

MINUTES
PLANNING COMMISSION REGULAR MEETING
September 21, 2021 – 6:00 P.M.

CALL TO ORDER

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

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

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

The Pledge of Allegiance was led by Chair Hamerly.

COMMUNITY INPUT (ITEMS NOT ON THE AGENDA)

None

CONSENT CALENDAR

1. Minutes from the September 7, 2021 Regular Meeting.

A MOTION was made by Commissioner Amaya, seconded by Commissioner Miller, to approve the minutes, as amended. Motion carried, 5-0.

PUBLIC HEARING

2. Design Review Application (DRA 21-002) proposing the construction of a drive-thru carwash at an existing ARCO Gas Station located at the southwest corner of the Base Line and Seine Avenue intersection. (27727 Base Line, APN: 1201-091-45)

Associate Planner Syed presented the staff report.

Commissioner Amaya asked is this an open code enforcement case?

Community Development Director Mainez stated yes, and it has an open code enforcement case on the property for lack of maintenance.

Commissioner Amaya asked does the city have to wait until this project goes forward?

Community Development Director Mainez stated I did want to put a hold on this application till the code enforcement case was resolved, however, after reconsideration and the applicant stepping up, I decided for the application to move forward. Code enforcement officers will monitor this site very carefully. There is a condition that this application is good for 36 months, which means that they have 36 months to implement this project from a code enforcement perspective. We do have issues with the architecture, and we didn't want to waste our time by going through four or five renditions of elevations, and I decided to give you guys an opportunity to see how much we can get out of them tonight.

Chair Hamerly asked how much authority does the city have to come in and maintain something when a commercial property is not maintaining their property and it's right of way adjacent?

Associate Planner Syed stated the plan for this property is a shell landscape maintenance district, so the maintenance of the landscaping will be the responsibility of the property owner and if they don't uphold that agreement, the city will come in and take care of the landscaping.

Chair Hamerly stated that's what I'm referring to. That is a standard condition on most commercial properties, and I'm wondering why that course of action wasn't taken if they're being nonresponsive and there is an outstanding code enforcement case for not maintaining the landscape. It is right of way adjacent and so most commercial properties have that condition of approval that the city will step in and then issue them a bill for the city crews coming in and maintaining the landscape.

Community Development Director Mainez stated we have been after him to fix this landscaping for several years and I hope that they comply and install some new landscaping very soon.

Commissioner Miller regarding the landscaping plan, I think the Mediterranean Fan Palm is an invasive species, isn't it?

Associate Planner Syed stated I believe it's the Mexican Fan Palm is what you are referring to.

Commissioner Sutorus stated they are very similar, but that one isn't invasive.

City Landscape Architect Rice stated the Mediterranean Fan Palm was more of like a cluster palm, it's usually multi trunk.

Commissioner Miller stated so to your knowledge this hasn't been a species that's been an issue in the City of Highland or any of the open areas?

City Landscape Architect Rice stated no, not at all.

Commissioner Sutorus asked was there ever a sign along Base Line sort of in the Caltrans area that said Highland?

Community Development Director Mainez stated good observation from the past. There was a sign that was a low wall. Due to the improvements that had to be removed and we had different renditions of maybe a pylon there with the city logo and now flash forward, we created this new bridge and that's going to be in a new identification. It is going to have the sign of City of Highland on there. It is going to look nice.

Vice Chair Thomas stated if they have 36 months from the time of the entitlement my concern is how will the landscaping issues be resolved since it's been years it's looked that way? Just looking at it from a business standpoint they may say, we're doing this anyways and we're going to hold off and wait when there's some good temporary measures, they can put in quickly that. How long has the code case been open?

Community Development Director Mainez stated it's been going on for quite a while, so our intention tonight is to get them to a point where they have plans they can submit. We expect these plans within two months max and we start working from there. We will go through the code enforcement process and bring it back to you for a declaration public nuisance and take it all the way to the council.

Chair Hamerly opened the public hearing.

