

CITY OF HIGHLAND REGULAR MEETING OF THE PLANNING COMMISSION AGENDA

REGULAR MEETING

June 16, 2020

6:00 p.m.

City Hall

Donahue Council Chambers

27215 Base Line

Highland, California

MEMBERS

Randall Hamerly, Chair

John Gamboa, Vice Chair

Michael Hall, Commissioner

Richard Haller, Commissioner

Tamara Zaman, Commissioner

STAFF

Lawrence A. Mainez, Community Development Director

Kim Stater, Assistant Community Development Director

Ashiq Syed, Associate Planner

Salvador Quintanilla, Associate Planner

Angela Tafolla, Planning Technician II

Camille Goritz, Administrative Assistant III

MISSION STATEMENT

Highland is dedicated to the betterment of the individual, the family, the neighborhood and the community. The City Council and the staff of Highland are dedicated to providing the quality of public facilities and services that its citizens are willing to fund and will do so as efficiently as possible.

Visit the City's Website at: www.cityofhighland.org

CITY OF HIGHLAND • 27215 BASE LINE • HIGHLAND, CALIFORNIA 92346 • (909) 864-6861 ☎ • (909) 862-3180 📠

The City of Highland complies with the Americans with Disabilities Act of 1990. If you require special assistance to attend or participate in this meeting, please call the City Clerk's Office at (909) 864-6861 Ex. 226, at least 48 hours prior to the meeting.

Pursuant to Government Code Section 54957.5, any disclosable public records related to an open session item on a regular meeting agenda and distributed by the City of Highland to all or a majority of the Planning Commission, less than 72 hours prior to that meeting, are available for public inspection at Highland City Hall, 27215 Base Line, Highland, CA 92346, during normal business hours.

SPECIAL NOTICE REGARDING COVID-19

In accordance with Governor Newsom's Executive Order N-25-20 and N-29-20, this meeting is being conducted via teleconference/Zoom. Anyone can join the meeting virtually or by phone:

- To join the Zoom Meeting online: <https://zoom.us/j/95574573495>
- Listen to the meeting by calling (669) 900-9128 and enter the Meeting ID: 955 7457 3495#

Toll free phone numbers:

(877) 853-5247 or (888) 788-0099
Meeting ID: 955 7457 3495#

Submission of Public Comments: For those wishing to make public comments (items not on the agenda), please submit your comments by email to be read aloud at the meeting by the Community Development Administrative Assistant. Email comments must be submitted by 5:00 p.m. on June 16, 2020, to publiccomment@cityofhighland.org.

For those wishing to make a public comment regarding a public hearing item, please identify the agenda item in the subject line. Comments can be submitted any time prior to the meeting, as well as during the meeting up until the end of the corresponding item. Please email your comments to publiccomment@cityofhighland.org.

For those wishing to make a public comment regarding an item on the agenda, please identify the agenda item in the subject line. Email comments must be submitted by 5:00 p.m. on June 16, 2020, to publiccomment@cityofhighland.org. All email comments received by the deadline will be read aloud and shall be subject to the same rules as would otherwise govern speaker comments at the Planning Commission meeting.

PLANNING COMMISSION REGULAR MEETING AGENDA June 16, 2020 – 6:00 P.M.

CALL TO ORDER

Pledge of Allegiance

COMMUNITY INPUT (ITEMS NOT ON THE AGENDA)

The Community Development Administrative Assistant shall read all email comments received before 5:00 p.m., provided that the reading shall not exceed three (3) minutes because this is the time limit for speakers at a Planning Commission meeting. The email comments submitted shall become part of the record of the Planning Commission meeting.

CONSENT CALENDAR

1. Minutes from the June 2, 2020 Regular Meeting.

RECOMMENDATION: That the Planning Commission approve the minutes, as submitted.

BUSINESS ITEMS

2. Design Review Application (DRA 19-011) to restore an existing 1,580 square-foot restaurant building on an approximately 12,143 square-foot property. (26001 Base Line, APN 119-021-26) (Continued from June 2, 2020)

Staff recommends the Planning Commission:

1. Adopt Resolution 20 – ____ approving Design Review Application (DRA 19-011) to restore an existing 1,580 square-foot restaurant building, subject to the Conditions of Approval and Findings of Fact.
2. Direct staff to file a Notice of Exemption with the County Clerk of the Board of Supervisors.

ANNOUNCEMENTS

ADJOURN

I, Camille Goritz, Administrative Assistant III, of the City of Highland, California, certify I caused to be posted this agenda on or before the 11th of June by 5:30 p.m. on our website at www.cityofhighland.org and in the following designated areas:

Highland Branch Library
7863 Central Avenue

Fire Station No. 1
26974 Base Line

City Hall
27215 Base Line

Date: June 11, 2020



Camille Goritz, Administrative Assistant III



STAFF REPORT

TO THE PLANNING COMMISSION

DATE: June 11, 2020

FROM: Lawrence Mainez, Community Development Director

PREPARED BY: Camille Goritz, Administrative Assistant III *CG*

SUBJECT: Minutes from the June 2, 2020 Planning Commission Regular Meeting.

RECOMMENDATION: Staff recommends the Planning Commission approve the Minutes as submitted.

PUBLIC NOTICE: The agenda for this item was posted at the three locations per Resolution No. 2011-047 and on the City's website.

Approved _____	Motion _____	Second _____	Agenda Item No. <u>7</u>
Denied _____	Ayes _____		
Continued _____	Noes _____		File No. _____
Tabled _____	Abstain _____		
	Absent _____		

Camille Goritz
Recording Secretary

Lawrence Mainez
Community Development Director

**MINUTES
PLANNING COMMISSION REGULAR MEETING
June 2, 2020**

This meeting was conducted as a video conference meeting in a remote location. All votes during the meeting were conducted by roll call.

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 Chair Hamerly through video conference.

Present:	Chair	Randall Hamerly
	Vice Chair	John Gamboa
	Commissioner	Michael Hall
	Commissioner	Tamara Zaman
	Commissioner	Rich Haller (arrived at 6:17 p.m.)

Staff Present: Lawrence Mainez, Community Development Director
Kim Stater, Assistant Community Development Director
Ashiq Syed, Associate Planner
Matt Bennett, Assistant Public Works Director
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 3, 2020 Regular Meeting.

A MOTION was made by Commissioner Hall, seconded by Commissioner Zaman, to approve the minutes as amended. Motion carried on a roll call vote, 4-0, with Commissioner Haller absent.

BUSINESS ITEMS – PUBLIC HEARING

2. Design Review Application (DRA 19-011) to demolish an existing 880 square-foot residential structure and restore an existing 1,580 square-foot restaurant building on an approximately 12,143 square-foot property at 26001 Base Line. (APN No. 1192-021-26)
RECOMMENDATION: Staff recommends the Planning Commission:

Chair Hamerly opened the public hearing.

Associate Planner Syed presented the Staff Report.

Commissioner Haller joined the meeting at 6:17 p.m.

Commissioner Zaman stated she has concerns regarding the two parking spaces on the Northside of the property and how much room the customers would have backing out of the parking space safely.

Associate Planner Syed stated based on the proposed site plan there's approximately 35-40 feet behind those two parking spots on the Base Line side from the back of the stall to where the end of the landscaping is on the McKinley side. There is enough space for a three point turn.

Chair Hamerly stated that he agreed with the assessment of the back up space on the southernmost parking space, however with the radius landscape it might be tight to back up and maneuver a three point turn, its possibly a four point turn.

Vice Chair Gamboa stated the exterior east elevation does not have enough definition on the roof line. He suggested raising the roof line a foot or two on the front part of the building. He cannot approve the color samples provided for the building without seeing the color swatches in person. He expressed prior experiences with approximations on colors turning out differently than what was specified.

Jacqueline Earthly, Applicant, stated that they have had a lot of grief in demolishing this building, expecting an approval of the project since it has been with the city for six months and they've been patient during this process.

Associate Planner Syed stated that it is the first time Planning Commission has reviewed the project.

Commissioner Haller stated he had concerns regarding the trash enclosure location, type of lighting that will be on the buildings, and the conflicts with trees that might obstruct the light.

Jacqueline Earthly replied that the lights will be wall mounted around the building.

Chair Hamerly stated the electrician should know an engineer that is capable of generating a photometric plan.

Commissioner Haller asked where the location of the air conditioning unit will be and if it is going to be screened.

Patrick Earthly, Applicant, replied it will be on the roof and screened.

Commissioner Hall stated he has concerns on the location on the trash enclosure, and if it could be moved to the southeast corner.

Jacqueline Earthly stated that they are willing to move the trash enclosure.

Patrick Earthly asked how the trash enclosure will affect the parking area since they have been faced with an existing building with limited space.

Chair Hamerly stated if parking space number six became the trash enclosure each parking spaces could slide over to the north without losing a parking space. This will ensure that the trash enclosure is farther away from the dining area.

Commissioner Hall stated his copy of the color samples for the building does not give him an idea of the true colors.

Chair Hamerly asked how the outdoor dining area will be illuminated since the hours of operation are until 10 p.m.

Jacqueline Earthly replied they will have string lighting in the outdoor dining area.

Chair Hamerly asked if the applicant was planning on growing ivy on the six foot wall along the eastern side property line to address that space.

Jacqueline Earthly replied they have thought about growing ivy, and it would give it a nice ambiance look.

Chair Hamerly stated that they are doing a nice job of screening the northern edge of that patio area with the relocation of the trash enclosure, however in the southern area they may want to think about putting up a trellis or an arbor to soften it up.

Jaqueline Earthly agrees with Chair Hamerly.

Chair Hamerly asked Vice Chair Gamboa if the applicants were able to add string lighting and have umbrellas over the tables, would that help soften the eastern facade because there is not enough room between that building and the property line.

Vice Chair Gamboa replied that would be okay.

Chair Hamerly stated the southern hospitality, the graciousness and the wrap around porches with the cute hanging lighting creates a lot of charm. He also recommends extending the awning down the north facade so the ramp feels like your front porch.

Associate Planner Syed requested the Planning Commissioners make a motion to move Item No. 2, until Item No. 3 so that the missing Engineering Conditions can be discussed before the public hearing is over.

A MOTION was made by Commissioner Hall, seconded by Commissioner Haller, to continue Item No. 2 until Item No. 3 is finished. Motion carried on a roll call vote, 5-0.

3. Design Review Application (DRA 20-004); a request to co-locate a wireless telecommunication facility on an existing facility and construct a new equipment enclosure within Aurantia Park at 29624 Greenspot Road. (APN No. 1210-371-41)

Chair Hamerly opened the public hearing.

Associate Planner Syed presented the Staff Report.

Vice Chair Gamboa stated he has concerns with the cell tower. In 2010 a cell tower was approved as a multi-branch eucalyptus tree and somehow a mono branch tree was built. The tree was supposed to look like the eucalyptus cell tower that is located on Wabash and the 10 freeway in Redlands, this tree has multiple trunks on the tree.

Chair Hamerly asked staff if it is feasible to introduce a multi branch to this existing structure. The cell tower is a pine tree with eucalyptus branches and the exhibit that was shown in 2010 was supposed to look like a eucalyptus tree. What types of modifications can they make to the existing trunk to make it look like a sycamore as to opposed to a pine tree with sycamore branches?

Associate Planner Syed stated for these cell towers that are disguised as mono pines or mono eucalyptus trees have significant up keep that goes in because artificial branches and leaves tend to fade. Therefore, every three or four years typically they may need to be replaced. As far as modifying the structure the applicant is available to offer input.

Jessica Grevin, Applicant stated the cell tower is Verizon's so AT&T would have to get approval through Verizon to modify the cell tower since they are leasing a portion of the tower from them. With AT&T installing towers in order for Verizon to modify them they would have to take down the whole pole.

Commissioner Haller asked about the graffiti on the doors on the building, it looks like it has been painted over.

Jessica Grevin stated it is an existing Verizon equipment shelter. The doors on the AT&T shelter should have anti-graffiti paint and decor on the outside of the doors. If there was graffiti AT&T would go out and repaint it.

Commissioner Haller stated AT&T should repaint the entire door, not just a square portion of it.

Chair Hamerly asked the staff in the conditions of approval section to add a condition that the entire element of the building be repainted.

Associate Planner Syed replied yes, they could add that as a condition.

Chair Hamerly stated that would be a part of a complete restoration of the element.

Receiving no response, the public hearing was closed.

A MOTION was made by Commissioner Haller, seconded by Commissioner Hall, to:

1. Adopt Resolution No. 2020 – _____, Approving Design Review Application (DRA 20-004); to co-locate on an existing wireless telecommunication facility and construct a

new equipment enclosure, subject to the Conditions of approval and Findings of Fact.

2. Direct Staff to file a Notice of Exemption with the County Clerk of the Board.

Motion carried, on a roll call vote, 4-0, with Commissioner Gamboa abstaining.

RESOLUTION NO. 2020-001

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HIGHLAND, CALIFORNIA, APPROVING A DESIGN REVIEW APPLICATION (DRA 20-004);
A REQUEST TO CO-LOCATE ON AN EXISTING WIRELESS
TELECOMMUNICATION FACILITY AND CONSTRUCT A
NEW EQUIPMENT ENCLOSURE WITHIN AURANTIA PARK AT
29624 GREENSPOT ROAD, HIGHLAND CA 92346 (APN NO. 1210-371-41)

Planning Commission continued discussion on Agenda Item No. 2

2. Design Review Application (DRA 19-011) to demolish an existing 880 square-foot residential structure and restore an existing 1,580 square-foot restaurant building on an approximately 12,143 square-foot property at 26001 Base Line. (APN No. 1192-021-26)

Chair Hamerly continued the public hearing.

Community Development Director Mainez recommended the applicants read the engineering conditions so they are aware and accept the conditions.

Assistant Public Works Director Bennett stated there is an issue with the trash enclosure. If it is moved to stall six, away from the seating area one of the concerns is access to the trash enclosure, and the requirement to have an ADA access. The trash enclosure would not be able to go behind the cars which would force a walkway at the wall side of the parking stalls, and that may start to snowball their ability to park all those vehicles. Burrtec was looking at roll out bins and the trash truck was not necessarily going to have to get to that same location at the edge of the building, but the access that they would have is adjacent to the building which it would be over at stall six. The condition that is being referred is the applicant, at the time of building permit, shall pay a fee in-lieu of design and construction of future landscaped median across Base Line project frontage. The amount of in-lieu fee shall be based on a layout of the future median and cost estimate to be provided by the City Engineer. He does not believe we have talked about a cost estimate at this time.

Patrick Earthly stated they have not talked about the cost estimate yet. How does the median across Base Line impact us?

Assistant Public Works Director Bennett stated if they are looking at the project frontage on Base Line it is believed to be 75 feet. If that is correct the median that would be constructed for that portion and in the lieu fee would be paid for that portion of 75 feet of frontage. Ultimately, when the median is constructed by others there would be a

landscape median constructed with a full height curb and a left turn pocket to allow for a southbound movement on to McKinley. That is the future median would look like.

Patrick Earthly asked approximately how much would it cost?

Assistant Public Works Director Bennett replied it could be \$120,000 for 300 foot and it could be \$250,000 for a 340 foot depends on what the treatment is. It could be quite an expense.

Chair Hamerly stated that using Assistant Public Works Director Bennett's calculations for \$250,000- \$ 300,000 for a 300 foot segment of Base Line full median, for a 75 foot segment it would be \$62,500.

Assistant Public Works Director Bennett replied that sounds about right.

Patrick Earthly asked it would be \$62,500?

Chair Hamerly stated that is correct. There is not 300 feet of Base Line exposure on this property, there is only 74 feet.

Assistant Public Works Director Bennett stated the various projects have offered an in-lieu fee for just down the road a letter of credit and those are the only two methods so far that has been explored others were in a position and have constructed median where it was conditionally required.

Patrick Earthly asked with the letter of credit would that mean in terms of how it would be constructed and with the \$62,500 would it have to paid in installments.

Assistant Public Works Director Bennett stated the idea is the letter of credit was suggested by another development. It is conditional on terms year over year if there isn't any construction to be completed than the line of credit is extended by the bank holding those funds. It was an agreement that was established with the city attorney and the applicants input. If the development or another development came in there would be also an opportunity that development would construct the median and call for the funds to be available. At this time, there is not a capital improvement project so there are no plans currently to construct this median in the immediate five year CIP.

