

**MINUTES  
PLANNING COMMISSION REGULAR MEETING  
FEBRUARY 15, 2011**

**1.0 CALL TO ORDER**

The Regular Meeting of the Planning Commission of the City of Highland was called to order at 6:02p.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: Lawrence Mainez, City Planner  
Bruce Meikle, Senior Planner  
Sean Kelleher, Assistant Planner  
Scott Rice, Contract Landscape Architect  
Linda McKeough, Administrative Assistant III

The Pledge of Allegiance was led by Chairman Hamerly.

**2.0 COMMUNITY INPUT**

There was none.

**3.0 CONSENT CALENDAR**

3.1 Minutes of November 16, 2010, Regular Meeting.

3.2 Minutes of December 7, 2010, Regular Meeting.

3.3 Minutes of January 4, 2011, Regular Meeting.

**A MOTION** was made by Vice Chairman Huynh and seconded by Commissioner Gamboa to approve the Minutes of the November 16, 2010; December 7, 2010; and January 4, 2011, Regular Meeting, as presented.

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

## 4.0 PUBLIC HEARINGS

- 4.1 Amendment No. 1 to Conditional Use Permit (CUP-008-006) and Design Review Application (DRB-009-008). The Project is being amended to convert the approved 509 square foot Storage Area into a Yogurt Store, as well as, construct a new Patio Cover, and modify the proposed Parking Lot Layout. The Project is located at the southeast corner of Palm Avenue and Fifth Street and is identified as Assessor Parcel Numbers: 1201-311-26, 30, 31, and 32. Representative: Glenn Elssmann, Mission Development Company and Alex Cuevas, AGC Design Concept, Inc.

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

Assistant Planner Kelleher gave the presentation from the Staff Report and PowerPoint presentation. He explained the Applicant's proposed revisions to the Commission and then concluded his presentation.

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

Discussion ensued between the Commission and Staff regarding the Yogurt Store is accessible through the front doors of the Convenience Store and is also a stand alone suite.

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. Glenn Elssmann, of Mission Development Company, who is the Applicant's Representative, addressed the Commission.

Discussion ensued between the Commission, Mr. Elssmann and Staff regarding the relocation of the proposed Storage Area will be located east of the Gas Station / Convenience Store. Mr. Elssmann indicated how the Owner and Management looked at the Storage Area's use and concluded that the Applicant's (new) Gas Stations have a Yogurt Store them and is a new concept for him to place a Yogurt Store in the existing Gas Station. Mr. Elssmann added that a six foot (6') screen block wall / screen service doors / wrought iron gate will serve as excess capacity for the Storage Area and will screen the service areas. The location for the Main Service Meter(s) and where the wall stops, there will be a gate there were also discussed.

Further discussion ensued between the Commission, Mr. Elssmann and Staff whether or not the existing handicap parking space located on the west side of the Convenience Store could be relocated halfway between the Convenience Store and the proposed Yogurt Store and Mr. Elssmann responded that is a good suggestion. Staff responded the Applicant may lose one (1) parking space, but it is acceptable to Staff and further explained that the Applicant has 48 proposed parking spaces, but is required to install only 45. Site circulation for traffic / fuel tankers within the Project was also discussed.

Discussion ensued between the Commission, Mr. Elssmann and Staff regarding the proposed Trellis design / configuration and the feasibility of extending it past the eastern most wall of the Convenience Store, it would look like it that it was meant to be there and might clean up some of the framing of the shade members of the Trellis which run perpendicular to the face of the Building and could continue out over the walkway and would then would tie back in and Mr. Elssmann responded how they had tried to anchor that aesthetically and draw attention to it. Had the Trellis been proposed originally, it would have been angled on the Building itself and would have fixed that problem and how he had worked to Staff to rectify that issue. If extend the Trellis out, it would be north and west and a Commissioner indicated that he had drawn a quick diagram of it and discussion ensued regarding the diagram and how there is a natural jog in the parking would possibly make a nice transition point and Mr. Elssmann agreed and that it would then be balanced out.