Jay Nelson the Applicant's Representative thanked the city staff. Deteriorated site let's address that. What's the fix? Mr. Haddad's staff members and consultants have been coaching and arm wrestling with Mr. Haddad and is doing better. Once Mr. Haddad breaks ground, he doesn't idle. Getting back to the logic, let's update the landscaping and not put in existing landscaping only to tear it down. What kind of logic is that? Not much. Is there an in between? Right now, I'm thinking out loud of what I would recommend to Mr. Haddad as well as the city. What if you put a timeframe on updating the landscaping that surrounds exists in C store, to me there is excuse why that landscaping could not be upgraded. The surrounding areas will eventually be torn apart and die, so there's one idea I'd like to present to you.

Commissioner Amaya stated that was the big concern, at least around the existing building the actual store that where that tree stump is just lying there. It's an eyesore on the corner and you have residences right across the street so that's something that can be addressed prior to the project started.

Chair Hamerly stated 1/4 of this site looks like it's not going to be impacted from Pluto Street entrance all the way up to the existing entrance off Seine Avenue. I think that is an acceptable remedy, and probably well past time to correct that.

Jay Nelson stated getting back to action from the city of the performance of getting that started, I'll leave it up to city on whether a plan checking process would have to come into place for just that corner only or do we submit a landscape plan for the entire site.

Chair Hamerly stated it's not uncommon to have a phased development plan. I think everybody here, staff included and the residents in the area would appreciate seeing some movement on that because almost all of us drive past that on a daily basis. Code enforcement has its own timeframe, sequence of events, and it's best to keep those two on separate tracks. To encumber the entitlement process for something that could eventually remedy all of this, that doesn't make much logical sense either, but there is a process and a timeframe for enforcement actions that needs to be maintained.

Jay Nelson stated I'm hoping that over my lengthy response to your question is you hear my willingness to coach a developer and I'm only throwing out ideas.

Chair Hamerly stated we've dealt with Mr. Haddad over the years on numerous applications, so we are aware of his opinions.

Commissioner Sutorus asked once this landscaping is put in, the new project goes forward, the applicant will continue to maintain the landscape?

Jay Nelson replied understood.

Chair Hamerly stated it would be a different condition of approval, because moving forward it would be the standard condition where if the applicant or the owner doesn't maintain the property, the landscape maintenance district steps in and city can do it. The landscaping that is conditioned for the California Department of Transportation (Caltrans) right of way, they're not the easiest agency to deal with, and they usually don't like people stepping onto their territory. How do we effectively landscape that and maintain it?

Community Development Director Mainez stated the frontage along Base Line is labeled Caltrans, which is an error, it's the city's right of way. There is a portion that they would probably have to deal with Caltrans.

Assistant Public Works Director Bennett stated this is generally on the off ramp. The decision would be between City Engineer, Community Development Director to determine what this easement area might be. Generally, the landscape easement would be this area north of the Caltrans access control which is the line I'm drawing.

Commissioner Miller asked if there is any history of any leaks from the underground storage tank?

Assistant Public Works Director Bennett stated I don't know of any.

Chair Hamerly stated on the logistics side, it was noted in the staff report that the staffing on site would only be one person. I can't imagine a scenario where anybody that's manning the convenience store would be the only one that would run out to fix a problem with the point of sale that is at the car wash and leave the store unattended. We may want to reexamine that if it's a maintenance or security issue with the car wash facility. It seems like there would have to be at least one other person on site.

Associate Planner Syed stated originally the plan for the car wash was 24-hour operation. If that was the case, during the graveyard shift there would only be one attendant, but after discussing the hours of operation with staff, the applicant agreed on the 7:00 AM to 8:00 PM hours and during that time there are typically at least two staff members on site.

Chair Hamerly stated first we will go over the proposed architectural site plan. I know the floor plan doesn't include an equipment layout and this kind of impacts the elevations. The windows seem a little bit small, especially on the site side, and I've seen some car

washes that have fairly tall windows and they kind of feature the activity that's going on in the car wash.

Associate Planner Syed stated I believe what's noted as the right-side elevation is on the west side, away from the property.

Chair Hamerly stated I was viewing that as the freeway frontage.

Associate Planner Syed stated correct, that's the freeway frontage.