Patrick Earthly asked if we received the approval today, when would we have to pay \$62,500?

Assistant Public Works Director Bennett stated the timing of this would be prior to the building permit. We would either be talking about an in-lieu fee that is provided at that time or the letter of credit method the development chooses and we would have worked out the details regarding that by the time you are requesting a building permit.

Patrick Earthly asked if this project is going to be approximately started in five years.

Assistant Public Works Director Bennett replied he doesn't have a timeline of when funds will be available to complete the next portion of median on Base Line itself. There isn't a city capital improvement project that includes it, so in the current planning by the city's means it's not likely within the next five years. To clarify Capital Improvement Project is when city funds would do various improvements like construct roadway, medians, and undergrounding utilities. We can continue this in further detail in the next meeting in two weeks.

Chair Hamerly stated this would give the Planning Commissioners an opportunity to see the physical color board sample at the city as well.

Chair Hamerly asked if its staff recommendation to continue this meeting on June 16, 2020?

Associate Planner Syed replied yes, correct.

Receiving no response, the public hearing was closed.

A MOTION was made by Commissioner Haller, seconded by Commissioner Hall, to continue this item to the June 16 Planning Commission Meeting. Motion carried, on a roll call vote, 5-0.

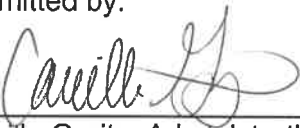
ANNOUNCEMENTS

None

ADJOURN

There being no further business, Chair Hamerly declared the meeting adjourned at 8:16 p.m.

Submitted by:



Camille Goritz, Administrative Assistant III
Community Development Department

Approved by:

Randall Hamerly, Chair
Planning Commission



STAFF REPORT

TO THE PLANNING COMMISSION

DATE: June 16, 2020

FROM: Lawrence A. Mainez, Community Development Director

REVIEWED BY: Kim Stater, Assistant Community Development Director 

PREPARED BY: Ash Syed, Associate Planner 

SUBJECT: Design Review Application (DRA 19-011) to restore an existing 1,580 square-foot restaurant building on an approximately 12,143 square-foot property. **(Continued from June 2, 2020)**

LOCATION: 26001 Base Line
Southeast corner of Base Line and McKinley Avenue
Assessor's Parcel Number: 1192-021-26

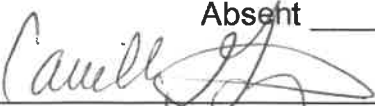
OWNER: Patrick & Jacqueline Earthly

REPRESENTATIVE: Jonathan L. Zane, Jonathan L. Zane Architecture

RECOMMENDATION: Staff recommends the Planning Commission:

1. Adopt Resolution 20 – ____ approving Design Review Application (DRA 19-011) to restore an existing 1,580 square-foot restaurant building, subject to the Conditions of Approval and Findings of Fact.
2. Direct staff to file a Notice of Exemption with the County Clerk of the Board of Supervisors.

FISCAL IMPACT: The Applicant submitted the required deposit for processing a Design Review Application. Staff time spent working on the application is charged to this deposit.

Approved _____	Motion _____	Second _____	Agenda Item No. <u>2</u>
Denied _____	Ayes _____		File No. _____
Continue _____	Noes _____		
	Abstain _____		
	Absent _____		
 Recording Secretary		 Community Development Director	

ENVIRONMENTAL REVIEW: This project is Categorically Exempt from environmental proceedings under the California Environmental Quality Act (CEQA) guidelines pursuant to Section 15301, Class 1. Existing Facilities as it consists of the operation, repair, maintenance, permitting and minor alteration of a private structure. It involves negligible expansion of the use beyond the previous use. Section 15301(d) specifically exempts for "Restoration or rehabilitation of deteriorated or damaged structures... to meet current standards of public health and safety..."Section 15301(l(1)) exempts the demolition of a single family residence.

PUBLIC NOTICE: As required by City Council Resolution, a notice of the public hearing was posted on May 28, 2020, at the City's three designated posting locations within the City. A legal advertisement was published in the Highland Community News on May 22, 2020. No further notice is required.

PUBLIC COMMENT: At the time of preparation of this Staff Report, no comments were received from the public by the Planning Division in response to the Project Notice.

PREVIOUS ACTION: At the previous Planning Commission hearing held on June 2, 2020, the Planning Commission reviewed the staff's presentation and Staff Report and brought to the applicant's and staff's attention some concerns about the color palette for the exterior of the building. The Planning Commission had only been provided a poster board with a printed sheet that showed the colors schemes as well as just a photograph of the selected stone veneer trim for the lower portion of the exterior. The Commissioners were thus unable to get a fully accurate representation of the colors and textures proposed for the exterior of the building. To address this, each Planning Commissioner will be provided with a color and materials board. A board will also be available at City Hall for viewing if necessary. One Planning Commissioner also suggested modifications to the easterly roofline of building such as adding a raised fascia similar to the one on the west-facing side. Additionally, staff failed to include the Engineering Department's Conditions of Approval for the project in the Planning Commission's staff report. The Conditions have since been added and thoroughly discussed with the applicant. The applicant and staff both requested the opportunity to revise the staff report and address the Planning Commission's concerns and bring the item back at the next available public hearing.

PROJECT REVIEW:

Access

The site will consist of both vehicular and pedestrian accessibility. Currently, both vehicles and pedestrians can access the property from Base Line on the north side, and McKinley Avenue on the west side. The applicant has proposed to remove the vehicle access from Base Line, as that space is necessary to satisfy the parking requirement, and instead have only one entrance and exit along McKinley Avenue. Pedestrian

accessibility will still be available from Base Line; however there shall be a designated walkway as opposed to the current design with access directly from the sidewalk. The applicant shall be responsible for the curb and gutter improvements along Base Line as proposed by the site design. The street improvements along McKinley Avenue however will be handled by the City as part of the City's ongoing curb and sidewalk improvement project.

Elevations

The building has been designed with the appropriate fascia for the surrounding vicinity (Attachment 1 – Architectural Elevations). The building's elevations include a clean design with various warm color tones. The lower stone portion of the exterior will feature "Coronado Stone Veneer" pavers from Dunn-Edwards Paints. The exterior walls of the building will feature "La Habra" warm earth tone stucco. The accent portions of the exterior like the front-door frames, side office door, loading-zone door, storefront trims, and window frames will be painted with "Roxy Brown". Likewise, the 3-foot raised fascia along the northern and western side of the concrete-tile parapet flat roof will match the accent portions with a smooth, "Roxy Brown" plaster.

Roofline

The applicant took into consideration the Planning Commission's suggestion regarding adding some design characteristics or a raised fascia to the easterly side, similar to the west-facing fascia. While the applicant has ultimately opted to leave the easterly roofline as-is, they have instead chosen to improve the aesthetics of the easterly side the building by agreeing to install a wrought iron fence with southern design elements and plants around the future outdoor eating area. Considering the overall width of the outdoor space in this region and the relatively obstructed view of the roofline from the street, a wrought iron fence in this area would capture more visual attention than the roofline.

Engineering

Engineering staff has worked with the applicant to review the Engineering Conditions of Approval attached. The conditions are presented in the standard format showing the categories (i.e. GRADING, STREET IMPROVEMENT, etc) and the corresponding timing for the completion of the condition of approval (i.e. "B"- Required Prior to Building Permit/Construction, "C"- Required Prior to Building Occupancy, etc.). One of the conditions discussed at the previous Planning Commission Hearing was the requirement of an in-lieu fee for the future construction of a median on Base Line at the McKinley Avenue intersection. This proposed median would be implemented to prohibit the making of precarious left-turns from Base Line into the restaurant parking lot at such close proximity to the McKinley Avenue intersection. Considering that the applicant will be blocking off the entrance and exit from Base Line altogether, the future median construction and subsequent in-lieu fee will not be required. Staff has discussed the

modified Conditions of Approval with the applicant agrees with the Conditions as presented.

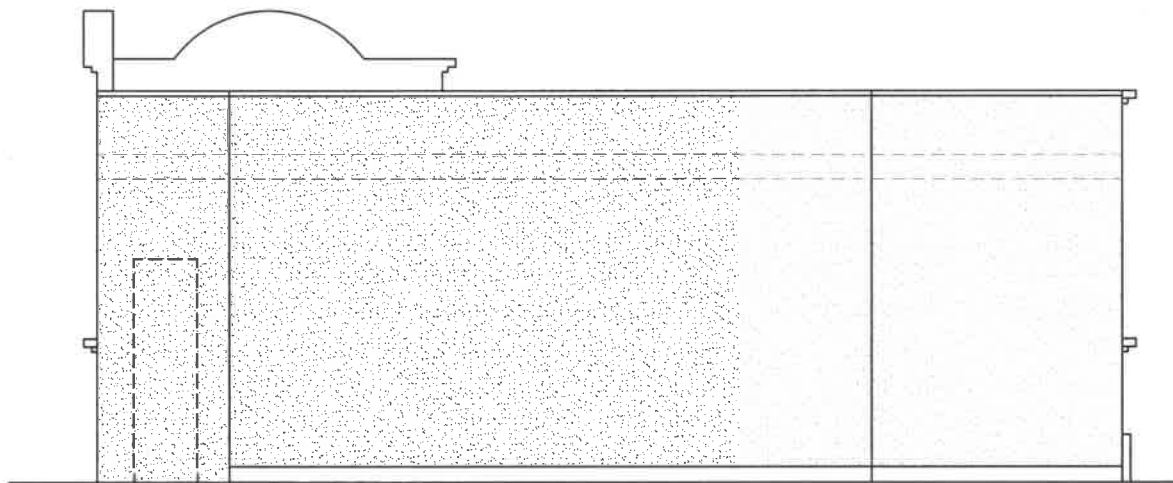
Existing On-Site Residence

The legal non-conforming residence that was located on the southern portion of the property has since been demolished to provide available parking for the site.

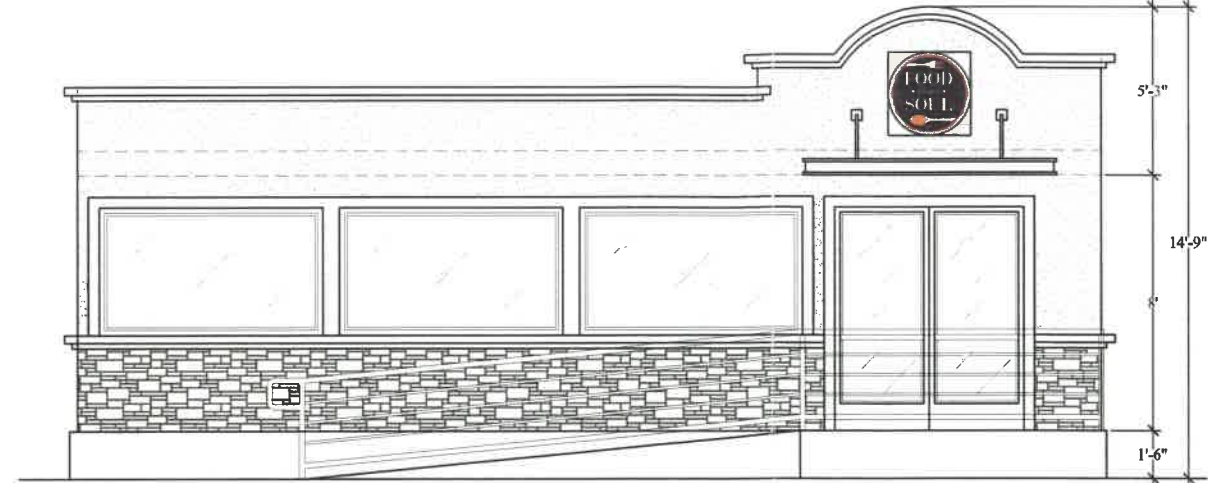
- Attachments:
1. Architectural Elevations
 2. Landscape Plan
 3. Aerial Location Map
 4. Site Plan
 5. Resolution 2020 – _____ for
Design Review Application (DRA 19-011)
A. Conditions of Approval
 6. City of Highland Planning Commission
Draft Minutes from 6/2/2020
 7. City of Highland Planning Commission
Staff Report from 6/2/2020

Attachment 1:
Architectural Elevations

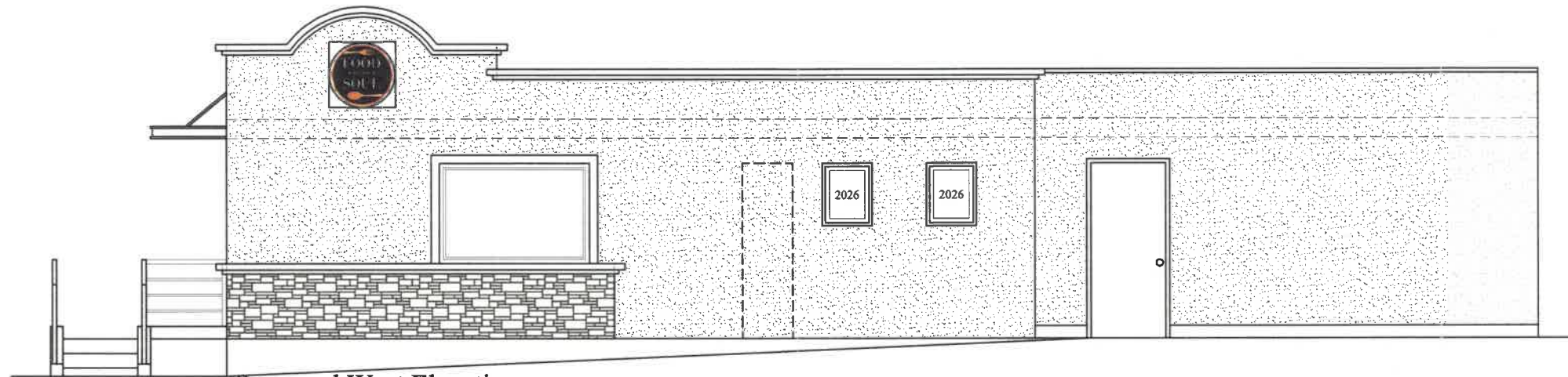
NOTICE: The designs and ideas in this drawing were created for the use of this project only and are the sole property of Jonathan L. Zane, Architect. These designs may not be used for any other purpose without the written consent of Jonathan L. Zane, Architect.



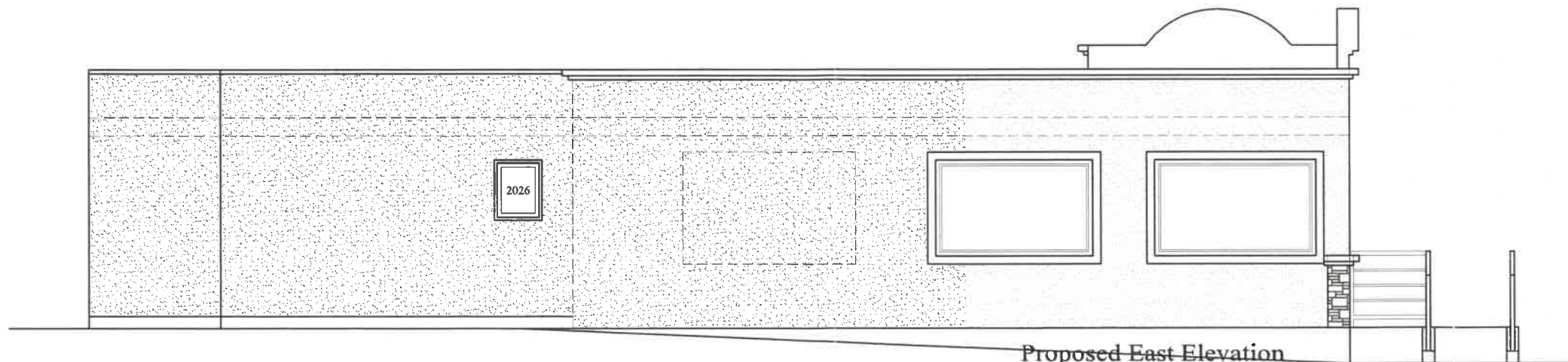
Proposed South Elevation
SCALE : 3/8"=1'-0"



Proposed North Elevation
SCALE : 3/8"=1'-0"



Proposed West Elevation
SCALE : 3/8"=1'-0"



Proposed East Elevation
SCALE : 3/8"=1'-0"

REVISIONS

DATE: BY:

JONATHAN L. ZANE
ARCHITECTURE

JONATHAN L. ZANE, ARCHITECT - CA. LIC. #C-11046
456 NORTH LA CADENA DRIVE
COLTON, CA 92524 (909) 825-7500



DATE: 03/20/2018

SUBMITTALS

DATE: PHASE

A Project For: TI - Patrick's Soul Food Restaurant
Patrick & Jacqueline Earthly

LOCATED AT:
26001 Baseline St.
Highland, CA 92410
(951) 769-3338 - Cell (909) 549-6129

APPLICABLE CODES:	Code
2018 California Building Code	2018 California Building Code
2018 California Green Building Code	2018 California Green Building Code
2018 California Energy Code	2018 California Energy Code
2018 California Fire Code	2018 California Fire Code
2018 California Electrical Code	2018 California Electrical Code
2018 California Mechanical Code	2018 California Mechanical Code
2018 California Plumbing Code	2018 California Plumbing Code
2018 California Fire Alarm Code	2018 California Fire Alarm Code
2018 California Life Safety Code	2018 California Life Safety Code
2018 California Accessibility Code	2018 California Accessibility Code
2018 California Fire Prevention Code	2018 California Fire Prevention Code
2018 California Fire Investigation Code	2018 California Fire Investigation Code
2018 California Fire Protection Code	2018 California Fire Protection Code
2018 California Fire Sprinkler Code	2018 California Fire Sprinkler Code
2018 California Fire Alarm Code	2018 California Fire Alarm Code
2018 California Life Safety Code	2018 California Life Safety Code
2018 California Accessibility Code	2018 California Accessibility Code
2018 California Fire Prevention Code	2018 California Fire Prevention Code
2018 California Fire Investigation Code	2018 California Fire Investigation Code
2018 California Fire Protection Code	2018 California Fire Protection Code
2018 California Fire Sprinkler Code	2018 California Fire Sprinkler Code

DATE: 03-20-2018

SCALE:

DRAWN: Raul E.