A concern was raised regarding noise coming from the air compressor / vacuum area into the proposed outdoor eating area for the Yogurt Store. Mr. Elssmann responded that air compressors are not that loud, but the vacuum is and suggested to relocate it from the west side to the east side of the Building and stated he will see what he can do.

Discussion ensued between the Commission, Mr. Elssmann and Staff regarding the Wrought Iron Fencing located on the east side of the Project and the alley. The Applicant has worked with the East Valley Water District (EVWD) and the Owner is hoping to keep that area visually not so blocked up and added there will be landscaping in front of the Wrought Iron Fencing / Block Wall area. Staff added one section will not have landscaping along the east side of the Wrought Iron Fencing due to the location of the sidewalk. Mr. Elssmann added EVWD may install (decorative) river rock on the adjacent vacant lot so that they will still have access to the property and explained that installing the Fencing straight up the alley on the south side and that the Applicant maintain the four feet to five feet (4' – 5') landscaping beyond the Fencing for the EVWD was not feasible. A suggestion was made by a Commissioner regarding how about on the southwest property line and Mr. Elssmann responded that he could take a look at that.

Discussion ensued between the Commission, Mr. Elssmann and Staff regarding the parking stalls for motorcycles and also the location of the bike racks. A suggestion was made by a Commissioner to have one of the bike racks installed closer to the Yogurt Store. Staff responded the Original Planning Condition No. 26 had the Applicant install two (2) bike racks adjacent to the Fast Food Restaurant and Convenience Store and indicated that a bike rack could be placed under the Trellis or another locale if the Commission desired.

Chairman Hamerly asked if there was anyone who would like to speak on the item. Hearing none, he then closed the Public Hearing open and opened the floor for discussion amongst the Commissioners.

Discussion ensued between the Commissioners and Staff regarding to extend the Trellis perpendicular to the Building and how the Applicant had proposed to run the Trellis parallel to Fifth Street and run in line with one another. Staff added the Commission will review a new Sign Program and possibly a (Revised) Landscape Plan for the Applicant and whether or not a hanging sign could be installed on a Trellis beam and how the Applicant would like to discuss further.

The following are comments made by the Commission: 1) one Commissioner is unhappy turning the Storage Area into a Yogurt Store; 2) with revising and running the Trellis parallel to Fifth Street throws the Building off and would stick out like a sore thumb with a storage appendage; 3) whether or not the traffic will see a suspended sign under a Trellis on Fifth Street and looking at minimum effectiveness because of the canopy blocking anyone coming from the west and have the Fast Food Restaurant essentially blocking out all but a 45 degree angle coming off of Greenspot Road; 4) unless if stopped at the traffic signal, the chance of a person being able to read a Sign on the Building or on the Trellis, there will be advertising on the Monument Sign. Mr. Elssmann responded the Project is nearing its final stages of construction and that the property is a wide parcel and that the appendage counterbalances the Carwash and the Trellis feature with the Fast Food and with the brick placed on the Carwash as an element for a theme will make the whole balance of Site be effective and that it takes an (construction) afterthought away and brings (together) the property as a whole and agreed with the Commissioners' comments and indicated once the Trellis for the Restaurant is up, it be will be darker in color and believed it will look nice. The Commissioner responded how he had been on-site when the proposed Storage Area was approved, but now with a Trellis, it is hard to visualize with all of the construction materials there and on the east side, looking west, the roofing ties in with the ARCO AM/PM, but with the front with the proposed Trellis, it's not looking right.

Mr. Elssmann responded that it still needs something and with a smooth plaster surface fascia and with the placement of brick. The architectural band put the post up and place internal Trellis to match the columns brought in with the new Building with the brick. The Commissioner stated that he is still apprehensive and Mr. Elssmann stated that thoughts were given to come up with a solution to create nice looking Project.

A question was asked by a Commissioner if the proposed Revised / Modified Trellis is compatible with the suggestion of extending the proposed Trellis if acceptable to the Applicant and compatible with the Sign Program. With Mr. Elssmann reviewing the Site Plan with the Commission, if the Trellis is extended on the east side of the Building, the parallel aspect toward Fifth Street would clean up and balance the Building and flow and parallel to the existing Building.