Chair Hamerly stated those four windows between the two pop outs, if that whole thing became kind of a negative space and went basically roof to floor, all glass, it might clean up the detailing. It might also open that facade and give us a little more negative space that would break that up because that is a very long building without a lot of relief. The elevations that were provided to us this evening are a dramatic improvement, so I commend staff on working with the applicant. One issue that I had on the notes is the color palette, I didn't see any of the listed keyed notes indexed to the elevations, and the color palette that has a 3-tone palette I was only seeing one. We've got the standard ARCO band around the fascia, but everything looked like it was all P2. I didn't see P1 or P3 anywhere in this and just was wondering if I had missed something.

Jay Nelson stated yes, those color palettes are the approved Tesoro color palette and you're quite astute on seeing more than one color in the color palette. I placed them on there in case additional colors were going to be asked for by the city and or commission.

Chair Hamerly stated we have this stone base and then it's monochromatic on the walls with the reveal?

Jay Nelson stated correct and again the intent was to echo the existing building as much as possible and in that color palette and materials is a Tesoro AMPM standard color. The internals of the car wash the added two windows that are on the freeway side, that is the equipment side. My intention there was not to show off anything internal that's ugly, but to echo full windows that the city has here using your Smart and Final as an example.

Chair Hamerly stated on the freeway side, that's just spandrel glass is what we're looking at?

Jay Nelson stated yes, I'll call it spandrel glass.

Chair Hamerly stated I honestly don't see the rationale for having the glazing on the freeway side, I think there are additional options if we want to break up that facade but having a window or even a fake window on the side. If we consider the alternatives maybe go with one of your accent colors, run that up at your pop outs and that becomes your breakup mechanism. I'll let the applicant decide which of those colors to choose at the accent for those pop outs. On the parking lot side, what are your thoughts on that middle third, having the full height glass just on that side?

Jay Nelson stated my objection to glass is, yes, it is a nice element to show off the internals, but because of the water spotting that normally occurs, especially once it hits the slab and bounces up it will spot. I would recommend against lowering the glass.

Chair Hamerly stated ok, so if that were happened to be located at the area where they do that fancy stuff, the wax treatment that makes all the water bead and slide right off.

Jay Nelson stated I'm quite sure everyone here has been in a car wash and there's no dry spot than the exit.

Chair Hamerly asked what are your suggestions for adding some flavor to the eastern elevation then?

Jay Nelson stated I like your accent thoughts so what if the recess becomes an accent color?

Chair Hamerly stated that works. It's just a very long low building and anything we can do to break up the long horizontal lines is going to add a lot, and I know that landscaping is going to help us out, but not a lot. The mesquite is not a screening thing, it's an accent. If we're changing the plant palette to add something that truly is designed as a screen there might be some options where we put an wire grid on that and run a creeping material up through one of those recesses. That's an option if you want to do it out of landscaping, otherwise, breaking up the pattern and putting another color in there might be an option as well. I'll leave it to your discretion and the owners budget tolerance.

Commissioner Miller stated It looks like there's two proposed parkway drains coming out. Those are coming out at 90 degrees to Pluto Street. Water doesn't like to bend around 90 degrees and my concern would be there to avoid a real substantial offsite analysis on Pluto Street would be to take the parkway drain and see if we can move that closer to that existing outlet. The concern there is if the capacity of the north side of Pluto Street gets exceeded then you're going to spill down Dunkirk, and you're going to change that historical drainage pattern. Something to consider about trying to preserve that existing drainage condition.

Assistant Public Works Director Bennett stated I just drew it on my plan and that'll be a conversation with the plan checker.

Vice Chair Thomas asked there be any paint going on the convenience store as well?

Jay Nelson stated we haven't discussed that.

Vice Chair Thomas stated I think it's an opportunity to make the site look better and I think it needs to be addressed on the main building as well that's already existing there so that it matches.

Jay Nelson stated I like your thoughts.

Vice Chair Thomas stated I've received comments from the public about that area, especially with Panda Express when it was first built and there were a lot of concerns from community members. That's one the main thoroughfares in Highland, and with the gas station, it has looked in poor shape for quite some time.

