

**MINUTES
PLANNING COMMISSION REGULAR MEETING
MARCH 4, 2014**

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.

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| Present: | Chairman | Randall Hamerly |
| | Vice Chairman | John Gamboa |
| | Commissioners | Richard Haller |
| | | Trang Huynh |
| | | Mark Rush |
| | | Milton Sparks |
| | | Michael Stoffel |

Absent: None

Staff Present: Lawrence Mainez, Community Development Director
Kim Stater, City Planner
Jim Godfredsen, Project Manager
Megan Irwin, Senior Planner
Sergio Madera, Associate Planner
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

There were no Items.

4.0 OLD BUSINESS

There was none.

5.0 NEW BUSINESS

- 5.1 CUP 014-001 – A proposal to permit the establishment of a Type 41 On-Sale Beer and Wine License for a Bona Fide Public Eating Place from the State Department of Alcohol and Beverage Control (ABC) for an existing restaurant known as “Baseline Burger” located at 25578 Base Line (APN 0273-253-14) in the Commercial General (CG) Zoning District. The Project Site is generally located on the north side of Base Line approximately 375 feet west of Mira Vista Avenue. Representative: Jorge Rebolgar, Business Owner

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

Associate Planner Madera gave the presentation from the Staff Report and PowerPoint presentation. He explained the historical background, the Project's design layout, the San Bernardino County Sheriff's Crime Reporting District, and the Applicant's request to the Commission. He then gave Staff's recommendation and then concluded his presentation.

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

A question was asked by Commissioner Haller what is the outdoor seating area ABC requirements and Associate Planner Madera responded that he was not familiar with them.

A comment was made by Commissioner Haller that this has been a concern of the Commission in regards to having fence separation so that beverages cannot be handed to someone over the fence. Associate Planner Madera responded that the seating area is currently fenced.

A question was asked by Chairman Hamerly if the alcoholic beverages would be served in their original containers. Associate Planner Madera responded that the ABC Licenses indicate that the beverages would be able to be served in any container – i.e. cans, glasses, bottles, etc.

A question was asked by Commissioner Huynh if the outdoor patio seating area was approved by the City and Associate Planner Madera reiterated that it was preceded before the City was incorporated and has been there for quite some time.

A question was asked by Chairman Hamerly regarding the establishing of the ABC concentration and whether or not the status of the Crime Reporting Statics provided by the Highland's Police Department would be enough alone to deny for not issuing the ABC License. Associate Planner Madera responded in his experience, it has been up to the local jurisdiction and with the San Bernardino

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County Sheriff (as the Highland Police Department) Crime Reporting Statics and the concentration number of ABC Licenses.

Another question was asked by Chairman Hamerly if there was undue concentration that one (1) ABC License issued is in a Census Tract and had a high crime rate in that area, would it be a defensible action to deny the ABC License Permit under a CUP because of that statistic alone or if the Commission would have to make an additional make a Finding of Necessity or the Applicant can appeal to the ABC Board. City Planner Stater responded that the Commission could deny the Application based on that Public Convenience or Necessity Finding.

A question was asked by Commissioner Rush if there is a Policy with proximity / distance to Schools in the area. Both Community Development Director Mainez and Associate Planner Madera responded that it is not a Policy, but a Law with having a 300 foot radius for the Convenience or Necessity Finding which would be like a Restaurant or Market that sells beer and wine and that the State will look at the Finding and may waive that 300 foot radius distance provision from Schools.

A comment was made by Commissioner Rush that there are five (5) Schools in that area. City Planner Stater responded that the distance from the Schools are more than 300 feet. Community Development Director Mainez added in his experience, there is an issue of value for cities when they are making a decision that they do not want a Liquor Store next to a High School, possible loitering. He provided an example that there was a Application the Commission denied based on the Finding of "Public Convenience or Necessity" due to the over concentration of Liquor Licenses that the particular Liquor Store located at Sterling / Third Street / Fifth Street requested to upgrade in order to sell hard liquor. The Applicant appealed to the City Council and the City Council upheld the Commission's determination.