JOB: 1904

SHEET:

A-2

Attachment 2:

Landscape Plan

Flowering Deciduous Canopy

Botanical name: Lagerstroemia hybrid 'Commanche'
Common Name: Commanche Crape Myrtle
Broad Dome summer flowering deciduous trees to provide shade, deep coral pink flowers, orange to red to purple fall foliage color. Non invasive root system causing no damage to driveways. Medium to low water requirements, long lived tree and ease of maintenance.
Indian Hawthorne shrubs (pink) and Lantana (purple) to provide a colorful low maintenance, low water use groundcover.

Evergreen Flowering Trees

Botanical name: Rhapsiolepis 'Majestic Beauty'
Common Name: Majestic Beauty Indian Hawthorn
Broad Dome spring flowering evergreen trees to provide shade, pink lightly scented flowers in clusters. Dark green 4" to 6" shiny dark olive-green leaves. Medium to low water requirements, long lived tree and ease of maintenance.
Shrub understory includes Myrtle (white small flowers), and Pidgeon Point Coyote Brush groundcover.

Mc Kinley Street

N 55°03'00" W

Vicinity Map

REVISIONS	
DATE:	BY:



Owner(s): Patrick & Jacqueline Earthly

Project: Patrick's Soul Food Restaurant

26001 Baseline St.
Highland, CA 92410
(951) 769-3338 Cell: (909) 649-6129
APN:

Sheet Title: Landscape Concept Plan

Job: #1611907

Date: 7-30-2019

Scale: As Noted

Drawn: LS/KS

Reviewed by:

Sheet: LC-1

or 1

Pacific Landscape Design

Landscape Architects Lic. #1931
27021 Hoffman Ln. Meridian, CA 92504
T: (951) 621-8221 C: (951) 311-3324

Deciduous Canopy

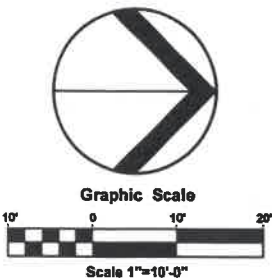
Botanical name: Pistacia chinensis 'Keith Davey'
Common Name: Chinese Pistache
Colorful deciduous tree. Umbrella-like crown. Autumn leaf colors range from brilliant orange-crimson to scarlet. Non-fruiting variety. Deep rooted. Drought tolerant, requires little water. Low maintenance and pest free. Understory groundcovers-Pidgeon Point Coyote Brush.

Plant Legend

Sunset Zone 18
WUCOL Region No. 4
CIMIS ETo zone 9
ETO-55.1

Symbol	Botanical Name	Common Name	Size	WUCOLS
(T-LA)	Trees			
T-LC	Lagerstroemia hybrid 'Commanche'	Commanche Crape Myrtle	24" Box	M
T-K	Pistacia chinensis	Chinese Pistache	24" Box	M
T-R	Rhapsiolepis 'Majestic Beauty'	Majestic Beauty Indian Hawthorn	24" Box	M
(A)	Shrubs			
A	Agapanthus 'Storm Cloud' (dark blue flower)	Storm Cloud Agapanthus	5 gal.	M
D	Dietsa indidoides 'John's Runner'	African Lily	5 gal.	M
M	Myrtus communis 'Compacta'	Myrtle	5 gal.	M
N	Nandina domestica 'Compacta'	Heavenly Bamboo	5 gal.	M
R	Rhapsiolepis indica 'Ballerina'	Indian Hawthorn	5 gal.	M
T	Trachelospermum Jasminoides	Star Jasmine (white flwr scented)	5 gal.	M
(V-M)	Vines			
V-M	Macleodiana unguis-cati	Cat's Claw Vine	1 gal.	L
(G-B)	Groundcovers			
G-B	Bacharis 'Pidgeon Point'	Pidgeon Point Coyote Brush (422)	flats	L
G-L	Lantana Montevideensis	Lavender Lantana	flats	L
G-M	Myoporum parvifolium 'Pink' (prostratum)	Pink Australian Racer	flats	L

Landscape Concept Plan



Attachment 3:
Aerial Location Map



Attachment 4:
Site Plan



Attachment 5:

Resolution 2020 – ____ for

Design Review Application (DRA 19-011)

RESOLUTION NO. 2020 – _____

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
HIGHLAND, CALIFORNIA, APPROVING A DESIGN REVIEW
APPLICATION (DRA 19-011), TO RESTORE AN EXISTING 1,580
SQUARE-FOOT RESTAURANT BUILDING LOCATED ON THE
SOUTHEAST CORNER OF BASE LINE AND MCKINLEY AVENUE.
ASSESSOR'S PARCEL NUMBER: 1192-021-26. OWNER: PATRICK &
JACQUELINE EARTHLY**

A. RECITALS

1. The Applicant filed an application with the City of Highland to request a Design Review Application (DRA 19-011) to restore an existing 1,580 square-foot restaurant building located on the southeast corner of Base Line and McKinley Avenue. Assessor's Parcel Number: 1192-021-26.
2. The restoration will be in regards to an existing 1,580 square-foot restaurant building with a new ADA compliant restroom, dining area, kitchen equipment, paint, exterior improvements, parking area, landscaping, and modified trash enclosure on an approximately 12,143 square foot property.
3. On June 2, 2020, the Planning Commission of the City of Highland conducted an on-line public hearing on the subject application. The Planning Commission voted to continue the item to June 16, 2020.
4. On June 16, 2020, the Planning Commission of the City of Highland conducted an on-line public hearing on the subject application and concluded the hearing on that date.
5. All legal prerequisites to the adoption of this Resolution have occurred.
6. Pursuant to CEQA, project is Categorically Exempt from environmental proceedings under the California Environmental Quality Act (CEQA) guidelines pursuant to Section 15301, Class 3: consisting of the operation, repair, maintenance, permitting, leasing, licensing, and/or minor alteration of an existing public or private structure. This project is also Categorically Exempt pursuant to Section 15332, Class 32: consisting of projects characterized as in-fill development meeting the conditions described in this section:
 - (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- (c) The project site has no value as habitat for endangered, rare or threatened species.
- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- (e) The site can be adequately served by all required utilities and public services.

B. RESOLUTION

NOW THEREFORE, it is hereby found, determined and resolved by the Planning Commission of the City of Highland as follows:

1. The Planning Commission finds that all of the facts set forth in the Recitals, Part "A" of this Resolution, are true and correct.
2. The City of Highland Planning Commission after due consideration, inspection, investigation and study made by itself and on its behalf, and after due consideration of all evidence and reports offered at said hearing, including the staff reports to the Planning Commission dated June 2, 2020 and June 16, 2020, which is incorporated herein by this reference, does find and determine the following facts:
 - a. All necessary public meetings and opportunities for public testimony and comment have been conducted in compliance with State Law and the Municipal Code of the City of Highland.
3. Findings of Fact (Design Review Application):
 - a. The proposed use is permitted within the subject district pursuant to the provisions of this section, and complies with all of the applicable provisions of this title; and is consistent with the goals, policies, and objectives of the Highland General Plan, and the applicable development policies and standards of the city.

Response: The project is located within the General Commercial (CG) land use designation, and proposes to open this new eating establishment in place of a previous eating establishment which was in the same location seven (7) years prior. The use of this property as a restaurant is permitted in the General Commercial (CG) zone, subject to a Design Review Application, as the primary structure for the business is already in place.

- b. The proposed use would not impair the integrity and character of the district in which it is to be established or located.

Response: The establishment of a restaurant in this portion of the city will not contribute to impairing the integrity and/or character of the district or its surroundings. The modifications proposed to the exterior of the building are only to improve aesthetics and meet ADA compliance. The use is commercial in nature and in keeping with the development standards of the General Commercial zoning classification. Providing an eating establishment featuring a unique cuisine is not anticipated to negatively affect surrounding businesses or non-conforming residences. Therefore, no significant impacts to the existing quality of the site or its surroundings would occur as a result of the project.

- c. The site is suitable for the type and intensity of use or development which is proposed.

Response: The project is suitable and permitted within the General Commercial (CG) zone, and proposes to open this new eating establishment utilizing the existing building of a previous eating establishment which was in the same location seven (7) years prior. With a requirement of 1 space per 75 square feet of dining area, the 10 proposed parking spaces in addition to a satisfactory handicap space will bring the total available parking spaces to 11, enough to satisfy the minimum parking requirement for the 764 square foot dining area since the residential structure has been demolished.

- d. There are adequate provisions for water, sanitation, and public utilities and services to ensure public health and safety.

Response: The Project is currently served by water, sewer, public utilities and by the City of Highland Fire and Police Departments. There are adequate provisions for water, sanitation, and public utilities and services to ensure public health and safety. This property is exempt from the Base Line Corridor utility undergrounding requirement.

- e. The proposed use will not be detrimental to the public health, safety, or welfare, or materially injurious to properties and improvements in the vicinity.

Response: A restaurant in this portion of the city will not be detrimental to the public health, safety, or welfare, or materially injurious to properties and improvements in the vicinity. Adequate landscaping, ADA compliance, and parking have been exhibited by the site plans. The conditions of approval have been modified to ensure compliance with applicable development policies and standards within the city.

- f. The proposed use would not result in a significant effect on the environment.

Response: The proposed eating establishment is not expected to have a significant impact on the environment due to the fact that this approval will not directly result in the construction of any new buildings. Per CEQA Guidelines, this project is Categorically Exempt from environmental proceedings pursuant to Section 15301, Class 3: consisting of the operation, repair, maintenance, permitting, leasing, licensing, and/or minor alteration of an existing public or private structure. This project is also Categorically Exempt pursuant to Section 15332, Class 32: consisting of projects characterized as in-fill development meeting the conditions described in this section:

- (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- (c) The project site has no value as habitat for endangered, rare or threatened species.
- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- (e) The site can be adequately served by all required utilities and public services.

4. Based on the Findings of Fact set forth above, the Planning Commission approves Design Review Application (DRA 19-011)) to restore an existing 1,580 square-foot restaurant building located on the southeast corner of Base Line and McKinley Avenue.

C. ADOPTION OF RESOLUTION.

The City Clerk shall certify to the adoption of this Resolution and shall cause the same to be published or posted in the manner prescribed by law.

PASSED, APPROVED AND ADOPTED this 16th day of June, 2020.

ATTEST:

Randall Hamerly, Chairman
Planning Commission

Lawrence A. Mainez
Community Development Director

EXHIBIT "A"

CITY OF HIGHLAND PLANNING DIVISION CONDITIONS OF APPROVAL

Date: June 16, 2020

Owner: Patrick & Jacqueline Earthly

Project No: DRA 19-011

Proposal: Design Review Application (DRA 19-011) to restore an existing 1,580 square-foot restaurant building with a new ADA compliant restroom, dining area, kitchen equipment, paint, exterior improvements, parking area, landscaping, and modified trash enclosure on an approximately 12,143 square foot property.

Location: The site is located on the southeast corner of Base Line and McKinley Avenue. Assessor's Parcel Number: 1192-021-26

PLANNING CONDITIONS

These conditions of approval represent the Planning Divisions conditions of approval and are meant to be one part of overall conditions of approval that may include, Engineering, Building and Safety, Fire Department, and other agency conditions of approval.

The conditions below are continuing conditions. Failure of the applicant and/or operator to comply with any or all said conditions at any time shall result in the revocation of this permit granted to use the subject property.

1. This Design Review Application approval shall become null and void:
 - a. Unless all conditions have been complied with and the occupancy or use of the land or existing structures authorized by such conditional use permit approval has occurred within twelve (12) months from the approval date of said Design Review Application.
 - b. Where circumstances beyond the control of the applicant cause delays which do not permit compliance within the time limitation established in this section, the City of Highland may grant an extension of time for a period of time not to exceed an additional twelve (12) months. An application for an extension of time must be set forth in writing, stating the reasons for the extension, and must be filed with the Planning Division a minimum of thirty (30) calendar days prior to the expiration of the Design

Review Application approval. Such application shall be filed together with the city's processing fee, as established by the City Council.

2. This Design Review Application (DRA 19-011) proposes to restore an existing 1,580 square-foot restaurant building located on the southeast corner of Base Line and McKinley Avenue.
3. The applicant shall agree to defend, at his sole expense, any action brought against the city, its agents, officers, or employees, because of the issuance of such approval, or in the alternative, to relinquish such approval. The applicant shall reimburse the city, its agents, officers, or employers, for any court costs and attorney's fees which the city, its agents, officers or employees may be required by a court to pay as a result of such action. The city may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the applicant of his obligations under this condition.
4. The site and building shall not bear any other signs other than the legally approved signage.
5. The Applicant shall obtain any necessary permits from the Engineering Division prior to commencement of work within public right-of-way or public easements.
6. This approval may be terminated for violation of any provisions of Chapter 16.08.090 of the Highland Municipal Code or any other applicable laws, or for fraud or misrepresentation in the application process.
7. Pursuant to the site's General Commercial Zoning Designation, this Design Review Application shall comply with General Commercial Development Standards, as shown in the Land Use and Development Code Title 16 of the Highland Municipal Code, as may be amended from time to time.
8. The Owner/Applicant is responsible for implementing all conditions of approval to the satisfaction of the Community Development Director, City Engineer, Fire Department, and Police Department. No final inspection or clearances shall be given until all conditions are met. Each condition of approval is separately enforced, and if one of the conditions of approval is found to be invalid by a court of law, all the other conditions shall remain valid and enforceable.
9. The subject property shall be developed in accordance with plans and materials approved by the Planning Commission on June 16, 2020, on file with the City of Highland Planning Division, and shall be in compliance with all conditions of approval contained herein.