Further discussion ensued between the Commission, Mr. Elssmann and Staff regarding on the Site Plan, the Trellis is shown with the main support beams as being parallel with the Building's façade and the Trellis' cross beams are parallel with Fifth Street, and the northern most face of the Trellis has the support beam(s) for the cross beams of the Trellis. A concern was raised with splitting the difference of the large blank mass of the wall where the Trellis stops at the eastern most extremity located at the northeast corner of the Convenience Store and looks like that it is an afterthought where the Trellis and the Building mass were stacked on the edge of the Building and nothing to tie them together in any meaningful fashion. Mr. Elssmann responded he understands the Commissioner's concern and indicated there are two (2) strong elements there and have the brick on them and the Building with the canopy is balanced and if he would be able to do this with the Trellis configuration, it would make the Building look lopsided and the Commissioner disagreed with Mr. Elssmann. The Commissioner agreed with the main Convenience Store Building that it is symmetrical right now, but there really isn't a literal balance on the Site and have elements stacked together and have massing, except on a Floor Plan and wants to make it look less like an afterthought. Mr. Elssmann then suggested if the Trellis out and the Commissioner stated if the Applicant wants to extend the Trellis out and increase the seating area and have an element come out this way that is more effective and then centering the clear area. Mr. Elssmann responded even if that was done, and wrap the shorter joists coming across here would solve and if this was brought out, that could address that. A Commissioner responded needs this to relate some fashion and this has been tied in all along and the most effective way is to extend to the Building's facade and reinforce that artistically and will then give the Applicant a backdrop for signage the Applicant may have and would be a directive to Staff. Mr. Elssmann responded that would then be balanced and how that has a nice face to it and would might help.

Chairman Hamerly then closed the Public Hearing.

Discussion ensued between the Commission and Staff if the Commission approves the Yogurt Store tonight and then two (2) years later, the Applicant wants it to be something else, then what and Staff responded that area is Zone for retail use only and would still be acceptable and how the Commission would review if there were any changes in use that would change in intensity.

There being no further questions of Staff or discussion amongst the Commissioners, he called for the question.

**A MOTION** was made by Vice Chairman Huynh and seconded by Commissioner Haller to Adopt Resolution 11-002 Amending Conditional Use Permit 008-006 and Design Review Application (DRB-009-008) Amendment No. 1, all subject to the recommended Conditions of Approval, and the Findings of Fact with further revisions as discussed and Directives to Staff.

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

(Note: Assistant Planner Kelleher left the Chambers at 6:44 p.m.)

## 5.0 LEGISLATIVE

- 5.1 Design Review 010-006, for a Service Station with Convenience Store, Car Wash, and Accessory Uses (Chevron Project). Plans include a Site Plan, Grading Plan, Lighting Plan, Sign Program, Conceptual Landscape Plan, Exterior Building Elevations, Gas Canopy Plans, and the Colors and Materials. The Project will be built on Pad 1 at the Highland Crossroads Project located on the south side of Greenspot Road approximately 1,300 feet east of the 210 Freeway (APN: 1201-341-22). Representative: Highland Fuels, LLC – Applicant; Wayne Watkins (Fiedlergroup) - Representative

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

Senior Planner Meikle distributed a Color and Material Sample Board to the Commission and then gave the presentation from the Staff Report and Powerpoint presentation. He explained the Applicant's proposed Project's design details and issues that Staff needs addressed by the Commission regarding the Path of Travel, landscaping along the Carwash Building, and how a proposed Monument Sign is taller / longer than was originally approved and the Applicant's requests to the Commission, that the Applicant and his Representatives are 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 the In-N-Out Signage located in the Bioswale, how In-N-Out wanted a larger Sign and to straddle the Bioswale and that ultimately, In-N-Out chose to construct a cantilevered sign.