A question was asked by Vice Chairman Gamboa if the Applicant wanted to revise his hours of operation, if the Applicant would have to return to the Commission. Associate Planner Madera responded affirmatively and if the Applicant wanted to extend the hours beyond 9:00p.m., the Applicant would have to return to the Commission for further consideration.

Chairman Hamerly asked if the Commission had any further questions of Staff. Hearing none, he then opened the Public Hearing and asked if anyone in the audience would like to speak on the Item. Hearing none, he then closed the Public Hearing and there being no further questions of Staff, or discussion amongst the Commissioners, he then called for the question.

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A Motion was made by Vice Chairman Gamboa and seconded by Commissioner Haller to:

1. Direct Staff to file a CEQA Notice of Exemption with the San Bernardino County Clerk of the Board; and
2. Adopt Resolution 14-004 approving Conditional Use Permit 014-001, subject to the Conditions of Approval, and the Findings of Fact including a Finding of “Public Convenience or Necessity”.

Motion carried on a 6 – 1 vote with Commissioner Rush dissenting.

- 5.2 Design Review Application (DRA 12-006) for Phase 1 of a Three-phased Project approved through Conditional Use Permit 08-012 for the reconstruction of a Gas Station and Convenience Store, and related Accessory Sign Review (ASR) 13-006 for one (1) Monument, Building-Mounted and Canopy Signage. The property is an approximately 0.59-acre site located at the northwest corner of Highland Avenue and Victoria Avenue. The address is 26492 Highland Avenue. APN NO.: 0285-742-41. Representative: Mr. Balbir Jhawar, Applicant / Owner; Mr. Gregory Hann, Architect

Chairman Hamerly identified the Item and asked for Staff’s presentation.

Senior Planner Irwin gave the presentation from the Staff Report and PowerPoint presentation. She explained the historical background, the proposed Project’s design and the Applicant’s request to the Commission. She distributed a Color / Materials Board for the Commission’s consideration, explained Staff’s recommendation and then concluded her presentation.

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

A question was asked by Vice Chairman Gamboa if the Canopy lighting was only one slide of the PowerPoint presentation and Senior Planner Irwin said that is correct and that the Sign Plan is included in the Commissioner’s Agenda Packet, but is not in color and indicated the type of lighting detail is proposed to be LED tubing.

A question was asked by Chairman Hamerly if the Applicant considered the illumination of foot candle lighting and Senior Planner Irwin said that she believed so, but the Applicant’s Representative can answer that question.

Another question was asked by Chairman Hamerly regarding the locations of the right in / right out access and that the Aisles are tight and that the previous Plans showed the Pump Stations were angled and had better onsite circulation and if

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Staff could elaborate on that and Senior Planner Irwin responded that the Applicant could elaborate on that and that it is to include vehicular traffic and fuel delivery.

A comment was made by Vice Chairman Gamboa regarding there is not enough room for fuel delivery and working the gas pumps. Chairman Hamerly said that as long as the fuel delivery trucks are delivering the fuel to the tanks that they will be parked parallel to the Monument Sign and are not hanging out in the street and Senior Planner Irwin said that it appears to be correct.

A question was asked by Vice Chairman Gamboa is there enough room on the west side of the pumps for a person to back out of the stalls after the person has pumped fuel while someone else is fueling up on the west pumps and will be difficult to get out to the street with traffic also traveling to / from the Convenience Store. Senior Planner Irwin responded vehicular access would be difficult when the fuel tanks are being refilled the area does meet the minimum requirements for two-way traffic and most of the vehicles / patrons that will be visiting the Convenience Store will also be parking at the Gas Pumps and will probably minimize the amount of people actually parking in the parking stalls. City Planner Stater added that Staff worked with the Applicant's Architect for many months to make adjustments to the proposed Project and to ensure that the twenty-four foot (24') aisle width was met. The Gas Station Corporate Office reviewed the proposed Plan and was agreeable with the layout and circulation. Vice Chairman Gamboa said there is also not enough room for delivery of the non-fuel items and there is no place for those trucks to park and it is similar to the Gas Station located at southeast corner of Palm Avenue / Fifth Street with traffic circulation. Senior Planner Irwin responded there is loading space adjacent to the south of the Trash Enclosure and it is intended for the loading / unloading of non-fuel items. City Planner Stater added that it is an operational issue and deliveries are to be made at less congested times and that Staff is unable to guarantee that.