10. Revisions, modification, or deletions of associated plans must be submitted to the Planning Division for review and approval. Revisions may require additional review by the Planning Commission.
11. Prior to the issuance of Building Permits, a copy of the utility plan shall be submitted to the Planning Division and City Engineer for review and approval. The Utility Plan shall show the location of all proposed above ground electrical transformers, utility cabinets, back flow devices, Fire Department detector check valves, etc. both on site and in the public right-of-way.
12. Prior to issuance of a certificate of occupancy by the City, all landscaping, irrigation or other construction shown on the approved landscaping and irrigation plans, shall be installed.
13. Any change of use of this project site, the occupancy, or tenant change in the Building, or portion thereof, may require a plot plan be submitted to the City for review and approval, which identifies location of use, letter of intent and parking requirements.
14. All permanent parking areas shall be paved and permanently maintained with asphalt or concrete and designated with clearly painted lines. The number of parking spaces, including disabled parking, shall comply with the requirements of the City's Municipal Code. A minimum of 11 parking stalls is required on-site.
15. All parking spaces shall be provided with nighttime security lighting. Lighting must be shielded and directed to reflect away from neighboring properties. Lighting shall not exceed 0.5 foot candles of illumination beyond the property boundary, as approved by the Planning Commission.
16. All ground mounted, as well as wall mounted mechanical, electrical, or gas equipment shall be screened from public view by the use of landscaping and/or architectural treatments compatible with the adjoining building's architectural design.
17. Exterior roof access ladders are prohibited. All roof access ladders shall be located inside the building.
18. All Fire Department required sprinkler plumbing (i.e. risers) shall be installed on the interior of the building, as approved by the Fire Department and Community Development Director.
19. No floodlights or other up-lighting shall be permitted to be attached to parking lot standards for the purpose of illuminating the building.

20. The design and installation of the future building sign shall be in accordance with Chapter 16.56, Sign Regulations, of the Highland Municipal Code, unless otherwise approved by the Planning Commission.
21. The operator shall be responsible for the regular maintenance of the site, including, but not limited to, keeping the premises free of graffiti. If graffiti is present, it shall be removed within 48 hours of notification to the operator. The operator shall also ensure the facility maintains its appearance and shall repair the facility as necessary. Any request by the City to replace and/or repair aesthetic aspects of the facility shall be completed within 120 days.

Building and Safety Division Conditions of Approval

Date: 10-8-2019
Applicant: Patrik's Soul Food Restruarant
Address of Applicant:
Site Location: 26001 Base Line
DRA: 19-001
APN: 1192-021-26

1. Please provide the following number of construction plans and documents listed below for the first review of the proposed project. The initial plan review time will take two weeks on most projects. The applicant will receive an application number at the time plans are submitted for Building & Safety's plan review. This number is needed to obtain information regarding your project.

- (3) Architectural Plans
- (3) Structural Plans
- (2) Structural Calculations
- (3) Plot/Site Plans
- (3) Electrical Plans
- (3) Electrical Load Calculations
- (3) Plumbing Plans/Isometrics
- (3) Mechanical Plans
- (3) HVAC Duct Layout Plans
- (2) Roof and Floor Truss Plans
- (2) Title 24 Energy Calculations
- (2) Geology Report
- (2) Soils Report
- (3) Precise Grading Plans
- (3) Site Disabled Access Plan
- (2) Condition of Approval Packages
- (3) Temporary Fence Plan
- (1) Approved Health Department Plans
- (2) Energy Commissioning Plan (when required)

2. All structures shall be designed in accordance with the current version of the California Building Codes, including the California Green Building Standards Code. Design all structures to comply with Seismic Design Category D, wind speed 110 (ULT) MPH, at exposure "C", and Energy Climate Zone 10.

3. Prior to issuance of building permits, provide a receipt from the appropriate Unified School District stating that all school fees have been paid.
(Redlands or San Bernardino Unified School Districts)
4. All onsite utilities are to be underground. As approved by the Planning Division, utility cabinets and transformers are exempt.
5. Construction projects requiring fire permits must apply and submit fire plans prior to the issuance of the building permit, including fire sprinkler submittals.
6. Building and Safety does not release all meters until final approvals are obtained from all agencies and departments. Policy 295.
7. It has come to the City's attention that premature failures have occurred in copper piping when used within the City of Highland, particularly east of City Creek. Property Owners, Contractors and Developers are advised to analyze soil and water compositions when considering the type of pipe material to be utilized. City staff makes no recommendations on which Plumbing Code approved products or methods to utilize, this is the responsibility of the property owner or contractor. Alternate unapproved code materials may be submitted for City approval at the time of plan submittal via an alternate material and methods application.
8. The Developer/Owner is responsible for the coordination of releasing any Deferral of Development Impact Fees or Bonds after such fees have been paid. The Developer/Owner should be aware, once the deferral notice is sent to the San Bernardino County Recorder's Office; the release process takes two to three weeks. This process will delay final Certificates of Occupancy.
9. The Developer/Owner is responsible for the coordination of the final occupancy. The Developer/Owner shall request clearances from each department and/or agency at least two weeks prior to requesting a final building inspection from Building and Safety. Each agency shall sign the back of the Building and Safety Job Card, or provide agency approved signed documentation, and provide a copy of the signatures to Building and Safety at the time the final inspection is requested.
10. Building and Safety inspection requests can be made 24 hours in advance for the next day inspection. Please contact (909) 864-2136, Ext 228.
11. A security fence with screening shall protect all construction sites. The fencing and screening shall be maintained at all times to protect pedestrians. All development projects shall submit a construction fencing plan with the construction design plans. Construction projects that have phased

occupancy shall be completely separated by a construction fence that is screened and show the adjusted fence locations at each phase.

12. On site toilet facilities shall be provided for construction workers and such facilities shall be maintained in a sanitary condition. Construction toilet facilities of the non-sewer type shall conform to ANSI ZA.3 and on site per NPDS stormwater requirements.
13. All construction materials, which are not used, shall be recycled pursuant to the requirements set forth by Ordinance No. 269. Receipts from the recycle company responsible for picking up the materials shall be kept in the construction office. After the construction is complete and before final occupancy, the trash receipts shall be forwarded to the City Public Services division.
14. Construction projects, requiring temporary electrical power, shall obtain an electrical permit from Building and Safety. No temporary electrical power will be granted to a project unless the following item is in place and approved by Building and Safety and the Planning Division.
 - a) Installation of a construction trailer through the "Temporary Occupancy Permit", alternatively, a security fenced area where the electrical power will be located. Installation of construction/sales trailers must be located on private property. No trailers can be located in the street unless a permit from the Engineering Department is obtained.
15. Prior to the issuance of Building Permits, on site water service shall be installed and approved by the responsible agency. On site fire hydrants shall be approved by the Fire Department. No flammable materials will be allowed on the site until the fire hydrants are established and approved. No flammable construction materials shall be placed on the site without approvals by the Fire Department. All street and access roadways around the project shall be paved for emergency response vehicles before flammable materials are placed on the project.
16. Prior to issuance of building permits, site-grading certifications, compaction reports, and survey report shall be submitted to Building and Safety or to Public Works, as applicable.
17. Identify if a new gas meter service is to be installed or connection to the existing service meter.
18. All construction projects shall comply with the NPDES Stormwater Best Management Program. Prior to building permit issuance submit copy of the Water Quality Management Program Report. (WQMP)

19. All deferred plan items are to be identified on the plans cover sheet.
20. The sewer is to be connected to the public sewer system when provided. When the public system is not available, an onsite septic system is to be installed. Obtain a septic system handout at the permit counter for requirement information. The County of San Bernardino no longer permits and inspects on-site septic systems. The City of Highland is now the enforcing agency for systems within the City. Percolation test is required with report provided at time of septic system application.
21. Site development and grading shall be designed to provide access to all entrances and exterior ground floor exits and access to normal paths of travel. The accessible route(s) of travel shall be the most practical direct route.
22. Demolition of any onsite structures requires the following information or action.
 - a. Submit copies of the property title at permit submittal.
 - b. Provide copy of the hazardous materials survey (asbestos and lead) for each structure.
 - c. Contact the City of Highland Public Services Division for current abatement and documentation requirements prior to performing demolition.
23. For the removal of fuel storage tanks, or other excavations involving backfill, a compaction shall be filed with the Building Division. Fuel storage tank removal will require notification of San Bernardino County Fire, Hazardous Materials and San Bernardino County Environmental Health Department.
24. All dead and removed trees and foliage is to be properly removed from the site.
25. The City enforces the State of California provisions of the California Building Code disabled access requirements. The Federal Americans with Disabilities Act (ADA) standards may differ in some cases from the California State requirements, therefore it is the building owner's responsibility to be aware of those differences and comply accordingly.
26. Prior to final inspection, provide Building & Safety with a flash disk of the final approved amended plans and documents.



City of Highland, **FIRE PREVENTION DIVISION**, Conditions of Approval.

DATE : September 26, 2019

Page 1 of 4

APPLICANT : Patrick & Jacquelinie Earthly

ADDRESS : 26001 Baseline

SITE LOCATION: SE Cor Baseline & McKinley

FILE / INDEX No.: DRA 19-011

A tiered level of mitigation options has been developed and listed below are the systems and/or modifications required for your project. Compliance of the following items are a condition of **FINAL OCCUPANCY APPROVAL**. These conditions are required as acceptable solutions to the adverse fire conditions impacting firefighting and emergency operations accompanying the site/area. They will either assist in detection and extinguishment of the fire and/or facilitate the anticipated emergency operations.

This project is protected by the City of Highland Fire Department / Cal-Fire / California Department of Forestry and Fire Protection. Prior to any construction occurring on any parcel, the applicant shall contact the city of highland fire marshal office for verification of current fire protection development requirements. All new construction shall comply with the currently adopted California Fire Code and all applicable statutes, appendices, codes, ordinances, standards and policies of the City of Highland Fire Department/ Fire Prevention Division / Cal-Fire / California Department of Forestry and Fire Protection.

Fire Department Review of all projects is required.

ALL CONSTRUCTION (New and renovations to existing) **SHALL COMPLY WITH THE CALIFORNIA FIRE CODE** Along with amendments as adopted within the Highland Municipal Code (Ord. #411).

Note: All weather access roads (CFC) and fire hydrant/water system installations shall be in place, inspected and approved, **PRIOR** to combustible material being brought on site.

GENERAL.

1. **HF40:** Where an automatic extinguishing system or standpipe system is in place, system shall be serviced and maintained in operating condition according to NFPA and California State Fire Marshal requirements. **T19; CFC; NFPA**

2. **HF51:** The main electrical panel and all sub-panel(s) shall be labeled on inside cover for all circuits. **CEC**
3. **HF52:** Water heater (fuel fired), shall be properly vented to exterior of structure. Water heater shall be seismic strapped to wall and be located 18" above a garage floor. **CBC**
4. **HF55:** Commercial exit requirements:
 - A. Required exit doors shall be maintained in an operable condition at all times
 - B. Required exit doors shall swing outward and away in the direction of exit travel.
 - C. Obstructions shall not be placed in the required width of an exit. Exits shall not be blocked or locked shut or obstructed in any manner during business hours.
 - D. Exit paths shall be illuminated when structure is occupied.
 - E. Exit path illumination shall be supplied from two (2) sources of power when occupant load is one hundred (100) persons or more.
 - F. When exit way/exit pathway and/or exit doorway is not easily identified, additional exit signs shall be installed.
5. Exit signs shall be internally or externally illuminated by two lamps or shall be of the self-luminous type. **CFC; CBC**
6. **HF60:** Additional plans for access, fire safety systems, fire lanes and signage, gates, storage, or other special conditions may be requested for review, conditioning and approval by the fire marshal.
7. **HF13:** Fire department access roadway(s); shall extend to within one hundred fifty (150) feet of and shall give reasonable access to all portions of the exterior walls of the first story of any building.
An access road, approved by the fire dept., shall be provided to within fifty (50) feet of all structures when the natural grade between access road and structure is in excess of 30%. Where an approved access road cannot be provided, a fire protection system shall be required and approved by the fire department. **CFC**
8. **HF24:** "NO PARKING – FIRE LANE" signs shall be posted at locations designated by fire marshal. Fire lane curbs shall be painted red, with white letters stating, "NO PARKING – FIRE LANE" on top, not face. **CFC - APPENDIX D**

9. **HF54:** commercial and industrial structures-occupancies and gated complexes shall have a "**KNOX BOX**" system installed on the exterior of the building(s) or complex. location of device to be determined by the fire department. The box shall contain keys necessary to gain access and may contain pre-plans and MSDS information as required by the fire department. New and existing multi-tenant commercial buildings shall provide a 'KNOX' box large enough to contain keys to access each individual tenant space. Installation location(s) to be determined by the fire marshal. The box shall contain clearly marked keys to each tenant space or other areas as determined by the fire marshal. **CFC**

ADDRESSING – IDENTIFICATION:

10. **HF21:** **Commercial and multi-family residential** address numbers shall be displayed on all **new and existing** structures in such a manner as to be plainly visible and legible from the access roadway or street. Numerals shall be of a contrasting color to the building and electrically illuminated.
Minimum size of the numerals shall be **8"** height, **3/4"** stroke, or as approved by the fire marshal.
Industrial occupancies shall have address numbers of 12" height, 1" stroke and shall be illuminated so as to be visible and legible from access roadway or street.
Note: Depending on height and setback of a building, larger numerals may be required and at additional locations on the building, as determined by a case-by-case review.
HMC
11. **HF22:** Commercial-retail structures with rear access shall display address numbers on rear entry doorways, **4"** in height, **1/2"** stroke, on contrasting background. **CFC**

FIRE PROTECTION & ALARM SYSTEMS:

12. **HF39:** An automatic fixed fire extinguishing system (**UL-300**) shall be installed in the hood and duct system of commercial cooking equipment. Three (**3**) sets of shop plans with material cut sheets and calculations shall be submitted to fire department for review and approval prior to installation. **CFC**
13. **HF41:** A minimum of one 2A-10BC fire extinguisher shall be installed for each 3,000 sq.ft. of floor area. Travel distance to any one fire extinguisher shall not exceed 75 feet. Additional fire extinguishers, size and class to be determined by fire department, may be required. Fire extinguishers shall be serviced bi-annually and shall have a current State Fire Marshall service tag attached. Fire

extinguishers are to be serviced every two years and inspected & tagged every year. **CFC; NFPA**

14. **HF42:** A 40BC (K-Type) fire extinguisher shall be installed within 30 feet of commercial food heat-processing equipment. Fire extinguishers shall be serviced annually and shall have a current SFM service tag attached. Fire extinguishers are to be serviced every two years and inspected & tagged every year.
CFC; T-19

15. **HF60:** California Fire Code, **FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION**, shall apply to this project. it is the responsibility of the project manager to meet with the fire marshal to discuss requirements specific to this project.

16. **HF61: TENANT IMPROVEMENT.** Review the 'tenant improvement information' handout. If any of the items listed apply to this project, they must be included in the 'fire department notes' section on the plan.

17. **HF62:** Additional plans for access, fire safety systems, storage or other special condition may be requested for review, conditioning and approval by the fire marshal.

Craig Sanchez, Fire Marshal
City of Highland Fire Prevention
(909) 864-8732 x 248

City of Highland

Engineering Department

Conditions of Approval

26001 Base Line

(APN: 1192-021-26) Patrick and Jacqueline Earthly

-
- B - Required Prior to Building Permit/Construction
 - C - Required Prior to Building Occupancy
 - D - Ongoing
 - E - Required Prior to Grading Permit
 - * - Non Standard Conditions

GRADING

- E 1. Design grading and landscaping plans to comply with the City's clear sight triangle criteria at public street intersections and at private driveways. Walls, fencing, monument signs, slope, and landscaping, within the clear sight triangle, must not exceed thirty inches in height measured from the flowline of the street, unless a sight distance analysis that demonstrates sight distance is adequately maintained is submitted to and approved by the City Engineer.
- E 2. Submit precise grading plans to the City Engineer for review and approval. Comply with the City of Highland grading standards as shown on the grading plan checklist.
- E 3. Design on-site improvements to accommodate off-site drainage, if any, around or through the project site in a manner that does not adversely affect adjacent properties and demonstrate erosion/ sediment control measures to be utilized during grading and construction.
- E 4. Design short term erosion control in accordance with Best Management Practices such as, silt fencing to control the site perimeter, and straw bale barriers, sand bag barriers, rock filters or sediment basins to control internal erosion, or other methods to stabilize disturbed areas, as approved by the City Engineer.

STREET IMPROVEMENT

- C 5. Remove existing drive approach on Base Line project frontage and construct 6' wide sidewalk and curb and gutter at same location and as determined by the City Engineer.
- C 6. Remove existing drive approaches on McKinley Avenue project frontage and construct curb and gutter at same location. Construct 6' wide sidewalk along entire project frontage and as determined by the City Engineer. Construct new 24' wide commercial drive approach on McKinley Avenue as per City Standard 213 and as determined by City Engineer.

- C 7. Design public improvements including sidewalk, drive approach in accordance with the State of California Accessibility Standards, Title 24 of the California Administrative Code.

