

**MINUTES**  
**PLANNING COMMISSION REGULAR MEETING**  
**December 21, 2021**

**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  
Carlos Zamano, City Engineer  
Matt Wirz, Building Official  
Scott Rice, City Landscape Architect  
Shannon Wisniewski, 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 December 7, 2021 Regular Meeting.

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

**PUBLIC HEARING**

2. Conditional Use Permit (CUP-21-007) to permit the development and operation of a 305,617 square foot warehouse and associated improvements, Variance VAR-21-001 to allow the warehouse building to exceed the maximum building height permitted in the Business Park Zone by 10', Design Review DRA-21-005 for the project's Site Plan, Building Elevations, Rough Grading Plan and Conceptual Landscape Plan, and Tentative Parcel Map 20384/TPM-21-002 to combine six (6) parcels into one (1) located at the northwest corner of 6<sup>th</sup> Street and Victoria Avenue; (Assessor's Parcel Numbers 1192-281-09 through 14) – Patriot USICV Victoria, LLC.

Assistant Community Development Director Stater presented the staff report.

Commissioner Miller stated you mentioned a 100-year storm design a the underground treatment system. Was there a driver behind designing the system for 100-year event?

City Engineer Zamano stated there is a need to contain the 100-year storm event because there is a deficit regarding drainage in this area. There is a city project that's in the works to improve this corridor of Victoria Avenue from 3<sup>rd</sup> Street all the way up to 9th Street, so our city project is going to construct the storm drain facility along this area. It is going to do improvements along the channel along the southerly side of 3rd Street just on the north side of the airport. However, that project hasn't moved forward yet, because of some funding deficits, therefore we need more funding to move that project forward. What they are proposing to do with relative to the storm drain is an interim condition, but we do want them to address or capture 100-year storm event because of that.

Commissioner Miller stated ok, you mentioned collection of some fees for offsite and drainage improvements and those funds that you're acquiring will you be using some of those funds for this master plan system, correct?

City Engineer Zamano stated correct.

Commissioner Miller asked are there any offsite improvements proposed with this specific project?

City Engineer Zamano stated this project will construct, the improvements to the ultimate so that they will be consistent with that city project that the city is doing along Victoria Avenue.

Chair Hamerly stated I believe it's 10-foot additional dedication along Victoria Avenue for this project. How will the street improvements father to the north get tied in?

City Engineer Zamano stated there will be a transition because we do need to transition back to existing, so once the design is provided to the city we will review and evaluate that to make sure that those transitions are added.

Chair Hamerly asked will the transition occur on the subject property to the south of the property line, or would it transition farther to the north? The aisle coming in is fairly close to the northern property line, so is all that going to fit in there for a 10-foot offset.

City Engineer Zamano stated since you cannot do the transition to the north because that's on private property, the transition will need to be on the south side.

Chair Hamerly stated my concern is that this is kind of the end of the run. Victoria Avenue runs downhill and there's not a lot of storm drain system to the north. So, if the water flow is building up and then it hits a 10-foot offset, where is the water going to go? Is it going to jump the curb at some point and then start to create erosion behind the right of way improvements? How are we handling all that?

City Engineer Zamano stated there is a proposed reinforced concrete box along Victoria Avenue to channel the runoff southerly towards the existing drainage to connect on the south end. Portion to the south is City of San Bernardino's jurisdiction, so we will make sure that our area is addressed. We are relying on them to make sure that area is clear to make sure that the runoff can make its way down into there.

Chair Hamerly asked is the 6th Street improvement project a joint agency project between Highland and San Bernardino, or are we doing things north of the center line?

City Engineer Zamano stated correct, all these improvements and it's all within Highland's jurisdiction. There isn't anything within San Bernardino.

Kevin Rice, Applicant stated I appreciate your time. This is my first opportunity to work in the City of Highland. We went through the various iterations with Engineering and Planning Department, they did an outstanding job. We really try to push the envelope on the aesthetics because we think that adds value and these buildings will be here for a long time. We wanted to do the best we could to set the bar high and have something that we can be proud of, and it would be visually exciting for the folks of Highland as they are passing by every day.

Chair Hamerly asked to get the formalities out of the way, you have read all the conditions of approval and you're in agreement with that?

Kevin Rice stated yes, Sir.

Chair Hamerly stated one of the first conditions that would have to sign a letter stating to get everything into plan check, so you're good with that. Are there currently occupants for this building or is it entirely spec?