A comment was made by Chairman Hamerly regarding the access circulation is the street dimensions and curbside parking and provided dimensional maneuvering examples. If a parking stall is eighteen to nineteen feet (18' – 19') in length, that is a bare minimum and yet four feet (4') short of parking space of a twenty-four foot (24') aisle. Chairman Hamerly pointed out using an example of parallel parking spaces of what their typical dimensions would be and that those dimensions exceeded the width of the proposed Canopy which is twenty-eight feet to thirty feet (28' – 30'). If two (2) cars were fueling under the Canopy, that the Canopy is too narrow in its current configuration. Even if the cars were almost touching bumper to bumper, one of the cars would be hanging out four feet (4') into the Drive Aisle and would obstruct the traffic flow onto the Site. The onsite circulation will be congested and suggested placing directional arrows in from the north end of the Pump Aisles. He further stated being optimistic at best, as proposed, the onsite circulation will be difficult.

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A comment was made by Commissioner Stoffel to have the Applicant add more parking, as needed, by the Trash Enclosure. Chairman Hamerly stated that his concern is that there is parallel parking with the traffic flow going into the Canopy which is located in front of the Convenience Store.

Another comment was made by Commissioner Stoffel regarding how people are blocked in at the InN'Out Hamburger Restaurant (located on Greenspot Road) and that the Applicant's access could be fixed by angling the Canopy again. Chairman Hamerly said the traffic flow / access in on Victoria Avenue and out access on Highland Avenue that was shown on the Old Project Site Plan was shown as clear delineation. Vice Chairman Gamboa said plus the Applicant has added two (2) additional fuel pumps onto the limited amount of space on the Project Site. Chairman Hamerly indicated with two (2) directional onsite travel / access will create more problems on the Project Site and reiterated his suggested the use of directional arrows showing access from the north and exit to the south on Highland Avenue, rather than trying to exit on Victoria Avenue which would be right in / right out. Commissioner Stoffel responded that people never follow the rules on the directional arrows and if he wants to use a Gas Pump, he will.

Chairman Hamerly said good luck if a person has more than a nineteen foot (19') vehicle i.e. a motorhome with a boat, would be unable to maneuver. If there is a tractor/trailer and that the trailer would go almost out to the curb and would block the sidewalk, and asked if there is potential of the fuel delivery truck hanging out in the street at the eastern-most aisle close to Victoria Avenue and then provided a scenario to the Commission.

A question was asked by Commissioner Rush if diesel fuel would be available and Senior Planner Irwin responded that she was unsure and deferred to the Applicant for the answer.

A question was asked by Chairman Hamerly regarding whether or not the Applicant met the required seven and one-half percent (7.5) landscaping (thirty percent [30%] shown on the Plans) landscaping requirement in the parking area and if that included just the paved area or the entire Site. Senior Planner Irwin responded according to her calculations and based on the Plans, yes, and that it excluded under the Canopy, but included the Parking Area by the Trash Enclosure and Building, as well as the Drive Aisles. Chairman Hamerly then provided an example with regards to landscaping and drive aisles are considered part of the Parking Lot at Albertson's located in the Highland Plaza Shopping Center.

A comment was made by Vice Chairman Gamboa that Diesel Fuel is listed on the Plans and Commissioner Rush said that large vehicles use diesel fuel and accessibility may be difficult for the person to obtain Diesel Fuel at the Pump.

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A question was asked by Chairman Hamerly if the Applicant could modify the planter against the wall located on the north property line in conformance with the COAs, would there still be an accessible path of travel between Victoria Avenue and the Convenience Store and Senior Planner Irwin responded the Applicant would be required to provide one and might include widening the sidewalk from what the Commission is currently seeing. Chairman Hamerly added if the planter gets two feet (2') wider and the sidewalk has to maintain an acceptable width, they are already at twenty-four feet (24') drive aisle and cannot have two (2) directional travel going less than twenty-four feet (24') going through the property and the Pumps and if the Applicant could meet that Condition, that the Commission could be potentially setting up the Applicant for a deal breaker because there would not be a accessible path of travel provided and still maintain the vehicle aisles through the Site and if reducing landscaping area in the Parkway by five feet (5') which is more critical than the landscaping against the wall. Typically, try to maintain a five foot (5') planter, is usually located in the middle and want to have trees planted and is not usually to have trees between the sidewalk and the wall. Groundcover, ivy will probably be planted to grow onto the wall, and would be interested in preserving the planter area on the Property's perimeter frontage of Victoria Avenue / Highland Avenue and Directed Staff to work with the Applicant and allow the Applicant to have a substandard planter against the wall to maintain the southern Parkway planter. Chairman Hamerly explained on the PowerPoint display and how he wants to see / preserve the five foot (5') landscape planter located on Highland Avenue.