DRAINAGE

- C 8. Intercept and convey off-site tributary drainage flow around, or through the lot in a manner which will not adversely affect adjacent or downstream properties.
- C 9. Design drainage overflow to tie into the street improvements via under sidewalk drain or area drains with curb cores at McKinley Avenue or Base Line. Implement Low Impact Development strategies to minimize impact of hydrology and to protect water quality.

DEDICATION/ ANNEXATION

- D 10. Dedicate a 4.5' sidewalk easement across the 24' wide new commercial drive approach on McKinley Avenue as per City Standard 213.
- D 11. Dedicate to the City, via a separate instrument, public right-of-way to provide a 52-foot half-width public street across the Base Line frontage.

FEES/ PERMITS

- D 12. Obtain a permit from Engineering prior to any on-site construction or construction within the City's right-of-way.
- D 13. Pay appropriate Engineering fees for legal description review, plan check, structural calculation review, on-site and off-site inspection, GIS map plan update, microfilming and storage of maps and plans, and other required fees.
- E 14. Post a deposit for erosion control which shall not be released prior to completion of all on-site construction.

UTILITIES/ CONSTRUCTION

- E 15. Obtain written permission from the adjoining property owner(s) for off-site grading, if any, and construction of new wall if on property line.
- C 16. Provide and/ or restore all utility service to building, including sanitary sewers, water, electric power, cable, gas, and telephone.
- C 17. Coordinate, and where necessary, pay for the relocation of any existing public utilities as necessary.
- B 18. Destroy any abandoned septic wells, if applicable, on the property or similar structures that might result in contamination of underground waters in a manner approved by the City Engineer.
- D 19. No public street work shall commence until dedication for that street has been recorded.

- D 20. Reconstruct existing public improvements removed or damaged during construction as approved by the City Engineer. Pavement repair, which may include A.C. overlay, T-cut trench repair and/or slurry seal, shall be across all or a portion of the damaged pavement caused by this project as determined by the City Engineer.
- D 21. Comply with prevailing City design and construction standards and requirements at the time of permit issuance.
- C 22. Submit "Record Revisions" to all plans to reflect the improvements as constructed, and any changes made during construction
- E 23. Provide a preliminary title report for the subject site.

Attachment 6:
City of Highland Planning Commission
Draft Minutes from 6/2/2020

**MINUTES
PLANNING COMMISSION REGULAR MEETING
June 2, 2020**

This meeting was conducted as a video conference meeting in a remote location. All votes during the meeting were conducted by roll call.

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 Chair Hamerly through video conference.

Present: Chair Randall Hamerly
 Vice Chair John Gamboa
 Commissioner Michael Hall
 Commissioner Tamara Zaman
 Commissioner Rich Haller (arrived at 6:17 p.m.)

Staff Present: Lawrence Mainez, Community Development Director
 Kim Stater, Assistant Community Development Director
 Ashiq Syed, Associate Planner
 Matt Bennett, Assistant Public Works Director
 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 3, 2020 Regular Meeting.

A MOTION was made by Commissioner Hall, seconded by Commissioner Zaman, to approve the minutes as amended. Motion carried on a roll call vote, 4-0, with Commissioner Haller absent.

BUSINESS ITEMS – PUBLIC HEARING

2. Design Review Application (DRA 19-011) to demolish an existing 880 square-foot residential structure and restore an existing 1,580 square-foot restaurant building on an approximately 12,143 square-foot property at 26001 Base Line. (APN No. 1192-021-26)
RECOMMENDATION: Staff recommends the Planning Commission:

Chair Hamerly opened the public hearing.

Associate Planner Syed presented the Staff Report.

Commissioner Haller joined the meeting at 6:17 p.m.

Commissioner Zaman stated she has concerns regarding the two parking spaces on the Northside of the property and how much room the customers would have backing out of the parking space safely.

Associate Planner Syed stated based on the proposed site plan there's approximately 35-40 feet behind those two parking spots on the Base Line side from the back of the stall to where the end of the landscaping is on the McKinley side. There is enough space for a three point turn.

Chair Hamerly stated that he agreed with the assessment of the back up space on the southernmost parking space, however with the radius landscape it might be tight to back up and maneuver a three point turn, its possibly a four point turn.

Vice Chair Gamboa stated the exterior east elevation does not have enough definition on the roof line. He suggested raising the roof line a foot or two on the front part of the building. He cannot approve the color samples provided for the building without seeing the color swatches in person. He expressed prior experiences with approximations on colors turning out differently than what was specified.

Jacqueline Earthly, Applicant, stated that they have had a lot of grief in demolishing this building, expecting an approval of the project since it has been with the city for six months and they've been patient during this process.

Associate Planner Syed stated that it is the first time Planning Commission has reviewed the project.

Commissioner Haller stated he had concerns regarding the trash enclosure location, type of lighting that will be on the buildings, and the conflicts with trees that might obstruct the light.

Jacqueline Earthly replied that the lights will be wall mounted around the building.

Chair Hamerly stated the electrician should know an engineer that is capable of generating a photometric plan.

Commissioner Haller asked where the location of the air conditioning unit will be and if it is going to be screened.

Patrick Earthly, Applicant, replied it will be on the roof and screened.

Commissioner Hall stated he has concerns on the location on the trash enclosure, and if it could be moved to the southeast corner.

Jacqueline Earthly stated that they are willing to move the trash enclosure.

Patrick Earthly asked how the trash enclosure will affect the parking area since they have been faced with an existing building with limited space.

Chair Hamerly stated if parking space number six became the trash enclosure each parking spaces could slide over to the north without losing a parking space. This will ensure that the trash enclosure is farther away from the dining area.

Commissioner Hall stated his copy of the color samples for the building does not give him an idea of the true colors.

Chair Hamerly asked how the outdoor dining area will be illuminated since the hours of operation are until 10 p.m.

Jacqueline Earthly replied they will have string lighting in the outdoor dining area.

Chair Hamerly asked if the applicant was planning on growing ivy on the six foot wall along the eastern side property line to address that space.

Jacqueline Earthly replied they have thought about growing ivy, and it would give it a nice ambiance look.

Chair Hamerly stated that they are doing a nice job of screening the northern edge of that patio area with the relocation of the trash enclosure, however in the southern area they may want to think about putting up a trellis or an arbor to soften it up.

Jaqueline Earthly agrees with Chair Hamerly.

Chair Hamerly asked Vice Chair Gamboa if the applicants were able to add string lighting and have umbrellas over the tables, would that help soften the eastern facade because there is not enough room between that building and the property line.

Vice Chair Gamboa replied that would be okay.

Chair Hamerly stated the southern hospitality, the graciousness and the wrap around porches with the cute hanging lighting creates a lot of charm. He also recommends extending the awning down the north facade so the ramp feels like your front porch.

Associate Planner Syed requested the Planning Commissioners make a motion to move Item No. 2, until Item No. 3 so that the missing Engineering Conditions can be discussed before the public hearing is over.

A MOTION was made by Commissioner Hall, seconded by Commissioner Haller, to continue Item No. 2 until Item No. 3 is finished. Motion carried on a roll call vote, 5-0.

3. Design Review Application (DRA 20-004); a request to co-locate a wireless telecommunication facility on an existing facility and construct a new equipment enclosure within Aurantia Park at 29624 Greenspot Road. (APN No. 1210-371-41)

Chair Hamerly opened the public hearing.

Associate Planner Syed presented the Staff Report.

Vice Chair Gamboa stated he has concerns with the cell tower. In 2010 a cell tower was approved as a multi-branch eucalyptus tree and somehow a mono branch tree was built. The tree was supposed to look like the eucalyptus cell tower that is located on Wabash and the 10 freeway in Redlands, this tree has multiple trunks on the tree.

Chair Hamerly asked staff if it is feasible to introduce a multi branch to this existing structure. The cell tower is a pine tree with eucalyptus branches and the exhibit that was shown in 2010 was supposed to look like a eucalyptus tree. What types of modifications can they make to the existing trunk to make it look like a sycamore as to opposed to a pine tree with sycamore branches?

Associate Planner Syed stated for these cell towers that are disguised as mono pines or mono eucalyptus trees have significant up keep that goes in because artificial branches and leaves tend to fade. Therefore, every three or four years typically they may need to be replaced. As far as modifying the structure the applicant is available to offer input.

Jessica Grevin, Applicant stated the cell tower is Verizon's so AT&T would have to get approval through Verizon to modify the cell tower since they are leasing a portion of the tower from them. With AT&T installing towers in order for Verizon to modify them they would have to take down the whole pole.

Commissioner Haller asked about the graffiti on the doors on the building, it looks like it has been painted over.

Jessica Grevin stated it is an existing Verizon equipment shelter. The doors on the AT&T shelter should have anti-graffiti paint and decor on the outside of the doors. If there was graffiti AT&T would go out and repaint it.

Commissioner Haller stated AT&T should repaint the entire door, not just a square portion of it.

Chair Hamerly asked the staff in the conditions of approval section to add a condition that the entire element of the building be repainted.

Associate Planner Syed replied yes, they could add that as a condition.

Chair Hamerly stated that would be a part of a complete restoration of the element.

Receiving no response, the public hearing was closed.

A MOTION was made by Commissioner Haller, seconded by Commissioner Hall, to:

1. Adopt Resolution No. 2020 – _____, Approving Design Review Application (DRA 20-004); to co-locate on an existing wireless telecommunication facility and construct a

new equipment enclosure, subject to the Conditions of approval and Findings of Fact.

2. Direct Staff to file a Notice of Exemption with the County Clerk of the Board.

Motion carried, on a roll call vote, 4-0, with Commissioner Gamboa abstaining.

RESOLUTION NO. 2020-001

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HIGHLAND, CALIFORNIA, APPROVING A DESIGN REVIEW APPLICATION (DRA 20-004);
A REQUEST TO CO-LOCATE ON AN EXISTING WIRELESS
TELECOMMUNICATION FACILITY AND CONSTRUCT A
NEW EQUIPMENT ENCLOSURE WITHIN AURANTIA PARK AT
29624 GREENSPOT ROAD, HIGHLAND CA 92346 (APN NO. 1210-371-41)

Planning Commission continued discussion on Agenda Item No. 2

2. Design Review Application (DRA 19-011) to demolish an existing 880 square-foot residential structure and restore an existing 1,580 square-foot restaurant building on an approximately 12,143 square-foot property at 26001 Base Line. (APN No. 1192-021-26)

Chair Hamerly continued the public hearing.

Community Development Director Mainez recommended the applicants read the engineering conditions so they are aware and accept the conditions.

Assistant Public Works Director Bennett stated there is an issue with the trash enclosure. If it is moved to stall six, away from the seating area one of the concerns is access to the trash enclosure, and the requirement to have an ADA access. The trash enclosure would not be able to go behind the cars which would force a walkway at the wall side of the parking stalls, and that may start to snowball their ability to park all those vehicles. Burrtec was looking at roll out bins and the trash truck was not necessarily going to have to get to that same location at the edge of the building, but the access that they would have is adjacent to the building which it would be over at stall six. The condition that is being referred is the applicant, at the time of building permit, shall pay a fee in-lieu of design and construction of future landscaped median across Base Line project frontage. The amount of in-lieu fee shall be based on a layout of the future median and cost estimate to be provided by the City Engineer. He does not believe we have talked about a cost estimate at this time.

Patrick Earthly stated they have not talked about the cost estimate yet. How does the median across Base Line impact us?

Assistant Public Works Director Bennett stated if they are looking at the project frontage on Base Line it is believed to be 75 feet. If that is correct the median that would be constructed for that portion and in the lieu fee would be paid for that portion of 75 feet of frontage. Ultimately, when the median is constructed by others there would be a

landscape median constructed with a full height curb and a left turn pocket to allow for a southbound movement on to McKinley. That is the future median would look like.

Patrick Earthly asked approximately how much would it cost?

Assistant Public Works Director Bennett replied it could be \$120,000 for 300 foot and it could be \$250,000 for a 340 foot depends on what the treatment is. It could be quite an expense.

Chair Hamerly stated that using Assistant Public Works Director Bennett's calculations for \$250,000- \$ 300,000 for a 300 foot segment of Base Line full median, for a 75 foot segment it would be \$62,500.

Assistant Public Works Director Bennett replied that sounds about right.

Patrick Earthly asked it would be \$62,500?

Chair Hamerly stated that is correct. There is not 300 feet of Base Line exposure on this property, there is only 74 feet.

Assistant Public Works Director Bennett stated the various projects have offered an in-lieu fee for just down the road a letter of credit and those are the only two methods so far that has been explored others were in a position and have constructed median where it was conditionally required.

Patrick Earthly asked with the letter of credit would that mean in terms of how it would be constructed and with the \$62,500 would it have to paid in installments.

Assistant Public Works Director Bennett stated the idea is the letter of credit was suggested by another development. It is conditional on terms year over year if there isn't any construction to be completed then the line of credit is extended by the bank holding those funds. It was an agreement that was established with the city attorney and the applicants input. If the development or another development came in there would be also an opportunity that development would construct the median and call for the funds to be available. At this time, there is not a capital improvement project so there are no plans currently to construct this median in the immediate five year CIP.

Patrick Earthly asked if we received the approval today, when would we have to pay \$62,500?

Assistant Public Works Director Bennett stated the timing of this would be prior to the building permit. We would either be talking about an in-lieu fee that is provided at that time or the letter of credit method the development chooses and we would have worked out the details regarding that by the time you are requesting a building permit.

Patrick Earthly asked if this project is going to be approximately started in five years.

Assistant Public Works Director Bennett replied he doesn't have a timeline of when funds will be available to complete the next portion of median on Base Line itself. There isn't a city capital improvement project that includes it, so in the current planning by the city's means it's not likely within the next five years. To clarify Capital Improvement Project is when city funds would do various improvements like construct roadway, medians, and undergrounding utilities. We can continue this in further detail in the next meeting in two weeks.

Chair Hamerly stated this would give the Planning Commissioners an opportunity to see the physical color board sample at the city as well.

Chair Hamerly asked if its staff recommendation to continue this meeting on June 16, 2020?

Associate Planner Syed replied yes, correct.

Receiving no response, the public hearing was closed.

A MOTION was made by Commissioner Haller, seconded by Commissioner Hall, to continue this item to the June 16 Planning Commission Meeting. Motion carried, on a roll call vote, 5-0.

ANNOUNCEMENTS

None

ADJOURN

There being no further business, Chair Hamerly declared the meeting adjourned at 8:16 p.m.

Submitted by:

Approved by:

Camille Goritz, Administrative Assistant III
Community Development Department

Randall Hamerly, Chair
Planning Commission

Attachment 7:
City of Highland Planning Commission
Staff Report from 6/2/2020



STAFF REPORT

TO THE PLANNING COMMISSION

DATE: June 2, 2020

FROM: Lawrence A. Mainez, Community Development Director

REVIEWED BY: Kim Stater, Assistant Community Development Director

PREPARED BY: Ash Syed, Associate Planner

SUBJECT: Design Review Application (DRA 19-011) to demolish an existing 880 square-foot residential structure and restore an existing 1,580 square-foot restaurant building on an approximately 12,143 square-foot property.

LOCATION: 26001 Base Line
Southeast corner of Base Line and McKinley Avenue
Assessor's Parcel Number: 1192-021-26

OWNER: Patrick & Jacqueline Earthy

REPRESENTATIVE: Jonathan L. Zane, Jonathan L. Zane Architecture

RECOMMENDATION: Staff recommends the Planning Commission:

1. Adopt Resolution 20 – ____ approving Design Review Application (DRA 19-011) to demolish an existing 880 square-foot legal, non-conforming residential structure and restore an existing 1,580 square-foot restaurant building, subject to the Conditions of Approval and Findings of Fact.
2. Direct staff to file a Notice of Exemption with the County Clerk of the Board of Supervisors.

Approved _____	Motion _____	Second _____	Agenda Item No. _____
Denied _____	Ayes _____		File No. _____
	Noes _____		
Continue _____	Abstain _____		
	Absent _____		
_____ Recording Secretary		_____ Community Development Director	

FISCAL IMPACT: The Applicant submitted the required deposit for processing a Design Review Application. Staff time spent working on the application is charged to this deposit.