Community Development Director Mainez stated those are good directives for staff.

Chair Hamerly asked where the trellis would go?

Jay Nelson stated the car wash.

Vice Chair Thomas stated if you could just convey to the people who you're representing that it is very serious to me that you have an existing code enforcement violation that has not been resolved. We ultimately want our city to be beautiful and enjoyable especially in this main thoroughfare, that people drive by every day.

Jay Nelson stated I agree this is a very visible sight.

Community Development Director Mainez stated let me go back to my decisions to honor the application and move forward. I do want to put in the record that what you're hearing tonight is what we hear all the time as staff. I want to cut the cycle very short, and I respect what the applicant is saying. This team that Mr. Haddad has put together has put some amazing projects together in other communities. I'm not going to sit here and let them tell you this is the best that they can do. It's not true, and so I want to bring your attention to the photos. This is an exhibit that speaks volumes. Our intention was to make sure that any additions or car washes looked exactly like that elevation. That's just not acceptable, especially in this location and so I would reconsider this application. Look at the pumps, there is tile on top and why would we approve a car wash without any of these elements is beyond me. I'm recommending that we direct the applicant to at least come close to this and stop insulting us. This is our community and a major entry. We are taxpayers putting hundreds of millions of dollars to improve the front door of our community, they need to bring us a good application that we can be proud of and let's continue this item.

Vice Chair Thomas stated I know after this meeting I'm going to receive a lot of community feedback just in my interactions and so even during the meeting, while we've been talking, I've just been thinking how am I going to respond? What am I going to be able to say? No insult on the design, I'm so glad you added additional design elements. It's just lacking something. For me I feel concerned, especially with this being the main thoroughfare where everybody is driving, I drive by every day.

Chair Hamerly stated I'll caution staff. I understand context and wanting the carwash to at least respect the main convenience store, but to be blunt there aren't a lot of elements on the convenience store that would be fitting or appropriate for the size and proportion of the car wash. The walls are not tall enough to really pull off the arches. The tile roof might be a nice addition, it would soften it and introduce the context. We are still faced with a red tile roof on top of this neon blue banner. The pump is an ok statement, but you're still looking at a contrast. You're never going to get Mediterranean or Mission out of that pump. In my opinion it makes the gas pump look really top heavy. We must be selective about which elements we're choosing and having little eyebrow trellis is coming off, maybe add some vines to those would soften it and would break it up. We might be able to pull off a tile roof, but are we replicating the pumps? I think there are some elements that we could replicate off the convenience store, lighting would not be one of them. A little more style points but introducing the colors and some of the articulation. Again, the eyebrow trellis might be a step in the right direction. The note did say Coronado stone, so that my experience is that's not painted metal to look like stone that's a cultured stone. It's not real, but from a distance and you squint, it looks ok.

Community Development Director Mainez stated the blue element on this elevation is purely an ARCO image not to say this is going to happen, but gas stations do change ownership. My point was it should match the building and your point maybe it's too low, maybe it needs to be raised up. It's right off the freeway there'll be a sound wall so we may not see it from the freeway, but the residents are going to have to use this every day and we're trying to create a sense of place.

Chair Hamerly stated if the gas pumps, street signage, monument signage is your marquee, does the car wash really have to carry through on the marquee? Could that be a separate element? You don't see a blue band on the convenience store, and that's every bit as much in ARCO or AMPM as the gas pumps. Is it completely necessary to have the blue band going around the car wash if we want that to kind of recede into the landscape and be more of a background element. The convenience store has the varied roofline which is making its own statement there so that's a point of discussion that we don't need to replicate the blue band. That opens some other possibilities for cleaning up the elevations, if the blue band went away, I'd be a lot more comfortable with a hip style roof that has tile on it. Maybe do a cornice treatment on that, that respects what's happening around the fascia on the convenience store.

Community Development Director Mainez stated those are great ideas. I want to reiterate; I've seen some other products and they can do this. They have a proposal on Greenspot Road. I'd like to give them another chance, bring back with all your ideas you just noted and let's just see what it looks like.