Kevin Rice stated it is spec at this time.

Chair Hamerly stated, ok. There is a precedent for having 5,000 square feet for parking space if it is warehouse only, however if there are other uses intended for the facility, whether it gets into light manufacturing then the occupancy rate goes up.

Kevin Rice stated I hear you 100%. Essentially, you can see we've got all those trailer parking stalls, and we had a secondary site plan that we can send you after this that was overhead. Basically in lieu of having all those trailer parking stalls, we had it all for autos so that gave us the flexibility that down the road should it be a tenant who's maybe a higher employee count and less truck traffic. Maybe they want expansion the office so on and so forth. We could then provide more auto parking on the site.

Chair Hamerly stated so you have done a site circulation layout because the first thought that caught my eye was the truck stalls that are on the northern boundary. If the dock bays are occupied by a semi-truck, is there enough maneuvering space to get in and out of those and be able to exit the site?

Kevin Rice stated yes, the trucks are typically 53 feet in length, and so the way that the geometry lays out relative to the positioning and the columns between is that if you have a truck port that is 135 feet in depth, you can back a truck in if every door were full. If you were to lay out a truck turning template, the distance from the face of the dock to the end of the truck court needs to be 135 feet to accommodate that. That is sort of the baseline standards we use to make sure we can accommodate that.

Chair Hamerly opened the public hearing. Within the business park, what would be the acceptable uses of a warehouse facility within a business?

Assistant Community Development Director Stater stated light manufacturing is permitted, but the Conditional Use Permit (CUP) will establish your expectations for this site, which is warehousing not manufacturing. Community Development Director Maine added to the staff analysis early on warehousing/logistics is the expectation of this site and a future applicant were to prefer a manufacturing type use that would come back to the Planning Commission. The code establishes whether those are CUP or Design Review Application (DRA) both are permitted, but the CUP before you is warehousing.

Chair Hamerly stated it goes back to intensity of use. Within the Business Park we are trying to develop a multitude of uses within that corridor and a future tenant decides they want to start producing something in this warehouse, then that increases the intensity of use, noise, etc. There is a mechanism within the CUP conditions of approval that addresses that and comes back for a CUP, correct?

Assistant Community Development Director Stater stated that is correct.

Chair Hamerly stated ok, because that does impact parking significantly. My concern is, depending on the tenants that may move in is if they want more than 5,000 or 10,000 if they're occupying the entire structure, now we're looking at a 1 to 250 parking ratio. I don't see a lot of additional capacity.

Assistant Community Development Director Stater stated the design is somewhat self-limiting and they'll be hard pressed to move it to a use that is going to require significantly more parking.

Chair Hamerly stated that would almost be self-limiting in that you are locked in for your tentative improvements for your office portion because they've already gotten a variance for the parking. They would not be able to increase the office square footage because they would not be able to satisfy the parking requirement.

Assistant Community Development Director Stater stated it would be within the discretion of the Community Development Director, but that would be again, limitation that we would look at and be very critical of. It would be within a small percentage.

Chair Hamerly stated on a variance if it's part of a CUP, there isn't a lot of discretion involved in that. It is basically a condition of approval, so there isn't a lot of room for discretion on big issues like that.

Assistant Community Development Director Stater stated the floor plan is established also in your CUP, and within the description of the use it talks about square footages so it would be very limited to increase that office size.

Chair Hamerly stated they might be able to add some warehouse support if it did become manufacturing where they needed to add restrooms or supervisory area, but that wouldn't count towards an office that goes back into the warehouse, that would not be impacting parking, correct?

Assistant Community Development Director Stater stated correct.

Chair Hamerly asked can you discuss on the allowable coverage for floor plan versus site area? On the site plan it said they were at 57% and the business park limits it to 45%. How did the application address that and what are the offsets that compensate for that?

Assistant Community Development Director Stater stated there is the further discussion and sections of the Highland Municipal Code (HMC) that allow that to increase up to the 60%. It is discussed in the General Plan discussing the HMC, and there was quite a lengthy discussion of it in the initial study and MMRP, and how that is addressed in the 60% is the permitted ratio. It was the highest standing requirement that was utilized.

Chair Hamerly stated typically granting more building mass or a larger floor area ratio, there's usually offsetting measures implemented and they take the form of either limiting height or increasing setbacks for adjacency, so you're limiting the mass and or the impacts of the structure. What would be some of those offsets that were incorporated?