PUBLIC NOTICE: As required by City Council Resolution, a notice of the public hearing was posted on May 28, 2020, at the City's three designated posting locations within the City. A legal notice was posted on the City's website and mailed to property owners within 300 feet of the project site. A legal advertisement was published in the Highland Community News on May 22, 2020. No further notice is required.

PUBLIC COMMENT: At the time of preparation of this Staff Report, no comments were received from the public by the Planning Division in response to the Project Notice.

DESCRIPTION OF SITE: The project site is located at the southeast corner of Base Line and McKinley Avenue, a signalized intersection defined by the General Plan as a "major highway." The property is composed of a single parcel spanning approximately 12,143 square feet. Currently, the property features a vacant, single-story, 1,580 square foot restaurant building, constructed in 1953. It was last in operation as a Thai eatery in late 2013. It is a block and stucco building with concrete tile parapet roof along the northerly Base Line exposure. There is a customer entrance on the north and west. The parking spaces are located along the perimeter on McKinley Avenue partially within in the public right-of-way. The wheel stops are immediately adjacent to the curb. Concrete sidewalks have been installed along Base Line, but not McKinley. There is currently no clear indication as to where the private property ends and where the sidewalk/right-of-way begins. There are approximately six (6) striped parking spaces. The surfacing is aged asphalt in poor condition. Concrete driveways are located along both frontages. A precision block trash enclosure is located at the southwest corner with double metal doors opening out towards McKinley. There are two building-mounted signs at the roof line fronting Base Line and McKinley. The site is relatively clear of vegetation and trash build-up as the property owner has secured maintained the area well. There is no on-site landscaping.

Toward the southern portion of the property is a legal non-conforming single-family residential structure. The restaurant and residence are separated by a decorate block and wrought iron fence. As a part of this project, the residence will be demolished (Exhibit A – Aerial Location Map).

Surrounding Land Uses:

The City of Highland General Plan and Municipal Code designate the parcel as General Commercial (CG). The area is developed with a variety of small commercial buildings as well as single- and multi-family residences, all developed between the 1930s and 1980s.

	<i>Existing Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>
North	Base Line & Mountain Breeze Villas Apartments Complex	High-Density Residential	Multi-Family Residential (R-4)
South	Single Family Dwelling	Low-Density Residential	Single Family Residential (R-1)
West	McKinley Avenue & Base Line Liquor & Market Grocery Store	General Commercial	General Commercial (CG)
East	L&G Janitorial Supply	General Commercial	General Commercial (CG)

The proposed land use is consistent with the City of Highland General Plan and Municipal Code (Exhibit B – Site Plan).

ENVIRONMENTAL REVIEW: This project is Categorically Exempt from environmental proceedings under the California Environmental Quality Act (CEQA) guidelines pursuant to Section 15301, Class 1. Existing Facilities as it consists of the operation, repair, maintenance, permitting and minor alteration of a private structure. It involves negligible expansion of the use beyond the previous use. Section 15301(d) specifically exempts for “Restoration or rehabilitation of deteriorated or damaged structures... to meet current standards of public health and safety...”Section 15301(l(1)) exempts the demolition of a single family residence.

PROJECT REVIEW: The applicant is proposing to open a restaurant serving “soul food”, a southern-style cuisine that includes items such as fried chicken, fried fish and shrimp, potatoes, macaroni and cheese, yams, and collard greens. The dine-in service will be a cafeteria style experience where diners select and purchase entrée(s) at the counter and then have access to free seating in the dining area. Customers will also have the choice to order items to-go. The proposed hours of operation for the establishment will be 9:00am to 10:00pm. Should the restaurant want to hold a special gathering or event with different or extended hours, the applicant will apply for a separate special event permit with the city for the occasion. The restaurant will be operated by approximately four to six employees at any time, depending on the crowd. An additional 508 square foot outdoor eating area on the eastern side of the property is planned for the future to allow more space for those who choose to dine-in. Since the restaurant does not plan to sell alcoholic beverages, there will be no separate Conditional Use Permit for an ABC application that would need to be modified when outdoor eating square-footage is added.

Parking

The single family home located on the southerly portion of the lot is proposed for demolition because the site is not zoned for multi-use. It must either be a commercial business or a residence. It may not be both. Since the owner has elected to demolish the residence, additional parking space has become available. There are currently six (6) on-site parking spaces, less than required by the Municipal Code. By creating the additional parking spaces on the southerly portion of the lot, where the single-family home currently stands, the trash enclosure currently at southwest corner of the existing lot will also be relocated to the eastern side of the lot to free up access to all the parking spaces. The proposed restaurant features a 256 square foot indoor dining area and future plans for an additional 508 square feet of outdoor eating space, bringing the total to 764 square feet. Thus, with a requirement of 1 space per 75 square feet of total dining area, the 10 proposed 9-foot wide parking spaces in addition to a satisfactory 12-foot wide handicap space will bring the total available parking spaces to 11, excluding the loading zone, satisfying the parking requirement. Each parking space will be 17-feet long with a 2-foot overhang, enough to satisfy the minimum parking requirement. No landscape islands between spaces are required in the parking lot as there are no sequences of 8 consecutive parking spaces. Instead, the parking spaces are in groups of 2, 4, and 5. Nonetheless, three approximately 17' x 16' landscape planters featuring Chinese Pistache trees will be placed at the northeast, southeast, and southwest corners to for aesthetic variety.

Access

The site will consist of both vehicular and pedestrian accessibility. Currently, both vehicles and pedestrians can access the property from Base Line on the north side, and McKinley Avenue on the west side. The applicant is proposing to remove the vehicle access from Base Line, as that space is necessary to satisfy the parking requirement, and instead have only one entrance and exit along McKinley Avenue. Pedestrian accessibility will still be available from Base Line; however there shall be a designated walkway as opposed to the current design with access directly from the sidewalk.

Elevations

The building has been designed with the appropriate fascia for the surrounding vicinity (Exhibit C – Architectural Elevations). The building's elevations include a clean design with various warm color tones. The lower stone portion of the exterior will feature "Coronado Stone Veneer" pavers from Dunn-Edwards Paints. The exterior walls of the building will feature "La Habra" warm earth tone stucco. The accent portions of the exterior like the front-door frames, side office door, loading-zone door, storefront trims, and window frames will be painted with "Roxy Brown". Likewise, the 3-foot raised fascia along the northern and western side of the concrete-tile parapet flat roof will match the accent portions with a smooth, "Roxy Brown" plaster (Exhibit D – Color Samples).

Floorplan

The proposed restaurant will primarily maintain the existing 1,580 square foot floor plan left by the previous eating establishment. There is small staircase and an ADA compliant ramp leading up to the customer entrance from the north side. Just inside the entrance is the ordering counter/serving area along with an approximately 10' x 24' dining area to the side. Behind the serving area are the sinks, shelving, and storage areas for dry spices. In the far back of the restaurant remains the kitchen, where the fresh food is prepared. Currently, the eating establishment features two restrooms, both accessible only from the exterior, on the west side of the building adjacent to the parking lot. The revised floorplan will remove those two restrooms and convert that portion to an office area. A single, new, ADA compliant restroom will be constructed in the rear portion of the existing 256 square foot indoor dining area.

Landscaping

The conceptual landscape plan has been reviewed by the City's landscape architect and must comply with the conditions of approval specified for the proposed project site. The landscaping must also comply with the Highland Municipal Code Section 16.40.390 (Water Efficient Landscape Requirements).

The landscaping proposed for the site is primarily found along the perimeter and is comprised of various trees, shrubs, groundcovers and vines. With a street-side setback of 20-feet, the 10-feet of proposed landscaping satisfies the 40% landscape requirement for the setback zone. The trees located at the corners of the property are Chinese Pistache with the remainder of the street-side and intersection landscaping consisting of Commanche Crape Myrtle and Majestic Beauty Indian Hawthorn. Some of the landscaping found in the overhang area between the parking spaces and the property line are Pidgeon Point Coyote Brush and African Lily. The planter boxes alongside the ramp to the customer entrance will feature Indian Hawthorn with Heavenly Bamboo and various other accentuated florals placed along the future eating area on the east side to further enhance the aesthetic appeal. (Exhibit E – Landscape Plan).

Because the demolition of the existing 880 square-foot residential unit on south side of the property will only add approximately 1,350 total square feet of paved surfacing to the existing paved surface area, this project is exempt from a Water Quality Management Plan (WQMP), as the additional paving falls below the 3,000 square foot threshold.

Walls and Fences

Currently, there is an existing chain-link fence of varying heights along the interior portion of the perimeter which will be removed and replaced with a new six (6) foot high solid block, per City of Highland requirements. The applicant is aware that for the first

twenty-five (25) feet from the public right of way, the maximum height of the block wall may be only four (4) feet.

Signs

Two building-mounted business signs will be installed atop the storefront at the roofline fronting Base Line to the north and McKinley Avenue to the West. The applicant will submit elevations for a sign and apply for a sign permit at a later date.

Exhibits:

- A – Aerial Location Map
- B – Site Plan
- C – Architectural Elevations
- D – Color Samples
- E – Landscape Plan

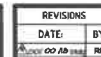
Attachments:

1. Resolution 2020 – ____ for Design Review Application (DRA 19-011)
 - A. Conditions of Approval

Exhibit A:
Aerial Location Map



Exhibit B:
Site Plan



JONATHAN L. ZANE
ARCHITECTURE



DATE: 08/20/2019	
SUBMITTALS	
DATE:	PHASE

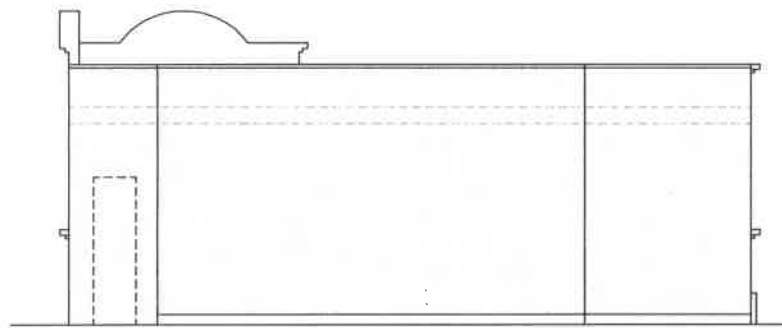
A Project For TI - Patrick's Soul Food Restaurant
Patrick & Jacqueline Earthly
LOCATED AT:
24601 Baseline St.
Highland, CA. 92340

Library Code	Library Code
015 L.B.C.	2018 C.R.C.
015 L.B.C.	2018 C.R.C.
015 C.M.C.	2018 C.P.C.
015 C.P.C.	2018 C.P.C.
014 N.E.C.	2018 C.P.C.
015 L.B.C.	2018 C.P.C.

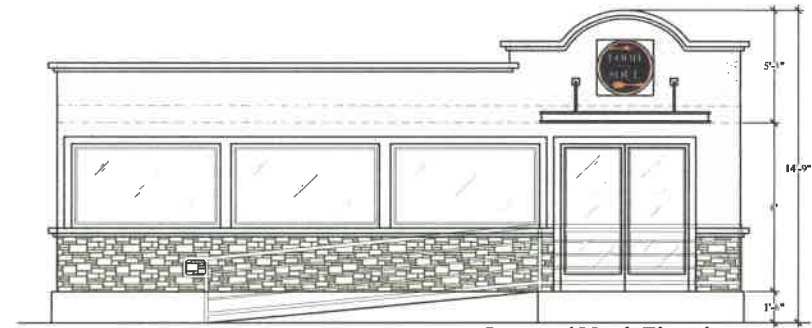
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SCALE: 1" = 10'-0"
DRAWN: Raul E.
JOB: 1904
SHEET:

C-1.1

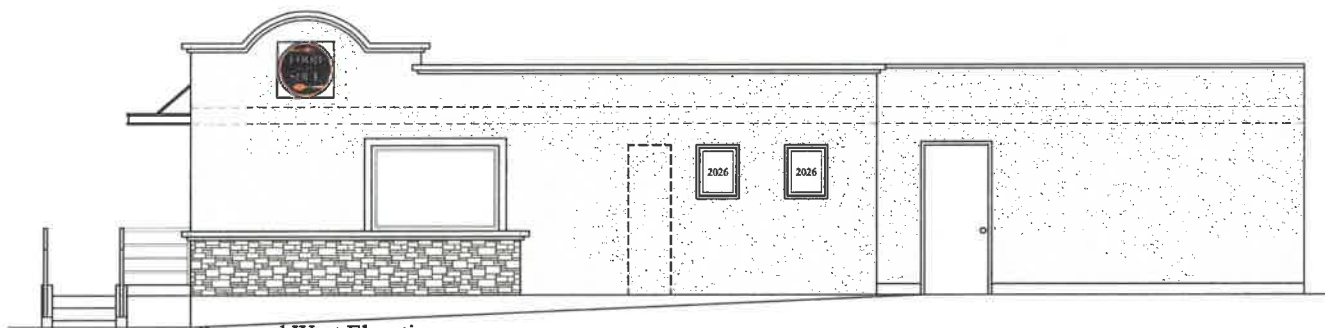
Exhibit C:
Architectural Elevations



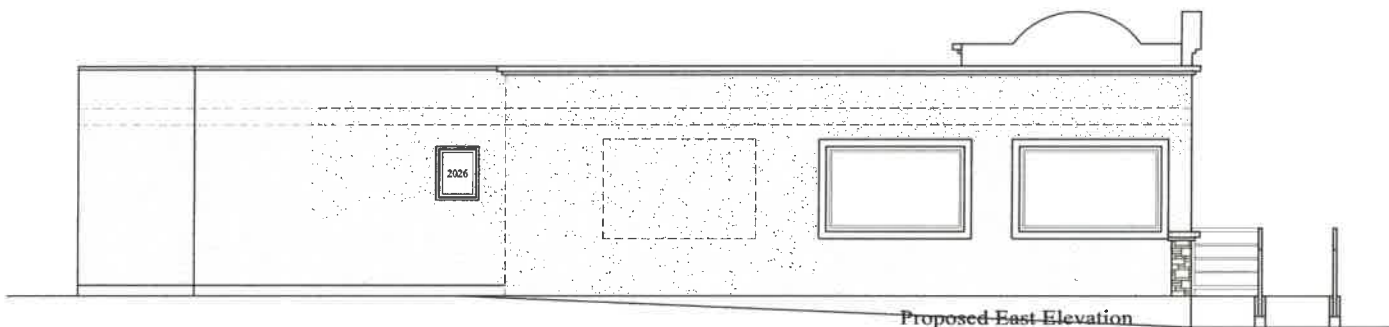
Proposed South Elevation
SCALE: 3/8"=1'-0"



Proposed North Elevation
SCALE: 3/8"=1'-0"



Proposed West Elevation
SCALE: 3/8"=1'-0"



Proposed East Elevation
SCALE: 3/8"=1'-0"

REVISIONS	
DATE	BY

JONATHAN L. ZANE
ARCHITECTURE
JONATHAN L. ZANE ARCHITECT - CA LIC. #C-11046
850 NORTH LA CADENA DRIVE
COLTON, CA 92324 (909) 925-7500



DATE: 03-20-2018
SHEET: 1
DATE: PHASE

A Project For: Patrick's Soul Food Restaurant
Patrick & Jacqueline Earthly
2800 E. 1st St.
Highland, CA 92340
(951) 795-3338 - Cell (909) 445-4179



DATE: 03-20-2018
SCALE:
DRAWN: Raul E.
JOB: PG4
SHEET:

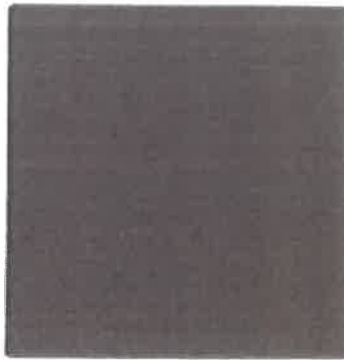
A-2

Exhibit D:
Color Samples

RECEIVED

SEP 27 2019

CITY OF HIGHLAND



1 ROOF CORNICE, SMOOTH
PLASTERED, COLOR ROXY BROWN
DE6064 FROM DUNN-EDWARDS
PAINTS.



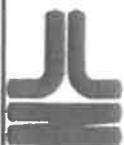
2 EXT. WALLS, STUCCO "LA HABRA"
WARM HEARTH # DE6110, FROM
DUNN-EDWARDS PAINTS.