Chair Hamerly stated the landscaping is key in this whole thing too. I mean if we only have a 10-foot band around the perimeter, what's happening between the property line and the ultimate right of way is very significant on this project. That's 50% of the proposed landscaping is happening off property.

Community Development Director Mainez stated I think you should see both before you make a decision.

Vice Chair Thomas stated don't know how still to condition the enhancements made to this convenience store.

Commissioner Sutorus stated I agree with Commissioner Thomas, if you're going to spend all that money on putting in a car wash, at least update the paint to make it look brand new, as if you kind of remodeled the area to get people to want to come to the store.

Chair Hamerly asked what kind of time frame are you needing to navigate because we like to continue things to update certain so we keep a progress moving here.

Jay Nelson stated thank you for that invitation. I feel hesitant on promising, but my anxiousness to get this thing back within two weeks is there.

Chair Hamerly stated ok, so we could continue this to our first meeting in October or do you want to give yourself some leeway and say we'll give you a full month to achieve that?

Jay Nelson stated I'm anxious to make the city happy.

Assistant Community Development Director Stater asked how about the landscape plans? We probably want to bring him back together as a package, do you think that's also doable?

Jay Nelson stated there is still some moving pieces on what is to be landscaping and the ownership of who has that property and the other aspect of some delays in Caltrans peer review.

Chair Hamerly stated we have a design, but there's still a bunch of buy in from Caltrans to authorize and state yes, we would agree to that, but that shouldn't impact the design because the scope and extent of the area that needs that additional landscaping is laid out on the plan there.

Jay Nelson stated I am up to ideas for what is the most expeditious and review.

Assistant Community Development Director Stater stated the Caltrans approval will come later so we wouldn't ask you to go get pre-approved at Caltrans and then come back to this board so it would be up to your landscape architect to produce those very quickly. We're going to be back in two weeks. It might be a little too early.

City Landscape Architect Rice stated street and Caltrans plans are readily available and the plans include very fixed improvements and so the landscape plan really needs to reflect those improvements so the city can see where the remainder of the landscape is. The area is a lot smaller once Caltrans is done with widening of Base Line with the existing project so that that's one critical factor. If you look at the palette itself, I believe this is a beautiful palette that can work with the gateway setting. We've pushed back a few times now to get more detail. It's still schematic and all the understory planting is drawn with just some scattered shrubs. I would strongly advise to get the Commission's buy in to have the conceptual landscape plan have a little bit more finalization to it. My biggest concern, and Kim and Larry both know this, is not allowing what happened at Panda Express and Jack in the Box, because it was the same situation where the plans that were submitted at the conceptual level really reflected something that was kind of a bait and switch.

Assistant Community Development Director Stater stated if we were to try to get to the October 19th Planning Commission meeting, we'd need all the plans by September 30th. I'd be very tough for the landscape architect to do, but I'll leave that to Jay.

Chair Hamerly stated we're looking at first week in November.

Assistant Community Development Director Stater stated I think so. If that were the case, we need all the plans by October 11th. Do you think that would be doable, Jay?

Jay Nelson the Applicant's Representative stated I was trying to express my anxiousness to show performance to the city and to staff. The detailing and landscaping, I totally agree with the potential time frame. I don't want to blindside Mr. Reyes, the Landscape Architect. So, my promise to staff is within a two-week period I'll be making some iteration presentations if that's acceptable to you?

Chair Hamerly asked that would be an informal presentation with staff and we would continue this to date certain which would be to November 2nd?

Associate Planner Syed stated correct.
Chair Hamerly closed the public hearing.

A MOTION was made by Chair Hamerly, seconded by Vice Chair Thomas, to continue DRA 21-002 application to the November 2nd Planning Commission meeting. Motion carried, 5-0.

ANNOUNCEMENTS

The next Planning Commission meeting is scheduled October 5, 2021.

ADJOURN

There being no further business, Chair Hamerly declared the meeting adjourned at 7:26 p.m.

Submitted by:

Approved by:

Camille Goritz, Administrative Assistant III
Community Development Department

Randall Hamerly, Chair
Planning Commission