

**MINUTES
PLANNING COMMISSION REGULAR MEETING
OCTOBER 19, 2010**

1.0 CALL TO ORDER

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

Present: Commissioners John Gamboa, Richard Haller, Milton Sparks, and Michael Willhite, Vice Chairman Trang Huynh and Chairman Randall Hamerly

Absent: Commissioner Michael Stoffel

Staff Present: John Jaquess, Community Development Director
Ernie Wong, City Engineer / Public Works Director
Dennis Barton, Assistant Public Works Director
Dale Everman, Building Official
Lawrence Mainez, City Planner
Bruce Meikle, Senior Planner
Sean Kelleher, Assistant Planner
Linda McKeough, Administrative Assistant III

Note: In attendance was Ms. Jessica Sutoris, Director of the Sam J. Racadio Library and Environmental Learning Center

2.0 COMMUNITY INPUT

There was none.

3.0 CONSENT CALENDAR

3.1 Minutes of July 6, 2010, Regular Meeting.

Approved, as written.

3.2 Minutes of July 20, 2010, Regular Meeting.

Approved, as written.

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3.3 Minutes of August 3, 2010, Regular Meeting.

Approved, as amended.

On Page 2, Fourth Paragraph, First Sentence was amended to read as follows: "Ms. Jennifer Chavez, 600 West Broadway, Suite 2600, San Diego, California, who is Legal Counsel for the Applicant, addressed the Commission."

3.4 Minutes of September 21, 2010, Regular Meeting.

Approved, as written.

A MOTION was made by Commissioner Gamboa and seconded by Vice Chairman Huynh to approve the Minutes of July 6, 2010, July 20, 2010, September 21, 2010, as written and August 3, 2010, as amended.

Motion carried on a 6 – 0 vote with Commissioner Stoffel absent.

The Commission concurred and reversed the Legislative and Public Hearing Items for consideration.

5.0 PUBLIC HEARINGS

5.1 Conditional Use Permit 010-004 - Victoria Development Company submitted an Application for a Conditional Use Permit (CUP 010-004) requesting a Type 47 ABC License "On-Sale General for Bona Fide Eating Place" for a new Restaurant at San Manuel Village. The address is 27961 Highland Avenue, a new Restaurant in Suite "B" on Pad 6 at the San Manuel Complex located at the southeast corner of Highland and Boulder Avenues. Representative: Bryan Benso, of Victoria Development Company.

Chairman Hamerly identified the Item and called for Staff's presentation.

Senior Planner Meikle gave the presentation from the Staff Report and PowerPoint presentation and explained the detailed Project and the historical background, along with the Applicant's request to the Commission. He explained the Applicant is in the audience and then concluded his presentation.

Chairman Hamerly asked if the Commission had any questions of Staff.

Discussion ensued between the Commission and Staff regarding on Page 22 of the Staff Report Planning COA No. 9 and asked the Applicant for his opinion of the COA's language.

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Chairman Hamerly asked if the Commission had any further questions of Staff. Hearing none, he then opened the Public Hearing and asked if the Applicant would like to make a presentation.

Mr. Bryan Benso, of Victoria Development Company, who is the Applicant, addressed the Commission. He stated that he has no issues and was in agreement with the COAs, as written, and that he was happy to answer any questions the Commission may have.

Discussion ensued between the Commission and Staff regarding the feasibility of the Applicant providing live entertainment in the future and if that would be on a separate Permit. Staff indicated that would be correct, but the Applicant has not requested live entertainment at this time and if he does, the Applicant would return to the City for a review of his request.

Chairman Hamerly then asked if there was anyone in the audience who would like to speak on the item. Hearing none, he then closed the Public Hearing and opened the floor for discussion amongst the Commissioners and if not, he would call for the question.

Commissioner Haller indicated that he supports the Application in that it doesn't meet the criteria for having excess existing (ABC) Licenses and that the Applicant's CUP request is well below the Census Tract quota.

