foot concrete block wall and leave it as a concrete alleyway. The reason why we are doing this is because these are very deep and narrow spaces.

Chair Hamerly stated I am assuming that the dining establishment is the large block on the corner, so that would also be pulled back five feet because it looks like the corridor stops at that suite.

Jonathan Zane stated we could just put a door at the end of that five-foot ramp and build that portion on the property line just on the corner.

Chair Hamerly asked if that is a dining establishment, was there any thought given to opening up the plaza that is immediately outside that place that is in the corner?

Jonathan Zane stated on the very corner there is an opportunity for outdoor dining. The sidewalk is not wide enough to allow it, but on the corner is an ideal location.

Vice Chair Thomas asked if the applicant chooses to use those as outdoor dining locations, will they have to come back with new landscape plans?

Associate Planner Syed replied yes, if they are going to modify the part that is decomposed granite and pour concrete that would not be a Planning Commission level decision, it would be with the Building and Safety department.

Chair Hamerly asked if it would be a plan check modification?

Associate Planner Syed stated correct.

Chair Hamerly stated not all the tenants' spaces have access to the parapet elements where you could conceivably conceal rooftop equipment. Some of the parapets on the lower height suites did not look like there was enough room to hide a roof top package. Where would they be located, and would that modify the exterior elevations?

Jonathan Zane stated the rendering is an artist conception and those are minimum 30-inch parapet walls. There are several opportunities that they pop up and we would set the equipment behind the elements that is creating the up and down roof in front. There are opportunities to put them behind those items for them not to be seen. We will make sure they are properly screened.

Chair Hamerly stated the northern most elevation at the end of the building and the most western elevation looks like the facade treatment stops at the corner of the building, and it does not wrap around. If there is anything to do to enhance those elevations and wrap

the front facade materials or articulation around that corner would enhance the street presentation.

Jonathan Zane replied we are talking about placing those wall trellises to enhance that. We would need to do some sort of roof element and we would be happy to change that.

Chair Hamerly stated it looks like there is not a lot of depth to the relief along the facade in terms of the pedestrian experience as you are walking through both legs of the complex. Have you entertained any options to enhance the pedestrian experience, and maybe creating additional shading?

Jonathan Zane stated we did consider using the metal trellis that comes out horizontally with tie rods. We would push and pull to create a distance and if we would be allowed to, we could pull them out a little farther to make it a covered walkway.

Community Development Director Mainez suggested if we are going to talk about creating an alleyway, we are going to have to require block wall at the property line. Also, looking at the articulation maybe bring some of the architecture in front of the building to the back of the building. I am assuming there is going to be panic hardware, restriction of the types of doors, overhangs, and drainage that must be addressed.

Chair Hamerly stated on the floor plan view it looked like it was all enclosed which brings in multiple other options, because every one of those tenants are going to use it as additional storage space.

Community Development Director Mainez replied we do have fire inspections regularly. You could continue to have sketches brought back for consideration.

Chair Hamerly stated we have gone through the materials in the packet for both CUP and DRA understanding that the sign program will come back. There was not any indication on the landscape plan where any potential monument signs would be. Was that going to be incorporated into the corner statement or is that going to be at the access points to the site?

Jonathan Zane replied at this point we do want to put the statement on the corner, we are very proud we are in Highland and celebrate the City. We have not hired a sign company, but we picture we are going to use individual letter signs and maybe an entry sign, however we do not have those designed yet. We would rather have an approval tonight than be postponed and we are happy to show the rear elevations within enhancements in the time we come back for the signage.

Chair Hamerly stated the big issue would be the CUP which gives you the entitlement for the intended use. The DRA is just arguing over details and that is the lesser of the approvals in my opinion.

Associate Planner Syed stated what is being presented in one resolution that includes both the CUP and DRA.

Chair Hamerly replied I think it would be appropriate to spilt out the DRA from the CUP and entertain two separate motions because there are elements we have questions about that it sounds like we are going to be reexamining.

Assistant Community Development Director Stater stated the way information that is provided to you in the packet is currently one resolution so the Planning Commission's recommendation would be to direct staff to modify the resolutions of the CUP, separate those and bring them back and continue the public hearing.

Chair Hamerly replied the position that would be actionable would be to adopt Resolution 20-\_\_\_, approving the CUP 19-001, and strike out DRA section and continuing for the construction 22,000 square foot shopping center subject to conditions of approval and findings of fact.

Assistant Community Development Director Stater replied unfortunately we cannot approve the CUP because the resolution and the conditions have to be modified and brought back to you at the next regular meeting.

Community Development Director Mainez stated it would be a lot easier for the applicant spent 15-30 minutes coming up with concepts for you to look at and bring that back to the next meeting.

Chair Hamerly stated I did not hear any objection to the proposed uses, so the CUP is good to go. It looks like section five is the only thing that is impacted in the resolution.

Jonathan Zane stated another option would be to approve everything tonight and allow me the opportunity to deal with staff on these small items and present the design elements on the rear as well as the facade. Those items we have agreed verbally and its on the record, if we could work it out with them then it would allow approval tonight.

Vice Chair Thomas stated I would like to see the design for the outside areas that can be utilized for outdoor seating for restaurant space.

Jonathan Zane stated I will be back for design review and I would be happy to present it at that the same time.

Chair Hamerly replied it would not be actionable, because it would not be a formal design review for the purposes of elevations and landscape because technically it has already been approved.

**A MOTION** was made by Chair Hamerly, seconded by Commissioner Sutorus, to continue the project to the next Planning Commission meeting scheduled May 4, 2021. Motion carried, 5-0.

## **ANNOUNCEMENTS**

The next Planning Commission regular meeting is scheduled May 4, 2021.



**ADJOURN**

There being no further business, Chair Hamerly declared the meeting adjourned at 7:29 p.m.

Submitted by:

Approved by:

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Camille Goritz, Administrative Assistant III  
Community Development Department

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Randall Hamerly, Chair  
Planning Commission