3 DOOR & WINDOW FRAME,
STOREFRONT, COLOR
ROXY BROWN # DE6084 FROM
DUNN-EDWARD PAINTS.



4 CORONADO STONE VENEER



JONATHAN L. ZANE
ARCHITECTURE

JONATHAN L. ZANE, ARCHITECT - CA. LIC. #C-10448
100 NORTH LA GARDENA DRIVE
COLTON, CA 92324 (909) 823-7800

SAMPLE BOARD FOR:

A Project For: TI - Patrik's Soul Food Restaurant
Patrick & Jacqueline Earthly

LOCATED AT:
26001 Baseline St.
Highland, CA. 92410
(951) 769-3338 - Cell (909) 649-6129

Exhibit E:
Landscape Plan

Flowering Deciduous Canopy

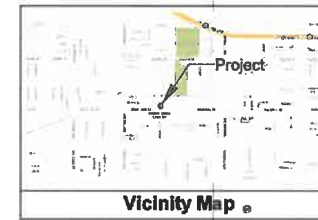
Botanical name: *Lagerstroemia hybrid 'Commansha'*
Common Name: Commansha Grape Myrtle
Broad Dome summer flowering deciduous trees to provide shade, deep coral pink flowers, orange to red to purple fall foliage color. Non-invasive root system causing no damage to driveways. Medium to low water requirements, long lived tree and ease of maintenance.
Indian Hawthorne shrubs (pink) and Lantana (purple) to provide a colorful low maintenance, low water use groundcover.

Evergreen Flowering Trees

Botanical name: *Rhaphiophloea 'Majestic Beauty'*
Common Name: Majestic Beauty Indian Hawthorn
Broad Dome spring flowering evergreen trees to provide shade, pink lightly scented flowers in clusters. Broad green 4" to 6" shiny dark olive-green leaves. Medium to low water requirements, long lived tree and ease of maintenance.
Shrub understorey includes Myrtle (white small flowers), and Pidgeon Point Coyote Bush groundcover.

Mc Kinley Street

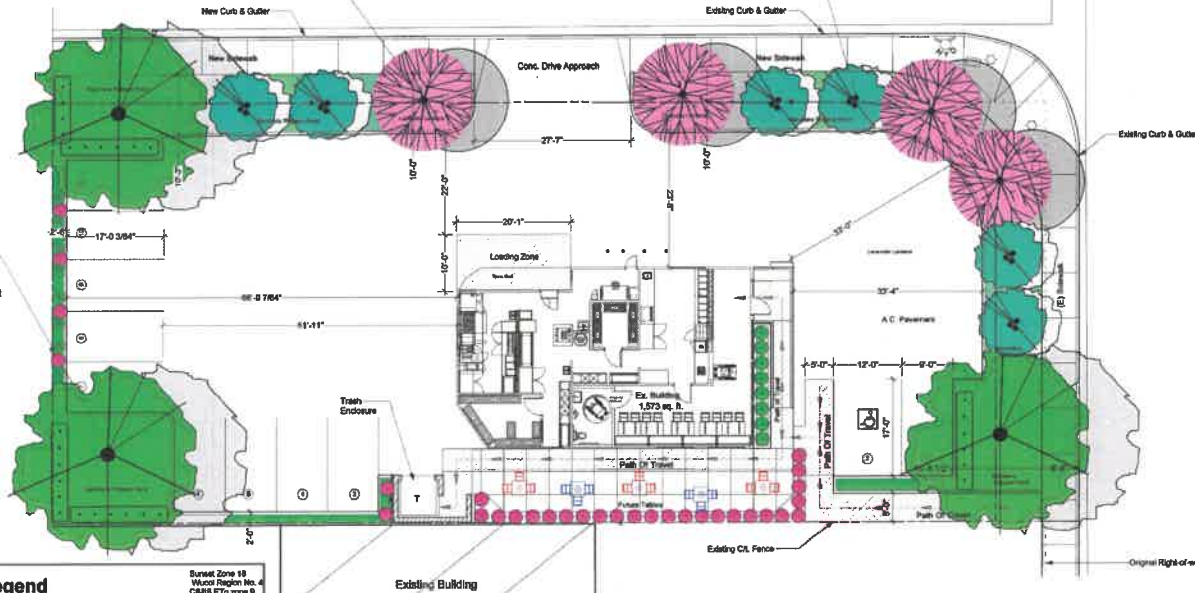
N 65°10'00" W



Vicinity Map

Deciduous Canopy

Botanical name: *Platanus chinensis 'Keith Davey'*
Common Name: Chinese Platanus
Colorful deciduous tree. Umbrella-like crown. Autumn leaf colors range from brilliant orange-crimson to scarlet. Non-flowering variety. Deep rooted. Drought tolerant, requires little water. Low maintenance and pest free. Understorey groundcover-Pidgeon Point Coyote Bush.

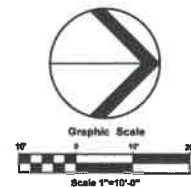


Baseline St.

Plant Legend

Symbol	Botanical Name	Common Name	Size	IRIGOL
(T-LA) Trees				
L-C	<i>Lagerstroemia hybrid 'Commansha'</i>	Commansha Grape Myrtle	24" Box	M
L-K	<i>Platanus chinensis</i>	Chinese Platanus	24" Box	M
T-R	<i>Rhaphiophloea 'Majestic Beauty'</i>	Majestic Beauty Indian Hawthorn	24" Box	M
(S) Shrubs				
A	<i>Agave 'Sword Cloud' (dark blue flower)</i>	Sword Cloud Agave	5 gal.	M
D	<i>Dracaena 'John's Runner'</i>	African Lily	5 gal.	M
M	<i>Myrica communis 'Compass'</i>	Myrtle	5 gal.	M
N	<i>Nandina domestica 'Compacta'</i>	Heavenly Bamboo	5 gal.	M
R	<i>Rhaphiophloea 'India Tallier'</i>	Indian Hawthorn	5 gal.	M
T	<i>Trachycarpus 'Jennings'</i>	Star Jasmine (white, Ber scented)	5 gal.	M
(V-V) Vines				
V-M	<i>Moronea angustifolia</i>	Cela Cane Vine	1 gal.	L
(G-G) Groundcover				
G-R	<i>Rhaphiophloea 'Pidgeon Point'</i>	Pidgeon Point Coyote Bush	1/2"	L
G-L	<i>Lantana 'Mantecolana'</i>	Lantana	1/2"	L
G-M	<i>Macaranga perrilliana 'Pink'</i>	Pink Australian Rose	1/2"	L

Landscape Concept Plan



Baseline St.

REVISIONS

DATE	BY

Gary W. Malone
CA-1921
7090241
Landscape Architect
STATE OF CALIFORNIA

Owner:

Patrick & Jacqueline Earthly

Project:

Patrick's Soul Food Restaurant

20001 Baseline St.
Los Angeles, CA 90048
(818) 768-8338 Cell: (800) 648-8129
APN

Sheet Title:

Landscape Concept Plan

Job: #1811807

Date: 7-30-2018

Scale: As Noted

Drawn: LSKS

Reviewed by:

Sheet:

LC-1

City:

Pacific Landscape Design

Landscape Architecture, Inc. #1901
10000 Wilshire Blvd., Suite 1000
Los Angeles, CA 90024
Tel: (310) 205-1111 Fax: (310) 205-1112

Attachment 1:
Resolution 2020 – _____ for
Design Review Application (DRA 19-011)

RESOLUTION NO. 2020 – _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HIGHLAND, CALIFORNIA, APPROVING A DESIGN REVIEW APPLICATION (DRA 19-011), TO DEMOLISH AN EXISTING 880 SQUARE-FOOT LEGAL BUT NON-CONFORMING RESIDENTIAL STRUCTURE AND RESTORE AN EXISTING 1,580 SQUARE-FOOT RESTAURANT BUILDING LOCATED ON THE SOUTHEAST CORNER OF BASE LINE AND MCKINLEY AVENUE. ASSESSOR'S PARCEL NUMBER: 1192-021-26. APPLICANT: JONATHAN L. ZANE

A. RECITALS

1. The Applicant filed an application with the City of Highland to request a Design Review Application (DRA 19-011) to demolish an existing 880 square-foot legal but non-conforming residential structure and restore an existing 1,580 square-foot restaurant building located on the southeast corner of Base Line and McKinley Avenue. Assessor's Parcel Number: 1192-021-26.
2. The restoration will be in regards to an existing 1,580 square-foot restaurant building with a new ADA compliant restroom, dining area, kitchen equipment, paint, exterior improvements, parking area, landscaping, and modified trash enclosure on an approximately 12,143 square foot property.
3. On May 19, 2020, the Planning Commission of the City of Highland conducted an on-line public hearing on the subject application and concluded the hearing on that date.
4. All legal prerequisites to the adoption of this Resolution have occurred.
5. Pursuant to CEQA, project is Categorical Exempt from environmental proceedings under the California Environmental Quality Act (CEQA) guidelines pursuant to Section 15301, Class 3: consisting of the operation, repair, maintenance, permitting, leasing, licensing, and/or minor alteration of an existing public or private structure. This project is also Categorical Exempt pursuant to Section 15332, Class 32: consisting of projects characterized as in-fill development meeting the conditions described in this section:
 - (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
 - (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

- (c) The project site has no value as habitat for endangered, rare or threatened species.
- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- (e) The site can be adequately served by all required utilities and public services.

B. RESOLUTION

NOW THEREFORE, it is hereby found, determined and resolved by the Planning Commission of the City of Highland as follows:

1. The Planning Commission finds that all of the facts set forth in the Recitals, Part "A" of this Resolution, are true and correct.
2. The City of Highland Planning Commission after due consideration, inspection, investigation and study made by itself and on its behalf, and after due consideration of all evidence and reports offered at said hearing, including the staff report to the Planning Commission dated May 19, 2020, which is incorporated herein by this reference, does find and determine the following facts:
 - a. All necessary public meetings and opportunities for public testimony and comment have been conducted in compliance with State Law and the Municipal Code of the City of Highland.
3. Findings of Fact (Design Review Application):
 - a. The proposed use is permitted within the subject district pursuant to the provisions of this section, and complies with all of the applicable provisions of this title; and is consistent with the goals, policies, and objectives of the Highland General Plan, and the applicable development policies and standards of the city.

Response: The project is located within the General Commercial (CG) land use designation, and proposes to open this new eating establishment in place of a previous eating establishment which was in the same location seven (7) years prior. The use of this property as a restaurant is permitted in the General Commercial (CG) zone, subject to a Design Review Application, as the primary structure for the business is already in place. The demolition of the residence on the south portion of the property will be necessary to meet the minimum parking space requirement. Conditions of approval have been modified to include this requirement and ensure compliance with applicable development policies and standards within the city.

- b. The proposed use would not impair the integrity and character of the district in which it is to be established or located.

Response: The establishment of a restaurant in this portion of the city will not contribute to impairing the integrity and/or character of the district or its surroundings. The modifications proposed to the exterior of the building are only to improve aesthetics and meet ADA compliance. The use is commercial in nature and in keeping with the development standards of the General Commercial zoning classification. Providing an eating establishment featuring a unique cuisine is not anticipated to negatively affect surrounding businesses or non-conforming residences. Therefore, no significant impacts to the existing quality of the site or its surroundings would occur as a result of the project.

- c. The site is suitable for the type and intensity of use or development which is proposed.

Response: The project is suitable and permitted within the General Commercial (CG) zone, and proposes to open this new eating establishment utilizing the existing building of a previous eating establishment which was in the same location seven (7) years prior. With a requirement of 1 space per 75 square feet of dining area, the 10 proposed parking spaces in addition to a satisfactory handicap space will bring the total available parking spaces to 11, enough to satisfy the minimum parking requirement for the 764 square foot dining area once the residential structure is demolished.

- d. There are adequate provisions for water, sanitation, and public utilities and services to ensure public health and safety.

Response: The Project is currently served by water, sewer, public utilities and by the City of Highland Fire and Police Departments. There are adequate provisions for water, sanitation, and public utilities and services to ensure public health and safety. This property is exempt from the Base Line Corridor utility undergrounding requirement.

- e. The proposed use will not be detrimental to the public health, safety, or welfare, or materially injurious to properties and improvements in the vicinity.

Response: A restaurant in this portion of the city will not be detrimental to the public health, safety, or welfare, or materially injurious to properties and improvements in the vicinity. Considering the primary structure for the business is already in place, the demolition of the residence on the south portion of the property is a necessity for meeting the minimum parking space requirement. Adequate landscaping, ADA compliance, and parking

have been exhibited by the site plans. The conditions of approval have been modified to ensure compliance with applicable development policies and standards within the city.

- f. The proposed use would not result in a significant effect on the environment.

Response: The proposed eating establishment is not expected to have a significant impact on the environment due to the fact that this approval will not directly result in the construction of any new buildings. Instead, an existing non-conforming on-site residence will be demolished to provide parking spaces. Per CEQA Guidelines, this project is Categorically Exempt from environmental proceedings pursuant to Section 15301, Class 3: consisting of the operation, repair, maintenance, permitting, leasing, licensing, and/or minor alteration of an existing public or private structure. This project is also Categorically Exempt pursuant to Section 15332, Class 32: consisting of projects characterized as in-fill development meeting the conditions described in this section:

- (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

- (c) The project site has no value as habitat for endangered, rare or threatened species.

- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

- (e) The site can be adequately served by all required utilities and public services.

- 4. Based on the Findings of Fact set forth above, the Planning Commission approves Design Review Application (DRA 19-011)) to demolish an existing 880 square-foot legal but non-conforming residential structure and restore an existing 1,580 square-foot restaurant building located on the southeast corner of Base Line and McKinley Avenue.

C. ADOPTION OF RESOLUTION.

The City Clerk shall certify to the adoption of this Resolution and shall cause the same to be published or posted in the manner prescribed by law.

PASSED, APPROVED AND ADOPTED this 19th day of May, 2020.

ATTEST:

Randall Hamerly, Chairman
Planning Commission

Lawrence A. Mainez
Community Development Director

EXHIBIT "A"

CITY OF HIGHLAND PLANNING DIVISION CONDITIONS OF APPROVAL

Date: May 19, 2020

Representative: Jonathan L. Zane

Project No: DRA 19-011

Proposal: Design Review Application (DRA 19-011) to demolish an existing 880 square-foot legal but non-conforming residential structure and restore an existing 1,580 square-foot restaurant building with a new ADA compliant restroom, dining area, kitchen equipment, paint, exterior improvements, parking area, landscaping, and modified trash enclosure on an approximately 12,143 square foot property.

Location: The site is located on the southeast corner of Base Line and McKinley Avenue. Assessor's Parcel Number: 1192-021-26

PLANNING CONDITIONS

These conditions of approval represent the Planning Divisions conditions of approval and are meant to be one part of overall conditions of approval that may include, Engineering, Building and Safety, Fire Department, and other agency conditions of approval.

The conditions below are continuing conditions. Failure of the applicant and/or operator to comply with any or all said conditions at any time shall result in the revocation of this permit granted to use the subject property.

1. This Design Review Application approval shall become null and void:
 - a. Unless all conditions have been complied with and the occupancy or use of the land or existing structures authorized by such conditional use permit approval has occurred within twelve (12) months from the approval date of said Design Review Application.
 - b. Where circumstances beyond the control of the applicant cause delays which do not permit compliance within the time limitation established in this section, the City of Highland may grant an extension of time for a period of time not to exceed an additional twelve (12) months. An application for an extension of time must be set forth in writing, stating the reasons for the extension, and must be filed with the Planning Division a minimum of thirty (30) calendar days prior to the expiration of the Design

Review Application approval. Such application shall be filed together with the city's processing fee, as established by the City Council.