A question was asked by Commissioner Huynh regarding the Project being a three-Phased Project and what is the time frame for construction of each Phase. He then asked whether or not the Commission currently looks at the whole Project or if each Phase is independent. City Planner Stater responded there is an overlying CUP as a single Project, but with the Design Review will be conducted in phases, the Applicant will return to the Commission for further consideration with the Hotel separate from the Gas Station. Commissioner Huynh said that the architectural features, color schemes, Site Plans and circulation for the overall Site are his concerns. City Planner Stater responded the circulation is provided in this Plan for what will be developed in the northern portion of the Site and Staff believes it is adequate. As far as the architecture, that is something that needs to be considered when Phases 2 and 3 are developed to ensure compatibility with the Gas Station, along with the colors and materials.

A comment was made by Chairman Hamerly is that the CUP is the overall concept with Design Review with Phases 2 and 3 and how this is a point of context and will have to be referenced. Commissioner Huynh said his concern is then after Phase 1 as an example and when Phase 2 comes up to be reviewed and maybe at that time, there would be problems / nuisances with Phase 2 and then it would be too late to make changes on Phase 1.

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A question was asked by Commissioner Sparks is there a time period between Phases 1, 2 and 3. Community Development Director Mainez responded to Commissioner Huynh's questions with the nuisances and that when the CUP was approved, there was potential impact with the existing Apartments and with phasing them out, the hours of operation, etc. in that the time frame is ten (10) years and the Applicant is in the process of preparing a Development Agreement. He indicated that the Hotel should not be a problem. Community Development Director Mainez then responded to Sparks' question that the CUP Phasing is independent, but are connected with circulation to ensure the Hotel has access to both streets. There is no timetable with the Phases, but the City has a commitment from the Developer / Property Owner that within ten (10) years the Apartments will be gone and the Hotel will be built.

A question was asked by Chairman Hamerly regarding access from the existing Apartments and the future Hotel that would be from Highland Avenue and Victoria Avenue and Senior Planner Irwin said that is correct.

A comment was made by Chairman Hamerly regarding channeling the Convenience Store, Fuel Stations, Apartments and Hotel traffic onto Highland Avenue through a twenty-four foot (24') aisle that has Delivery Trucks, along with Fuel Trucks, etc. and indicated that twenty-six feet (26') drive aisle is preferred for a commercial development and that the median separation is too tight and that he is still concerned with the twenty-four foot (24') access along the west side of the Project. Community Development Director Mainez responded it appears that can be accommodated and would probably lose the landscaping buffer on the western property line or the Applicant would have to reduce the size of the Convenience Store, and could increase the Aisle by decreasing the landscaping on the western boundary. He then asked Staff if the proposed Hotel would have two (2) access points onto Victoria Avenue and Senior Planner Irwin responded that there is one (1) access directly to Victoria Avenue and a second access to Victoria Avenue through the Service Station. Chairman Hamerly said how the Fire Department wants two (2) access points and Vice Chairman Gamboa added how that was argued before regarding Fire Department access also to the back of the Property and Community Development Director Mainez said how this triggers a lot of improvements to the secondary access on Victoria Avenue, but at this time, one (1) access is all that is needed to get to the existing Apartments.