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

Mr. Patrick Fiedler, of Fiedlergroup, 23222 West Third Street, Los Angeles, California, who is the Applicant, addressed the Commission. He thanked the Commission and Staff and how Staff identified and addressed the issues in order to get the proposed Project before the Commission tonight for consideration. He explained the proposed modifications to the ADA Path of Travel at the easterly property line inclusive of the landscaping and was concerned with the ADA Path of Travel going across the Bioswale, it would require a pedestrian bridge with handrails and would obstruct the In-N-Out signage and would add an architectural element to the landscaped area that it does not exist along the frontage and there are no other bridge or other structures would impair visibility to the signage. Mr. Fiedler further explained the details on how the Gas Canopy would have solar panels.

Discussion ensued between the Commission and Mr. Fiedler regarding the roof top mounted equipment would have to be fully screened and the Gas Canopy solar panel design details would be mounted above the roof deck and that the solar panels are a low profile and the Canopy itself is a metal deck and (the solar panels) would be located between the structural supports and not seen from the street.

Mr. Fiedler added that he is willing to work with Staff regarding the changes and selecting the appropriate shrub landscaping located between the Carwash and the In-N-Out Building. With regards to the Monument Sign, Mr. Fiedler stated that there are five (5) different grades of fuel and one (1) is a Special Bio-Fuel in that eighty percent (80%) of the vehicles that are to be sold in 2016 will have to be biofueled. With regards to the Bioswale, he cannot change the pricing and to get the appropriate spacing of the LED numerals is requiring the additional inches for the Monument Sign that are six inches wide by eight inches high (6" W X 8" H) that would be a little over nine square feet and would be able to have the appropriate spacing for the LED pricing for all five (5) grades of fuel. He further stated that they are excited about the proposed Project and took the risk to concurrently place the Project's Plans in plan check in order to keep up with the In-N-Out project and would be happy to answer any questions the Commission may have.

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

Discussion ensued between the Commission, Mr. Fiedler and Staff regarding the proposed LED lighting as to the proposed under canopy locations will have flush LED fixtures to illuminate the Canopy area and a recessed, accent trim that is above the fascia and is concealed that is LED and will illuminate some required Chevron design fascia that is blue in color and the LEDs are also a blue color and will be on three sides and recessed in the overhang and will shine downward and that the LED lighting fixtures will last over fifteen (15) years. Since the Commissioners did not have Color Exhibits in their Agenda Packets, Mr. Fiedler described to the Commission at the displayed Powerpoint Exhibits.

Further discussion ensued between the Commission, Mr. Fiedler and Staff regarding the proposed surface area needed for the solar panels to be located on the Gas Canopy and the Commission suggested mansards / gabled roof line configurations to the Applicant. A Commissioner explained how some issues had popped up at Public Hearings in the past where the Canopies are too bland or the Commission has been accused of having the Canopies look like a space craft that has landed on stilts and that it is glowing, or it's too bright so the Commission is keenly aware of the public criticism that the Commission is subjecting itself to by not doing its due diligence when reviewing Canopies.

Discussion ensued between the Commission, Mr. Fiedler and Staff regarding whether or not the Applicant prefers the flat configuration of the Canopy or to have the Canopy tie into the Building's design and reflect the same architectural feature and the feasibility of adding a cornice treatment around the perimeter of the Canopy in order to tie into the Building. Mr. Fiedler indicated how the Applicant went back and designed to match the Canopy column treatment to match the Building's column treatment and with Chevron's fascia required elements.

A question was asked by a Commissioner if the Applicant could add to the top outside parameters of the Chevron architectural statement and Mr. Fiedler responded that it would be out of character with the Building Elevations and how the cornice treatment is twelve inches to fifteen inches (12" - 15") in height and indicated that it could be added, but would look like an appendage to the fascia treatment plus Chevron would have to approve it. Mr. Fiedler further indicated where the solar panels are recessed above the top of the Canopy, the deck is approximately eight inches (8") thick with an eight inch (8") soffet underneath with a total fascia height of three feet (3') in this area to conceal the solar panels behind the fascia and indicated this is the way of the future with solar panels on top of the Canopy with such a large area with no roof mounted equipment.