A MOTION was made by Commissioner Haller and seconded by Commissioner Gamboa that the Planning Commission Adopt Resolution No. 010-016 Approving Conditional Use Permit 010-004, for a Type 47 ABC License "On-Sale General for Bona Fide Eating Place" for a new Restaurant at San Manuel Village.

Motion carried on a 6 – 0 vote with Commissioner Stoffel absent.

4.0 LEGISLATIVE

4.1 Special Presentations concerning Green City Projects and Programs and how LEED Standards can work with the new California Green Codes.

Chairman Hamerly identified the Item and called for Staff's presentation.

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City Planner Mainez gave a brief overview from the Staff Report and PowerPoint presentation regarding the Green City Projects and City Programs to the Commission. He then introduced Mr. Rick Fochtman as the Guest Speaker who would provide insight into the new California Green Codes to the Commission, as well as Staff.

Mr. Rick Fochtman, Director of Project Development of USGBC of the Inland Empire Chapter, addressed the Commission. He provided a PowerPoint presentation and explained the various upcoming 2011 California Green Code requirements relative to residential and non-residential projects, as well as voluntary and mandatory requirements and provided various examples to the Commission.

Discussion ensued between the Commission, Mr. Fochtman and Staff regarding administrative compliance, costs and training with the various Green Code requirements for the residential and non-residential projects / buildings in the City.

The following are comments made by the Commission: 1) the City has approximately 90% inventory of old existing buildings; 2) LEED has an existing Energy Star System; 3) Certification for LEED will continue to improve efficiency and impact on the existing buildings (i.e. insulation); 4) retraining for contractors, Building Officials, etc.; 5) the new Green Code does not effect renovation, just new construction at this time; 6) commended the City with obtaining the LEED Certificates; 7) is a great opportunity to educate the public and how Ms. Jessica Sutoris, who is the Director of the Sam J. Racadio Library and Environmental Learning Center is in the audience, and; 8) the Environmental Learning Center is also a Green Building.

Staff added how the construction of the City's new Police Station will be LEED Certified.

The Commission requested to obtain a copy of Mr. Fochtman's PowerPoint presentation and he would forward a copy to Staff to then e-mail to the Commission.

Mr. Fochtman then introduced some of his Staff Members and then thanked the Commissioners for their time and they thanked him for his presentation.

No action was taken by the Commission.

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4.2 Determination that the Inland Valley Development Agency's Plans for the Third and Fifth Street Improvements Project are consistent with the City of Highland's General Plan, or part thereof, in accordance with Government Code Section 65401. The Project Area encompasses Third and Fifth Streets extending between Tippecanoe Avenue on the west to Victoria Avenue on the east and Tippecanoe Avenue, Del Rosa Drive and Sterling Avenue between Third and Fifth Streets. Representative: Alex Estrada with the San Bernardino International Airport Authority.

Chairman Hamerly identified the Item and called for Staff's presentation.

Senior Planner Meikle gave the presentation from the Staff Report and PowerPoint presentation. He explained the Project's design details to the Commission and indicated that the IVDA Representative and other IVDA Members were in the audience and then concluded his presentation.

Chairman Hamerly asked if the Commission had any questions of Staff.

Discussion ensued between the Commission and Staff regarding how can the Commission deem approval of the Project without having full information and that CEQA is omitted at this time until funding sources are found and that the IVDA is the Lead Agency for the Project. Staff explained that this Project is not a City project, but the improvements are consistent with the City's General Plan and further explained what portions that Highland would improve.

Chairman Hamerly asked if the Commission had any further questions of Staff.