A question was asked by Commissioner Stoffel what is located west of the Building and Chairman Hamerly responded the sidewalk is west of the Convenience Store and crosses the property line and assumed that that there is one (1) Property Owner for both parcels there is nothing where the nineteen foot (19') dimensions stop on the parking stalls. City Planner Stater added there is a

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landscape planter on the west side of the Convenience Store and removal of the bio-retention swale would affect the WQMP. Chairman Hamerly said that he was not targeting that and that the parking stalls will be paved and explained if there was an alternative design for the parking stalls to the Commission and how the curb would be used as the wheel stop with a two foot (2') overhang by reducing the parking stall net paving by two feet (2') and would allow the bumper to overhang a little and not reducing the landscape area and that the Aisle would be widened and that he is trying to get additional room. Commissioner Stoffel said there is more room at the property line on the west side. Chairman Hamerly said there are not parking stalls now, but will be for a future Phase. There is a four foot (4') dimension between the curb and property line and will reduce the length of the parking stall down to eighteen feet (18') with a five foot (5') bio-swale located by the wheel stops and property line. Vice Chairman Gamboa added then that would be reducing the Loading / Unloading Zone also. Chairman Hamerly said that it would have to be a pretty small delivery truck (i.e. 10'X20') and would have to park to the west.

Note: Community Development Director Mainez then approached the Dais and explained to the Commission regarding the parking and wheel stops designs.

A comment was made by Chairman Hamerly regarding the Commission should temporarily suspend the questions for Staff and indicated that the Applicant's Representative is present. He then opened the Public Hearing and asked if the Applicant or Representative would like to make a presentation.

Mr. Gregory Hann, of Empire Design Group, 24861 Washington Avenue, Murrieta, California, who is the Representative's Architect, addressed the Commission. He thanked the Commission for considering the Project and asked regarding whether or not the Commission was provided with Color Renderings of the Sign Plan. Senior Planner Irwin said Staff was not provided with Revised Color Renderings of the Sign Plan. The Sign Plan that was provided to the Commission in their Packets was revised, but was in black and white. Mr. Hann responded that is unfortunate because the laser line on the Canopy is important and if that is going to be an issue, he requested that the Hearing be continued and had he had known, he would have brought some with him and thought that there would be a Color Presentation. He reiterated if this was going to be an issue, he would like to continue the Hearing.

A question was asked by Community Development Director Mainez if Staff had something that could be provided and Senior Planner Irwin responded let her go look to see if she can find the Old Color Renderings.

(Note: Senior Planner Irwin left the Chambers at 6:55pm)

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Mr. Hann continued that the laser line is LED lighting and is located at other gas stations. The LED tube lighting is classy and lifts up the development more; it is not bright or neon, is in a tube and wraps the Canopy and is approximately one inch (1") and is located on the front of the Building under the AM/PM Logo. He added that the Operations / Loading Zone could be Conditioned. Mr. Hann explained that the current Fuel Tanks are adequate and meet current Codes and new ones are not in the Applicant's budget and added there will be Diesel Fuel sold there.

(Note: Senior Planner Irwin returned at 6:56pm)

Mr. Hann continued regarding that only the two (2) outer rows of the Canopy will have Diesel Fuel. With regards to the landscaping along the retaining wall, it is three feet (3') wide and there is Creeping Fig on the wall and Indian Hawthorne. It is not good to reduce the landscaping located in the front to less than five feet (5') because there are crepe myrtle trees there. He was unsure where the locations of the footings are and may be on the lower side, and might be an "L" footing with constraining the Site. Chairman Hamerly responded that there can be a Condition of Approval (COA) "pushing" over everything. Mr. Hann said they have done the best they could with the walls and the constraints on the Site and need the five foot (5') ADA access and to have the trees in front. Chairman Hamerly read the COA regarding providing five foot (5') landscape planters throughout the Site and said if Staff insists on that COA, whether or not to keep the landscaping in front. Mr. Hann added that he would rather have the trees located in the front and added that the Creeping Fig would look nice and cover the wall and is proposed to replace the top chain link fencing with wrought iron.

Mr. Hann asked if Staff found the Sign Plans. Senior Planner Irwin responded the Plans were not circulated because they were not the most recent version of the Plans and includes Old Elevations and Old Monument Sign so requested the Commission only look at the Canopy and the Building Signage.