2. This Design Review Application (DRA 19-011) proposes to demolish an existing 880 square-foot legal but non-conforming residential structure and restore an existing 1,580 square-foot restaurant building located on the southeast corner of Base Line and McKinley Avenue.
3. The applicant shall agree to defend, at his sole expense, any action brought against the city, its agents, officers, or employees, because of the issuance of such approval, or in the alternative, to relinquish such approval. The applicant shall reimburse the city, its agents, officers, or employers, for any court costs and attorney's fees which the city, its agents, officers or employees may be required by a court to pay as a result of such action. The city may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the applicant of his obligations under this condition.
4. The site and building shall not bear any other signs other than the legally approved signage.
5. The Applicant shall obtain any necessary permits from the Engineering Division prior to commencement of work within public right-of-way or public easements.
6. This approval may be terminated for violation of any provisions of Chapter 16.08.090 of the Highland Municipal Code or any other applicable laws, or for fraud or misrepresentation in the application process.
7. Pursuant to the site's General Commercial Zoning Designation, this Design Review Application shall comply with General Commercial Development Standards, as shown in the Land Use and Development Code Title 16 of the Highland Municipal Code, as may be amended from time to time.
8. The Owner/Applicant is responsible for implementing all conditions of approval to the satisfaction of the Community Development Director, City Engineer, Fire Department, and Police Department. No final inspection or clearances shall be given until all conditions are met. Each condition of approval is separately enforced, and if one of the conditions of approval is found to be invalid by a court of law, all the other conditions shall remain valid and enforceable.
9. The subject property shall be developed in accordance with plans and materials approved by the Planning Commission on May 19, 2020, on file with the City of Highland Planning Division, and shall be in compliance with all conditions of approval contained herein.

10. Revisions, modification, or deletions of associated plans must be submitted to the Planning Division for review and approval. Revisions may require additional review by the Planning Commission.
11. Prior to the issuance of Building Permits, a copy of the utility plan shall be submitted to the Planning Division and City Engineer for review and approval. The Utility Plan shall show the location of all proposed above ground electrical transformers, utility cabinets, back flow devices, Fire Department detector check valves, etc. both on site and in the public right-of-way.
12. Prior to issuance of a certificate of occupancy by the City, all landscaping, irrigation or other construction shown on the approved landscaping and irrigation plans, shall be installed.
13. Any change of use of this project site, the occupancy, or tenant change in the Building, or portion thereof, may require a plot plan be submitted to the City for review and approval, which identifies location of use, letter of intent and parking requirements.
14. All permanent parking areas shall be paved and permanently maintained with asphalt or concrete and designated with clearly painted lines. The number of parking spaces, including disabled parking, shall comply with the requirements of the City's Municipal Code. A minimum of 11 parking stalls is required on-site.
15. All parking spaces shall be provided with nighttime security lighting. Lighting must be shielded and directed to reflect away from neighboring properties. Lighting shall not exceed 0.5 foot candles of illumination beyond the property boundary, as approved by the Planning Commission.
16. All ground mounted, as well as wall mounted mechanical, electrical, or gas equipment shall be screened from public view by the use of landscaping and/or architectural treatments compatible with the adjoining building's architectural design.
17. Exterior roof access ladders are prohibited. All roof access ladders shall be located inside the building.
18. All Fire Department required sprinkler plumbing (i.e. risers) shall be installed on the interior of the building, as approved by the Fire Department and Community Development Director.
19. No floodlights or other up-lighting shall be permitted to be attached to parking lot standards for the purpose of illuminating the building.

20. The design and installation of the future building sign shall be in accordance with Chapter 16.56, Sign Regulations, of the Highland Municipal Code, unless otherwise approved by the Planning Commission.
21. Prior to submitting for building permits, the demolition of the residential structure on the property at 7329 McKinley Avenue must be complete.
22. The operator shall be responsible for the regular maintenance of the site, including, but not limited to, keeping the premises free of graffiti. If graffiti is present, it shall be removed within 48 hours of notification to the operator. The operator shall also ensure the facility maintains its appearance and shall repair the facility as necessary. Any request by the City to replace and/or repair aesthetic aspects of the facility shall be completed within 120 days.

Building and Safety Division Conditions of Approval

Date: 10-8-2019
Applicant: Patrik's Soul Food Restruarant
Address of Applicant:
Site Location: 26001 Base Line
DRA: 19-001
APN: 1192-021-26

1. Please provide the following number of construction plans and documents listed below for the first review of the proposed project. The initial plan review time will take two weeks on most projects. The applicant will receive an application number at the time plans are submitted for Building & Safety's plan review. This number is needed to obtain information regarding your project.

- (3) Architectural Plans
- (3) Structural Plans
- (2) Structural Calculations
- (3) Plot/Site Plans
- (3) Electrical Plans
- (3) Electrical Load Calculations
- (3) Plumbing Plans/Isometrics
- (3) Mechanical Plans
- (3) HVAC Duct Layout Plans
- (2) Roof and Floor Truss Plans
- (2) Title 24 Energy Calculations
- (2) Geology Report
- (2) Soils Report
- (3) Precise Grading Plans
- (3) Site Disabled Access Plan
- (2) Condition of Approval Packages
- (3) Temporary Fence Plan
- (1) Approved Health Department Plans
- (2) Energy Commissioning Plan (when required)

2. All structures shall be designed in accordance with the current version of the California Building Codes, including the California Green Building Standards Code. Design all structures to comply with Seismic Design Category D, wind speed 110 (ULT) MPH, at exposure "C", and Energy Climate Zone 10.

3. Prior to issuance of building permits, provide a receipt from the appropriate Unified School District stating that all school fees have been paid.
(Redlands or San Bernardino Unified School Districts)
4. All onsite utilities are to be underground. As approved by the Planning Division, utility cabinets and transformers are exempt.
5. Construction projects requiring fire permits must apply and submit fire plans prior to the issuance of the building permit, including fire sprinkler submittals.
6. Building and Safety does not release all meters until final approvals are obtained from all agencies and departments. Policy 295.
7. It has come to the City's attention that premature failures have occurred in copper piping when used within the City of Highland, particularly east of City Creek. Property Owners, Contractors and Developers are advised to analyze soil and water compositions when considering the type of pipe material to be utilized. City staff makes no recommendations on which Plumbing Code approved products or methods to utilize, this is the responsibility of the property owner or contractor. Alternate unapproved code materials may be submitted for City approval at the time of plan submittal via an alternate material and methods application.
8. The Developer/Owner is responsible for the coordination of releasing any Deferral of Development Impact Fees or Bonds after such fees have been paid. The Developer/Owner should be aware, once the deferral notice is sent to the San Bernardino County Recorder's Office; the release process takes two to three weeks. This process will delay final Certificates of Occupancy.
9. The Developer/Owner is responsible for the coordination of the final occupancy. The Developer/Owner shall request clearances from each department and/or agency at least two weeks prior to requesting a final building inspection from Building and Safety. Each agency shall sign the back of the Building and Safety Job Card, or provide agency approved signed documentation, and provide a copy of the signatures to Building and Safety at the time the final inspection is requested.
10. Building and Safety inspection requests can be made 24 hours in advance for the next day inspection. Please contact (909) 864-2136, Ext 228.
11. A security fence with screening shall protect all construction sites. The fencing and screening shall be maintained at all times to protect pedestrians. All development projects shall submit a construction fencing plan with the construction design plans. Construction projects that have phased

occupancy shall be completely separated by a construction fence that is screened and show the adjusted fence locations at each phase.

12. On site toilet facilities shall be provided for construction workers and such facilities shall be maintained in a sanitary condition. Construction toilet facilities of the non-sewer type shall conform to ANSI ZA.3 and on site per NPDS stormwater requirements.
13. All construction materials, which are not used, shall be recycled pursuant to the requirements set forth by Ordinance No. 269. Receipts from the recycle company responsible for picking up the materials shall be kept in the construction office. After the construction is complete and before final occupancy, the trash receipts shall be forwarded to the City Public Services division.
14. Construction projects, requiring temporary electrical power, shall obtain an electrical permit from Building and Safety. No temporary electrical power will be granted to a project unless the following item is in place and approved by Building and Safety and the Planning Division.
 - a) Installation of a construction trailer through the "Temporary Occupancy Permit", alternatively, a security fenced area where the electrical power will be located. Installation of construction/sales trailers must be located on private property. No trailers can be located in the street unless a permit from the Engineering Department is obtained.
15. Prior to the issuance of Building Permits, on site water service shall be installed and approved by the responsible agency. On site fire hydrants shall be approved by the Fire Department. No flammable materials will be allowed on the site until the fire hydrants are established and approved. No flammable construction materials shall be placed on the site without approvals by the Fire Department. All street and access roadways around the project shall be paved for emergency response vehicles before flammable materials are placed on the project.
16. Prior to issuance of building permits, site-grading certifications, compaction reports, and survey report shall be submitted to Building and Safety or to Public Works, as applicable.
17. Identify if a new gas meter service is to be installed or connection to the existing service meter.
18. All construction projects shall comply with the NPDES Stormwater Best Management Program. Prior to building permit issuance submit copy of the Water Quality Management Program Report. (WQMP)

19. All deferred plan items are to be identified on the plans cover sheet.
20. The sewer is to be connected to the public sewer system when provided. When the public system is not available, an onsite septic system is to be installed. Obtain a septic system handout at the permit counter for requirement information. The County of San Bernardino no longer permits and inspects on-site septic systems. The City of Highland is now the enforcing agency for systems within the City. Percolation test is required with report provided at time of septic system application.
21. Site development and grading shall be designed to provide access to all entrances and exterior ground floor exits and access to normal paths of travel. The accessible route(s) of travel shall be the most practical direct route.
22. Demolition of any onsite structures requires the following information or action.
 - a. Submit copies of the property title at permit submittal.
 - b. Provide copy of the hazardous materials survey (asbestos and lead) for each structure.
 - c. Contact the City of Highland Public Services Division for current abatement and documentation requirements prior to performing demolition.
23. For the removal of fuel storage tanks, or other excavations involving backfill, a compaction shall be filed with the Building Division. Fuel storage tank removal will require notification of San Bernardino County Fire, Hazardous Materials and San Bernardino County Environmental Health Department.
24. All dead and removed trees and foliage is to be properly removed from the site.
25. The City enforces the State of California provisions of the California Building Code disabled access requirements. The Federal Americans with Disabilities Act (ADA) standards may differ in some cases from the California State requirements, therefore it is the building owner's responsibility to be aware of those differences and comply accordingly.
26. Prior to final inspection, provide Building & Safety with a flash disk of the final approved amended plans and documents.



City of Highland, **FIRE PREVENTION DIVISION**, Conditions of Approval.

DATE : September 26, 2019

Page 1 of 4

APPLICANT : Patrick & Jacqueline Earthly

ADDRESS : 26001 Baseline

SITE LOCATION: SE Cor Baseline & McKinley

FILE / INDEX No.: DRA 19-011

A tiered level of mitigation options has been developed and listed below are the systems and/or modifications required for your project. Compliance of the following items are a condition of **FINAL OCCUPANCY APPROVAL**. These conditions are required as acceptable solutions to the adverse fire conditions impacting firefighting and emergency operations accompanying the site/area. They will either assist in detection and extinguishment of the fire and/or facilitate the anticipated emergency operations.

This project is protected by the City of Highland Fire Department / Cal-Fire / California Department of Forestry and Fire Protection. Prior to any construction occurring on any parcel, the applicant shall contact the city of highland fire marshal office for verification of current fire protection development requirements. All new construction shall comply with the currently adopted California Fire Code and all applicable statutes, appendices, codes, ordinances, standards and policies of the City of Highland Fire Department/ Fire Prevention Division / Cal-Fire / California Department of Forestry and Fire Protection.

Fire Department Review of all projects is required.

ALL CONSTRUCTION (New and renovations to existing) SHALL COMPLY WITH THE CALIFORNIA FIRE CODE Along with amendments as adopted within the Highland Municipal Code (Ord. #411).

Note: All weather access roads (CFC) and fire hydrant/water system installations shall be in place, inspected and approved, **PRIOR** to combustible material being brought on site.

GENERAL.

1. **HF40:** Where an automatic extinguishing system or standpipe system is in place, system shall be serviced and maintained in operating condition according to NFPA and California State Fire Marshal requirements. **T19; CFC; NFPA**

2. **HF51:** The main electrical panel and all sub-panel(s) shall be labeled on inside cover for all circuits. **CEC**
3. **HF52:** Water heater (fuel fired), shall be properly vented to exterior of structure. Water heater shall be seismic strapped to wall and be located 18" above a garage floor. **CBC**
4. **HF55:** Commercial exit requirements:
 - A. Required exit doors shall be maintained in an operable condition at all times
 - B. Required exit doors shall swing outward and away in the direction of exit travel.
 - C. Obstructions shall not be placed in the required width of an exit. Exits shall not be blocked or locked shut or obstructed in any manner during business hours.
 - D. Exit paths shall be illuminated when structure is occupied.
 - E. Exit path illumination shall be supplied from two (2) sources of power when occupant load is one hundred (100) persons or more.
 - F. When exit way/exit pathway and/or exit doorway is not easily identified, additional exit signs shall be installed.
5. Exit signs shall be internally or externally illuminated by two lamps or shall be of the self-luminous type. **CFC; CBC**
6. **HF60:** Additional plans for access, fire safety systems, fire lanes and signage, gates, storage, or other special conditions may be requested for review, conditioning and approval by the fire marshal.
7. **HF13:** Fire department access roadway(s); shall extend to within one hundred fifty (150) feet of and shall give reasonable access to all portions of the exterior walls of the first story of any building.
An access road, approved by the fire dept., shall be provided to within fifty (50) feet of all structures when the natural grade between access road and structure is in excess of 30%. Where an approved access road cannot be provided, a fire protection system shall be required and approved by the fire department. **CFC**
8. **HF24:** "NO PARKING – FIRE LANE" signs shall be posted at locations designated by fire marshal. Fire lane curbs shall be painted red, with white letters stating, "NO PARKING – FIRE LANE" on top, not face. **CFC**

APPENDIX D

9. **HF54:** commercial and industrial structures-occupancies and gated complexes shall have a "KNOX BOX" system installed on the exterior of the building(s) or complex. location of device to be determined by the fire department. The box shall contain keys necessary to gain access and may contain pre-plans and MSDS information as required by the fire department. New and existing multi-tenant commercial buildings shall provide a 'KNOX' box large enough to contain keys to access each individual tenant space. Installation location(s) to be determined by the fire marshal. The box shall contain clearly marked keys to each tenant space or other areas as determined by the fire marshal. CFC

ADDRESSING – IDENTIFICATION:

10. **HF21:** Commercial and multi-family residential address numbers shall be displayed on all new and existing structures in such a manner as to be plainly visible and legible from the access roadway or street. Numerals shall be of a contrasting color to the building and electrically illuminated.
Minimum size of the numerals shall be 8" height, 3/4" stroke, or as approved by the fire marshal.
Industrial occupancies shall have address numbers of 12" height, 1" stroke and shall be illuminated so as to be visible and legible from access roadway or street.
Note: Depending on height and setback of a building, larger numerals may be required and at additional locations on the building, as determined by a case-by-case review.
HMC
11. **HF22:** Commercial-retail structures with rear access shall display address numbers on rear entry doorways, 4" in height, 1/2" stroke, on contrasting background. CFC

FIRE PROTECTION & ALARM SYSTEMS:

12. **HF39:** An automatic fixed fire extinguishing system (UL-300) shall be installed in the hood and duct system of commercial cooking equipment. Three (3) sets of shop plans with material cut sheets and calculations shall be submitted to fire department for review and approval prior to installation. CFC
13. **HF41:** A minimum of one 2A-10BC fire extinguisher shall be installed for each 3,000 sq.ft. of floor area. Travel distance to any one fire extinguisher shall not exceed 75 feet. Additional fire extinguishers, size and class to be determined by fire department, may be required. Fire extinguishers shall be serviced bi-annually and shall have a current State Fire Marshal service tag attached. Fire

extinguishers are to be serviced every two years and inspected & tagged every year. **CFC; NFPA**

14. **HF42:** A 40BC (K-Type) fire extinguisher shall be installed within 30 feet of commercial food heat-processing equipment. Fire extinguishers shall be serviced annually and shall have a current SFM service tag attached. Fire extinguishers are to be serviced every two years and inspected & tagged every year.
CFC; T-19
15. **HF60:** California Fire Code, **FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION**, shall apply to this project. It is the responsibility of the project manager to meet with the fire marshal to discuss requirements specific to this project.
16. **HF61: TENANT IMPROVEMENT.** Review the 'tenant improvement information' handout. If any of the items listed apply to this project, they must be included in the 'fire department notes' section on the plan.
17. **HF62:** Additional plans for access, fire safety systems, storage or other special condition may be requested for review, conditioning and approval by the fire marshal.

Craig Sanchez, Fire Marshal
City of Highland Fire Prevention
(909) 864-8732 x 248