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

Discussion ensued between the Commission and Mr. Fiedler regarding if there is going to be a bus stop either on the west side of the driveway intersection on Greenspot or in front of the Project and explained how the Code is clear about providing ADA Path of Travel from the Public Right-of-Way to the Site and the way the Applicant has it now, a disabled person has to wheel the wheelchair from Greenspot Road about 150 feet and then go through the parking lot in order to get to the Building and usually a bus stop will call that in the Code to have the accessibility from the Public Right-of-Way. Mr. Fiedler deferred to Mr. Robinson.

Mr. Ed Horovitz, 4482 Barrance Parkway, Suite 234, Irvine, California, who is the Vice President of JLM-TREH VII HWY 30, LLC, addressed the Commission. He stated when Greenspot Road was originally developed, a bus stop was planned for the Lowe's site, and that none have been set up that he is aware of for the past three to four (3 – 4) years since development. With regards to the handicap access, all the way from the Freeway to as far east as there is new development that all the intersections and the traffic signal locations had to be planned with the handicap access. He further explained how the Highland Crossings at Access "A" from the Freeway to the sidewalk and ADA traffic had to be planned along the sidewalk. For the bus stop at Highland Crossings, would be from the sidewalk to the retail center and onto Lowe's Site and Access "A". A question was asked by a Commissioner if there will be a bus stop in front of the proposed Project and Mr. Horovitz and Staff responded no.

Chairman Hamerly asked if the Commission had any questions for Mr. Horovitz. Hearing none, Mr. Horovitz then thanked the Commission.

Chairman Hamerly asked if the Commission had any further questions. Hearing none, he then left the Public Hearing open and asked if anyone would like to speak on the Item.

Mr. Scott Rice, who is the City's Contract Landscape Architect, addressed the Commission.

Discussion ensued between the Commission and Staff regarding the proposed landscaping between the In-N-Out project and the proposed Carwash Project. Contract Landscape Architect Rice suggested to match the rose that the In-N-Out project will use which is a white floribunda rose and is easily maintained. The Commission indicated to Staff, as a directive, to have the Applicant use the white floribunda rose located between the In-N-Out project and the proposed Carwash in order to match the In-N-Out project.

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Further discussion ensued between the Commission and Staff regarding the Purple Plum Tree landscaping material. Staff responded the original landscaping approval was for the Purple Plum Tree and that the City's Contract Landscape Architect, not Mr. Rice, recommended to the Applicant to install the Eastern Red Bud which is a similar to the Purple Plum Tree, but is resistant to the thrip disease. The Eastern Red Bud leaf size is larger, but the spread and height similar as the Purple Plum Tree.

Discussion ensued between the Commission and Staff regarding what happens when plants / landscaping runs into trouble and needs to be replaced with the same plant material or an alternative plant material or replaced on a whole project. Staff responded Highland has not encountered thrip as bad here in the (San Bernardino) Valley as we have in other places in Southern California and has been spotty and is a less of a concern in this area, but that tree (the Purple Plum Tree) has shown thrip infestation in other areas.

There being no discussion or questions of the Applicant or Staff, 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.

The following are comments made by the Commission: 1) the Commission has seen a variety of canopy designs in the City – some we like and some we don't like and the proposed Canopy borders on what the Commission does not like and disappointed with the proposal that it is very marginal and would like to see some flexibility from Chevron and try to incorporate some architectural features for the Building; 2) is disappointed with the proposed Canopy design in that it is a significant structure, as presented, but is supportive of using the solar panels; 3) another Commissioner was disappointed with the proposed Canopy design knowing the Commission is trying to set a precedent in Highland and not in Southern California or wherever, and the Commission holds a certain level and the proposed Canopy design "floors" the Commissioner and to get back with saying just because of the use of solar panels you cannot enhance the Canopy, just doesn't fly with the Commissioner.

Chairman Hamerly suspended the Commission's discussion and reopened the Public Hearing.