A comment was made by Vice Chairman Gamboa that it is a tight fitting Site and asked why the addition of two (2) additional Fuel Pumps and Chairman Hamerly also asked why twenty-four feet (24') access around the whole thing and Vice Chairman Gamboa added plus the Loading Zone in that as proposed, it will not work. Mr. Hann responded the area that is tight is between the Apartment Complex and the street and that the rest of the Site has twenty-four feet (24') around it for two-way traffic and that the Delivery Trucks are usually thirty feet (30') long with ramps in the back of the truck and usually come at non-peak times and the Commission could Condition the Project. Vice Chairman Gamboa responded that he is not arguing, there is only twenty-four foot (24') drive aisle widths and the Applicant has added two (2) additional Fuel Pumps and there is no decent Loading Zone area and with Phase 2, you can't change it with Phase 1 and suggested six (6) Fuel Pumps and a smaller Convenience Store.

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A question was asked by Commissioner Rush why the Fueling Canopy was revised from angling to straight. Mr. Hann responded that he has been working with ARCO since 1988 and with the ARCO brand, Chevron, 76, are angled, but most of them are now done straight.

A comment was made by Chairman Hamerly regarding the Plans that were just distributed to the Commission that the Colors submitted profile the proposed Canopy in a 3D graphic shows that the Blue LED and on the Building an Orange with a Red LED and with a Blue Band on the bottom and then asked based on the Color Exhibits that the Commission has, is that the Building graphic would also have the Blue LED to match the Canopy. Mr. Hann approached the Dais and responded that a Red LED line would be on front of the Building.

(Note: discussion between the Commission and Mr. Hann was inaudible.)

A question was asked by Chairman Hamerly if the Canopy has the Blue graphic plus the Blue LED and on the Building Awning has the Orange and Red LED and Blue graphic and Mr. Hann said that is correct.

(Note: Mr. Hann was still at the Dais and discussion between the Commission and he was inaudible.)

Mr. Hann said that he wanted to make sure that he has a visual picture of what the Commission is observing and wanted to be on the same page. Vice Chairman Gamboa said that he has issues with the Canopy being too industrial and how the Commission is trying to keep all of the Canopies not being so industrial looking and explained the Chevron Station located on Greenspot Road was the closest to industrial looking and that the Commission had the Developer install corners on the edge to match the Convenient Store Building and if Mr. Hann would look at the Valero Gas Station and other gas stations, that they have a different feature and this proposed Gas Station has no feature. Mr. Hann responded that he likes this Project because it is more streamlined, but that is his opinion and Vice Chairman Gamboa responded that it is not Highland. Mr. Hann said why he likes it more streamlined is because a person can see the Building behind it better that has the architectural features and that the Canopy is a "foreground" feature and Vice Chairman Gamboa responded that it is not Highland.

A question was asked by Chairman Hamerly regarding if Staff's thirty percent (30%) landscaping calculations were correct. Mr. Hann responded in order to do it correctly, Senior Planner Irwin omitted the Canopy, and then explained the landscaping breakdown for the entire Site is eleven percent (11%). It is very difficult to design because there are Water Quality Management Plan (WQMP) requirements and bio-swale locations and had to manipulate the Site to accept that and is part of the eleven percent (11%) landscaping.

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A question was asked by Commissioner Haller regarding who had prepared / reviewed the WQMP and Mr. Hann responded that it was sent to an outside Consultant – AEI Casc that had reviewed it and had taken several months.

A question was asked by Chairman Hamerly if the Commission had any further questions regarding the Site Plan, Building Colors and Materials, Landscaping materials and/or Design issues.

A question was asked by Commissioner Stoffel if the Orange color of the Sunbrella is an AM/PM Color and Mr. Hann responded affirmatively and is a prototypical signature color for them and Senior Planner Irwin brought up on the PowerPoint display for the Commission's review. Commissioner Stoffel said that he does not remember seeing that Bright Orange color. Chairman Hamerly said if the Applicant would add the decal colors that are on the awning immediately below, and that the context is there, but with the colors of the Signage immediately above, and Chairman Hamerly said that he preferred if the color of the Sunbrella would be toned down so that it would tie in with the architecture that is around it. Mr. Hann said that would not be a problem and that he is trying to uphold the Corporate image and is not a deal breaker and can work with Staff on that. In addition, Mr. Hann stated that he liked the orange color of the City of Highland's coffee mug and that he could match that and Community Development Director Mainez then gave Mr. Hann a Highland coffee cup. Mr. Hann then asked if that is the same orange color in the City's Logo and added that he liked the orange color and the City of Highland's Flag that is located behind the Dais.