Assistant Community Development Director Stater stated the site does exceed its landscaping and it meets all its perimeter landscape especially with the conditions of approval to require the berming, the setbacks, the landscaping that's required at right of way. It meets the landscaping that's required at the building itself to the north side as well with the residential, walls, and architecture of the building itself. I did receive correspondence from San Manuel Band of Mission Indians regarding the environmental that is attached to the CUP. In your MMRP there was some language that talked about tribal monitoring, a resource plan, and they asked for a modification in the language. They are asking the phrasing to be changed from if certain artifacts are found from contacting the appropriate tribe to the consulting tribes.

Chair Hamerly asked what are the implications of that?

Assistant Community Development Director Stater stated the implications were two tribes that responded and it's dialing that into those two tribes.

Chair Hamerly stated regarding the DRA 21-005 we will go through the exhibits that were provided. First, we will start with site plan that has the project information, layout, site circulation and street profiles. The discussion that showed the wall exhibits, there was one that was an internal wall. Are you calling the northern boundary the interior wall and that's the 11-foot wall height?

Assistant Community Development Director Stater stated if you come off Victoria Avenue from the northerly entrance and you exit at that vehicular gate that is the wall that's 11 feet. It is within the building set back requirements, so it's permitted to be more than 8 feet.

Chair Hamerly stated if we have all the trucks that are parked against that northern property line, and we only have an 8-foot wall the majority and most of those trailers are going to be very visible against that wall. They're looking over onto the single-family residential properties.

Commissioner Miller stated regarding the trash enclosures the views that we are seeing are side views. If we were to have a bird eye view, we are not going to see slots or anything on that roof. The roof is going to be solid, correct?

Assistant Community Development Director Stater stated that is correct.

Chair Hamerly stated the interior wall that was 11 feet, would it look exactly like these walls that are at the perimeter, or is it going to be relating more to the architecture of the building?

Assistant Community Development Director Stater stated similar design.

Chair Hamerly stated a point of clarification on the exterior color legend we have the bright blue, is that an element of the sign or is that just a generic legend for the entire palette?

Assistant Community Development Director Stater stated I believe it's in generic legend.

Commissioner Miller asked is the Highland badge I'll call it is. Is that just a standard typical size on as it's shown on that sign?

Assistant Community Development Director Stater stated it is the size that was selected.

Chair Hamerly asked are there additional restrooms planned for the warehouse portion of this or everybody is going to be sharing the office and the multi gender restrooms?

Bridgett Herdman, Applicant stated since speculative, we build out the initial offices that we show planned and leave any warehouse support type offices because people get very specific based on how they like to use inside of the warehouse. We will have facilities for sewer run to accommodate future restrooms, but we will not build them as part of the speculative portion.

Commissioner Miller stated regarding the conceptual grading plan, the perimeter gutter looks constrained. Based on our existing surrounding grades and the surrounding roads but sloping less than 3/10 of a percent is really hard to construct. My experience supervising construction of .5%, you get undulation in there, so you typically get some localized ponding. If there's some opportunity to rework some of those, maybe steeping

some of those gutters up by providing a little bit larger local depression at some of your catch basins but that's a potential issue you may have after construction.

Chair Hamerly asked is the landscape plan drawn to the same relative scale as the site plan? It looks like the planter area along the northern boundaries looks narrower than it is on the site plan.

Assistant Community Development Director Stater stated City Landscape Architect Scott Rice and I did notice the discrepancies and we'll make sure in the final plan check that the grading, site, conceptual plan that is appropriately sized.

Chair Hamerly stated one of the biggest concerns I have is the 6th Street frontage. I understand we have 20 feet of landscaping there, give or take. We've got a 6-foot sidewalk, but the landscaping is asking an awful lot to hide a 40-45-foot-tall building that's 400 feet long with maybe a dozen trees. One of the directives that I would suggest for staff is increase the number of trees or vary the species of trees, so we have most of them that are kind of an oval shaped canopy. It might be appropriate to put in some trees that might be taller and narrower to get that height variation. I would encourage the use of more trees. The largest species that were being planted in terms of initial plantings were the olives that were in the front, and those are always going to stay kind of lace, they're not going to fill in and get very big. They're attractive, but it seems like that would be something that you would want by an entry, or focal point.

Chair Hamerly closed the public hearing.