Discussion ensued between the Commission, Mr. Fiedler and Staff regarding the feasibility of installing solar array panels onto the Convenience Store flat roof / parapet and other design variations / locations for the solar panels and how the Commission is attempting to compromise with the Applicant with the proposed

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Canopy design and how the Commission was “beat up” before with other canopy designs that are located in the area / community and is not just the one or two comments made by the Commissioners, but is strongly held in the community, as well and how the Commission would like to see the proposed Project be something that the community is really proud of and that the Applicant also shares that opinion. Mr. Fiedler responded yes, he does, but the Commission has not had the opportunity to see the latest proposed type of fascia treatment that Chevron has developed for the past two to three (2 – 3) years and is not a flat fascia, but it is dimensional and indicated there are other canopies that are located in the area that has this type of design.

A comment was made by a Commissioner to have the Applicant provide additional information at the next Meeting and Mr. Fiedler responded and requested the Commission consider / approve the proposed Project tonight and added that he has a picture on his cellular phone with the proposed Canopy design on an existing Chevron Gas Station and distributed his phone for the Commission to see the picture. The Commissioner responded that the Canopy can be separated out, along with the ADA / Handicap Path of Travel design.

Discussion ensued between the Commission and Staff regarding the distributed proposed color pallet material for the stone / roofing material to match the In-N-Out and LA Fitness Buildings and how the Chevron’s Applicant tried to match the In-N-Out Building and the Commission stated this is also a directive to Staff to have the Chevron’s Applicant match with the distributed copy of the proposed color pallet material for the stone / roofing material to match the In-N-Out Building. Staff responded that is acceptable, but Chevron colors might not match exactly in that the In-N-Out Building is a stark white and that Chevron is a “copper penny” color and off whites, but will blend between the LA Fitness Building and the stone feature.

The following are comments made by the Commission regarding the fascia picture seen on the Applicant’s cellular phone and on the proposed Canopy: 1) is not LED lighting; 2) is not flush style lighting; 3) low lighting accent band on one side and a high accent band that is broader where it says Chevron is the lighting scheme; 4) the things that draw the public’s ire is that the canopy is a flat canopy that has a flat metal box hanging off with a sign and canopies that glow; 6) is a marginal step up from Valero and is disappointed and will detract from the Site and is something the Commission does not want; 7) the Shell, ARCO with the mansard that are much better / nicer; 7) the people in the community have expressed their dislike for the Valero canopy; 8) the proposed Canopy is a small incremental improvement from the Valero canopy; 9) other (Gas) Stations has LED lighting; 10) the other gas station canopy has a strong lighting intensity and won’t

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have that problem here; 11) the proposed blue color is not a high energy color; 12) the proposed lights are recessed and are hooded / shielded lights; 13) the facade-like tile roof is a major issue for the Commission, and; 14) this thoroughfare is a new gateway to the City and feels with the past (canopy) experiences, doesn't believe that is the direction the Commission wants to go with the proposed Canopy. Mr. Fiedler responded there is a lot more going on with a fascia than just the other companies have a metal fascia and is just painted or have a dimensional decal on and that he could incorporate a similar cornice treatment on the Canopy and take back to Chevron and if he agrees tonight with this, if this would be approved by the Commission tonight, as well as the addition of the stucco and the stonework that is on file. Staff responded if the Commission decides to go forward with the cornice treatment concept, Staff requested the feasibility of having a consensus with the Commission.

The following are comments made by the Commissioners regarding if the proposed Canopy with a five foot (5') cornice treatment that ties in with the Building is acceptable comparable to a hip roofing: 1) there were two (2) noes expressed by the Commissioners; 2) the Canopy is rigid in design and need to find an alternative; 3) solar is important and would like to see a compromise; 4) this is a gateway to the City and the Canopy is not unique / special and if a cornice treatment was introduced, was unsure if the cornice treatment would work and have the roof scheme / design look different rather than just a flat roof; 5) is supportive of the solar panels and that the mansard is more complex in trying to use the Canopy and Commercial Building roofs and the cost goes up, and; 6) anything is an improvement than what it is now, but is still a disappointed with the end product. Mr. Fiedler responded with regards to the mansard treatment, the proportionate size is five feet (5') high to eight feet (8') high and with small mansards, it looks almost kind of foolish and a half-hearted attempt and when you design a mansard that looks good, you would be significantly reducing the area of what is available and like to have mansards and understand the desire to integrate architecturally and introducing a similar cornice treatment and reiterated the solar will become the normal on future projects and requested the Commission support a cornice treatment for the Project.