Discussion ensued between the Commission and Staff regarding the traffic model showing six (6) lanes in Highland and four (4) lanes in San Bernardino and using the same Traffic Model and how they arrived at the six (6) lanes in Highland and four (4) lanes in San Bernardino and the trip generation proposed by IVDA and the inferred Traffic Analysis Zones accounting at build out within Highland's jurisdictional area and the feasibility if San Bernardino has not accounted for the future potential at build out. City Staff responded and explained Highland's traffic model is conservative and that it is designed for thirty (30) years from now, and to stay with, the six (6) lanes. The Commission indicated that it wants consistency between Highland and San Bernardino. The transition in the number of lanes from Leland Norton, Tippecanoe and Shirley Avenue and that a new traffic signal will be going in next to the Millionaire Building will be a secondary access to the Airport were also discussed. Staff indicated Mr. Mike Burrows, Mr. Alex Estrada and Mr. Roberto Ramirez (from IVDA) are also in the audience.

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A concern was raised by a Commissioner about Third Street between Sterling / Victoria if that area is planned to have a center turn lane for the whole length and that is a real safety hazard area for left turns.

Mr. Roberto Ramirez, 264 Leland Norton Way, San Bernardino, California, who works for IVDA, addressed the Commission. He displayed some Color Exhibits and explained them to the Commission regarding the proposed improvements on Tippecanoe Avenue, Del Rosa Drive and Sterling Avenue and Third / Fifth Streets Plans and that the Plans are consistent with Highland's General Plan and how the City of San Bernardino is okay with Highland's General Plan and will have the same (design) theme used with the recent landfill project east of Victoria Avenue and Golden Triangle Policy Area. He also explained the landscaping locations on Third / Fifth Streets.

Discussion ensued between the Commission, Mr. Ramirez and Staff regarding when would the raised curb medians be stalled and diversion measures for water filtration be installed when the funding sources are found and identified. The feasibility of installing landscaping at locations and long term water maintenance costs and use of native drought tolerant plant materials and the design of sumps located in the medians were also discussed.

Mr. Alex Estrada, 264 Leland Norton Way, San Bernardino, California, who is from IVDA, addressed the Commission. He stated the proposal would be to install road improvements, but no raised curb medians or landscape plantings until a long term funding source is found to pay for water and maintenance. There would be a striped median in the middle of the road, at this time, both San Bernardino / Highland will not maintain the landscape median due to budget constraints and it would be paint on asphalt, at this point. It was reiterated that in the interim, it would be a painted striped median, but will be designed for a landscaped median when the funding is ready.

Discussion ensued between the Commission, Mr. Ramirez, Mr. Estrada and Staff regarding capturing storm water in the interim, the location of the median and curb / gutter, catch basin treatments, storm drain systems and the use of dry sumps, median breaks to divert some of the sheet flow and WQMP requirements. The cost of installing an irrigation system and installing native plant materials and safety concerns were raised on the location of bike lanes / bike traffic on the roads and possibly mark the bike lanes with signage showing a secondary access and joggers, but the bike lanes are in compliance with the Circulation Element of the General Plan were also discussed.

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Further discussion ensued between the Commission, Mr. Ramirez, Mr. Estrada and Staff regarding street light design and Highland's use of the regular Edison standard marble-light street light. The timing of coordination with the undergrounding utilities and the coordination of paving and the size of the water / sewer lines and will be brought up at a future Utility meeting were also discussed.

Chairman Hamerly asked if anyone else would like to speak on the Item. Hearing none, and there being no further questions of Staff, or discussion amongst the Commissioners, he then called for the question.

A MOTION was made by Commissioner Haller and seconded by Vice Chairman Huynh that the Planning Commission Adopt Resolution No. 010-017 determining the Inland Valley Development Agency's Plans for the Third and Fifth Street Improvements Project are consistent with the City's General Plan, or part thereof, in accordance with Government Code Section 65401.

Motion carried on a 6 – 0 vote with Commissioner Stoffel absent.

6.0 ANNOUNCEMENTS

Community Development Director Jaquess explained Discover Highland Night on October 23, 2010, Volunteer Dinner on November 5, 2010, and the November 2, 2010, Regular Meeting is canceled.

7.0 ADJOURN

There being no further business, Chairman Hamerly declared the Meeting adjourned at 7:41p.m.

Submitted by:

Approved by:

Linda McKeough, Community
Development Administrative Assistant III

Randall Hamerly, Chairman
Planning Commission

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