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

1. Adopt Resolution No. 2021 - \_\_\_\_\_ approving Conditional Use Permit CUP-21-007 for the development of a 305,617 square foot warehouse building and related improvements;
2. Adopt Resolution No. 2021 - \_\_\_\_\_ approving Variance VAR-21-001 allowing an increase in the maximum building height for the subject warehouse from 35' to 45' tall, 10' greater than permitted in the Business Park Zone;
3. Adopt Resolution No. 2021- \_\_\_\_\_ approving Design Review Application DRA-21-005 for the Site Plan, Building Elevations, Rough Grading Plan and Conceptual Landscape Plan, subject to the Conditions of Approval, and the Findings of Fact;
4. Adopt Resolution No. 2021-\_\_\_\_\_ approving Tentative Parcel Map 20384 TPM-21-002, creating a single lot for the project, subject to the Conditions of Approval, and the Findings of Fact; and

5. Adopt Resolution No. 2021-\_\_\_\_ approving a Mitigated Negative Declaration and direct Staff to File and Notice of Determination with San Bernardino County Clerk of the Board of Supervisors.

RESOLUTION NO. 2021 – 024

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HIGHLAND, CALIFORNIA, ADOPTING A CONDITIONAL USE PERMIT FOR THE DEVELOPMENT OF A 305,617 SQUARE FOOT WAREHOUSE AND ASSOCIATED IMPROVEMENTS AT THE NORTHWEST CORNER OF 6<sup>TH</sup> STREET AND VICTORIA AVENUE. RELATED ENTITLEMENTS INCLUDE DESIGN REVIEW APPLICATION DRA-21-005, VARIANCE VAR-21-001 AND TENTATIVE PARCEL MAP 20384/TPM-21-002.  
ASSESSOR'S PARCEL NUMBERS 1192-281-09 THROUGH 14.

RESOLUTION NO. 2021- 025

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HIGHLAND, CALIFORNIA, APPROVING VARIANCE VAR-21-001 TO ALLOW AN INCREASE IN THE MAXIMUM BUILDING HEIGHT IN THE BUSINESS PARK ZONE FROM 35' TO 45' IN ASSOCIATION WITH CONDITIONAL USE PERMIT CUP-21-007 AND DESIGN REVIEW APPLICATION DRA-21-005 TO CONSTRUCT A 305,617 SQUARE FOOT WAREHOUSE, LOCATED AT THE NORTHWEST CORNER OF 6<sup>TH</sup> STREET AND VICTORIA AVENUE (APNs: 1192-281-09 THROUGH 14)

RESOLUTION NO. 2021 – 026

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HIGHLAND, CALIFORNIA, APPROVING DESIGN REVIEW APPLICATION DRA-21-005 INCLUDING SITE PLAN, BUILDING ELEVATIONS, ROUGH GRADING PLAN AND CONCEPTUAL LANDSCAPE PLAN FOR THE DEVELOPMENT OF A 305,617 SQUARE FOOT WAREHOUSE AT THE NORTHWEST CORNER OF 6<sup>TH</sup> STREET AND VICTORIA AVENUE. RELATED ENTITLEMENTS INCLUDE CONDITIONAL USE PERMIT CUP-21-007, VARIANCE VAR-21-001 AND TENTATIVE PARCEL MAP 20384/TPM-21-002.  
ASSESSOR'S PARCEL NUMBERS 1192-281-09 THROUGH 14.

RESOLUTION NO. 2021- 027

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HIGHLAND, CALIFORNIA, APPROVING TENTATIVE PARCEL MAP 20384 (TPM-21-002) TO DECREASE THE NUMBER OF PARCELS FROM SIX (6) TO ONE (1) PARCEL IN ASSOCIATION WITH CONDITIONAL USE PERMIT (CUP-21-007) TO DEVELOP A 305,617 SQUARE FOOT INDUSTRIAL WAREHOUSE, LOCATED AT THE

NORTHWEST CORNER OF 6<sup>TH</sup> STREET AND VICTORIA AVENUE (APNs: 1192-281-09 THROUGH 14)

RESOLUTION NO. 2021 – 028

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HIGHLAND, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE DEVELOPMENT OF A 305,617 SQUARE FOOT WAREHOUSE AND ASSOCIATED IMPROVEMENTS AT THE NORTHWEST CORNER OF 6<sup>TH</sup> STREET AND VICTORIA AVENUE. RELATED ENTITLEMENTS INCLUDE CONDITIONAL USE PERMIT CUP-21-007, DESIGN REVIEW APPLICATION DRA-21-005, VARIANCE VAR-21-001 AND TENTATIVE PARCEL MAP 20384/TPM-21-002.  
ASSESSOR'S PARCEL NUMBERS 1192-281-09 THROUGH 14.