Discussion ensued between the Commission, Mr. Fiedler and Staff regarding solar tubes for the proposed sales area and the feasibility of the solar panels on a shallow hip roof design with a east / west sloping orientation and how the arrays are staggered and that Mr. Fiedler had spoken with the solar company on that issue and wanted to conceal the solar arrays and that the stucco / cornice could tie in with the solar / mansard design. A concern was raised with a Commissioner regarding the aesthetics of the Canopy profile and not wanting to

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take the cornice and look like it was “slapped” on there and that the Applicant scale it down and integrate it so it could use the bottom edge of the cornice profile could be used for a reveal with LED lighting. Mr. Fiedler responded that he was envisioning the proportionate so it is in context with the fascia as opposed to being too top heavy.

Chairman Hamerly asked if the Commission about a compromise and how the Commission wants to see something before rendering a decision and ensure that the Canopy looks good. Mr. Horovitz responded when he first viewed the Canopy, he made some comments to the entire structure itself and to add the stone / stucco columns and ask the Commission regarding the structures, as a whole, and agrees with the Commission, as a whole, as presented with depth and mass with rock on the columns and will look better.

A comment was made by a Commissioner that it is a shame the Commission does not have an example, even though the Commission viewed on the Applicant’s cellular phone, but would like to see a Canopy drawing. Mr. Horovitz responded how he viewed the Chevron’s single columns which were framed out and rocked, and would seem aesthetically pleasing, but does not address the mansards. Another Commissioner added he, too, would like to see a Canopy drawing, before the Commission would approve the Canopy and the other Commissioners concurred.

A question was asked by a Commissioner about a real life example of the Canopy that the Commission could drive to and Mr. Fiedler responded he would obtain information.

Chairman Hamerly indicated it appears the Commission’s consensus is to hold the design review portion of the Application for the Canopy only.

The following are comments made by the Commissioners regarding the ADA Path of Travel relative to Access “A” to the entrance of the Gas Station located on the northwest corner from the LA Fitness Building; 2) the cross street and travel east should be more of a lineup (alignment?) with the ADA Path of Travel instead of swinging around and having another curve down to the ADA Path of Travel; 3) tighten up the inside radius of the curve which flushes out with the north edge of the ADA Path of Travel on the north side of the intersection of Access “A” instead of the dog leg design for the ADA Path of Travel and come straight across. A Commissioner would provide Staff with the sketches.

Chairman Hamerly asked if else would like to speak on the item. Seeing none, and there being no further questions of the Applicant or Staff, or discussion amongst the Commissioners, he closed the Public Hearing and then called for

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the question.

**A MOTION** was made by Commissioner Haller and seconded by Vice Chairman Huynh to:

1. Approve Design Review Application 010-006, for a new Service Station Project (Chevron), including the Site Plan, Grading Plan, Lighting Plan, Sign Program, Conceptual Landscape Plan, Exterior Building Elevations, Colors and Materials, all subject to the Conditions of Approval;
2. Adopt the Findings of Fact, and;
3. Defer the Gas Canopy Plans to March 1, 2011.

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

## **6.0 ANNOUNCEMENTS**

City Planner Mainez explained the Items tentatively scheduled for the March 1, 2011, and March 15, 2011, Regular Meetings. He also explained in March, vacancies will be declared vacant on Commissioner Haller and Chairman Hamerly as their terms will be expiring and would have to reapply and Staff will notify them of the status. He also explained of the Citrus Harvest Festival scheduled for March 26, 2011. Staff requested the Commission to submit their Municipal Code Books to Staff so they can be updated.

Vice Chairman Huynh explained he would be unable to attend the March 15, 2011, Regular Meeting.

Commissioner Willhite has a five-week old grandson.

There were no further Announcements.

## **7.0 ADJOURN**

There being no further business, Chairman Hamerly declared the Meeting adjourned at 7:50p.m.

Submitted by:

Approved by:

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Linda McKeough, Community  
Development Administrative Assistant III

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Randall Hamerly, Chairman  
Planning Commission

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