3. Design Review Application (DRA 21-017) for the exterior remodel of an existing Wendy's drive-thru restaurant including new signs, paint, and accent features located at 27879 Base Line (APN No. 1201-091-55) – Cotti Foods.

Associate Planner Syed presented the staff report.

John Dodson, Representative of Applicant, stated if you have any questions, I would be more than happy to answer them. In respect to the landscape, we are going to be hiring our landscape architect.

Chair Hamerly asked is it staff's anticipation that the landscape plan would be coming back to the Planning Commission or a staff level since it's a refurbishment of an existing?

Community Development Director Mainez stated it is staff level at this point.

Chair Hamerly opened the public hearing. Regarding the elevations, is there a material board that was submitted or we just have the renderings?

Associate Planner Syed stated it is just the renderings.

Chair Hamerly stated the tile looks like brick, it does not seem to go with kind of the contemporary motif that they're trying to update this. That kind of pushes it back and dates it.

John Dodson stated it is a wood tile. The blade element is at ACM, which is an aluminum composite material and that is prefinished. Also, we shifted the doors to face the street. The band around the top is an aluminum will have an LED downlight that will help illuminate the building at night.

Chair Hamerly asked can you describe the K10 lights? Is that a glowing fixture or is it an

up and down light?

John Dodson stated it is an up and down light. It's aluminum.

Chair Hamerly asked does it have the bronze band that wraps around it?

John Dodson said yes, and you will not see the light the element.

Chair Hamerly asked is that the height of the present lights?

John Dodson stated what we are doing is taking off the front and we call it factory lights.

Chair Hamerly stated asked are those fairly short planks? That is the way I'm reading them on the plan.

John Dodson stated correct, and it has been used on a number of Wendy's recently in the area.

Community Development Director Mainez stated for the record, the applicant is passing around a cell phone with picture on the elevations from City of Beaumont and the photos will be emailed to staff.

Chair Hamerly stated on the west facade, the I'll call it the new main entry. Is the new facial downlight wrapping around that red portion?

John Dodson stated no, it should run straight up that doesn't pull out.

Commissioner Miller stated the few times that I've been Wendy's, the first drive through window is closed. Are you planning to open it back up in the future?

John Dodson stated it varies. We need both from a corporate standpoint, we have to we have to have them. Our problem now is staffing and sometimes it's just the labor costs on that, but depending on if it gets busy, they will open that window just to push people through.

Vice Chair Thomas stated the east elevation it's very visible when driving down Base Line. That whole area of grey looks like it needs something more since you're driving down Base Line and it's just so visible. It would be nice to have something more decorative. I know you have all the front portion of it that's beautiful.

John Dodson stated we do have pop outs there that provide for shadow line and we're adding the trim on top to help that and canopies over the drive thru.

Chair Hamerly stated it looks like the second pop out that in the center of the east facade wrapping around that second drive-up window, and that is an opportunity for changing the material, just to give you a accent.

John Dodson stated we could go with a dark grey and ACM.

Chair Hamerly closed the public hearing.

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

1. Adopt Resolution 21-\_\_\_\_, approving Design Review Application (DRA 21-017) for the exterior remodel of an existing Wendy's drive-thru restaurant including new signage, paint and accent finishes, subject to the Conditions of Approval and Findings of Fact; and
2. Direct staff to file a CEQA Notice of Exemption with the County Clerk of the Board of Supervisors

RESOLUTION NO. 2021 – 029

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HIGHLAND, CALIFORNIA, APPROVING A DESIGN REVIEW APPLICATION (DRA 21-017) FOR THE EXTERIOR REMODEL INCLUDING NEW SIGNAGE, PAINT, AND ACCENT FINISHES AT AN EXISTING WENDY'S RESTAURANT LOCATED AT 27879 BASE LINE. ASSESSOR'S PARCEL NUMBER: 1201-091-55.

**ANNOUNCEMENTS**

The next Planning Commission meeting is scheduled January 4, 2022.

**ADJOURN**

There being no further business, Chair Hamerly declared the meeting adjourned at 8:45 pm.

Submitted by:

Approved by:

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Camille Goritz, Administrative Assistant III  
Community Development Department

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Randall Hamerly, Chair  
Planning Commission