A question was asked by Vice Chairman Gamboa regarding the whether or not the Canopy's stone / brickwork is higher than shown on the Drawing and explained to add at least six feet (6') brick / veneer similar to the ARCO Gas Station located on Base Line / Seine and Mr. Hann responded that he had done that Gas Station's design.

A comment was made by Chairman Hamerly how the Commission Members drive by the ARCO Gas Station located on Base Line / Seine daily and also stops there on occasions. It is great for the ARCO Corporation in that it is busy, but is a traffic nightmare for circulation / access and that is why the Commission is "tuned in" to the proposed Site circulation / access and Mr. Hann responded that he understood.

A question was asked by Chairman Hamerly regarding the Canopy's stone / brickwork detail is to take the stone / brickwork up to eight feet (8') so that it matches the height of the Pump and Vice Chairman Gamboa responded affirmatively. Chairman Hamerly then explained to Mr. Hann what Vice Chairman Gamboa was recommending and explained the bottom of the trim that

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is capping off the brick to make that a horizontal line to the valance of the Pump. Mr. Hann responded regarding the horizontal line above the Fuel Pumps to match the accent with the horizontal line and that it would be no problem with that.

A comment was made by Chairman Hamerly with regards to an earlier comment by Vice Chairman Gamboa about the profile of the cornice wrapping around the Canopy itself and that he is comfortable with the trim going right under the Canopy and that it would be a clean detail and explained that the other gas stations did not have any sort of a trim proposed on the canopy columns.

Chairman Hamerly asked the Commission if there are any architectural issues or with the Color Boards. Hearing none, he then summarized the following:

1. Maintain the three foot (3') landscape planter against the wall and modify Planning COA No. 31.
2. Tone down the Sunbrella Orange Color at the Awning (fabric)
3. Raise the brick on the Canopy Columns
4. Widen the west Aisle to twenty-six feet (26') with modifying the drive aisle / parking

A question was asked by Commissioner Haller regarding the landscaping in front of the Building and Senior Planner Irwin responded there is a heli-tank located next to a swale and Parking Space No. 6. Mr. Hann explained to the Commission the heli-tank was relocated to the other end of the Site and that a heli-tank is a bladder and looks like a propane tank and that its function is to allow the underground fuel to expand and contract and is a requirement from AQMD.

A comment was made by Commissioner Haller regarding the delivery trucks filling the Fuel Tanks and running the hoses and Mr. Hann responded the filling of the Fuel Tanks and running the hoses in that the Tanker Fuel trucks will unload on the right and will not park on the sidewalk.

A question was asked by Vice Chairman Gamboa regarding when the Fuel Truck delivery is filling the Fuel Tanks, the truck is in a restricted space. Mr. Hann said that is correct and usually will deliver fuel at off peak times and if the Fuel delivery truck has to make two (2) deliveries, at two (2) different times, they will. Vice Chairman Gamboa said like the (San Manuel) Casino's hours of operation are 24/7 and the amount of access with current fueling and Mr. Hann responded that it has peak times and can still go to the right in / right out access.

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A comment was made by Chairman Hamerly regarding with the Highland Avenue Fuel Stations in the Circulation Site seems to work better if a person is coming in from the north to the Canopy and Mr. Hann responded that it is his assumption, predominantly.

A comment was made by Vice Chairman Gamboa that there are too many Fuel Pumps in a small area and Commissioner Haller added that people will not pull in far enough. Mr. Hann responded that this is a standard layout design with the Fueling Stations and if two (2) cars fueling, there is enough room for car to go between the two (2) cars fueling.

A question was asked by Chairman Hamerly regarding the COA relative to the landscaping planter and Senior Planner Irwin responded that would be Planning COA No. 31 on Page 85 of the Staff Report. Chairman Hamerly said that the COA does not specifically say adjacent to the wall, and read the COA to the Commission. He then asked if an exception could be made for the north wall and maintain it at three feet (3') so not to have the "domino" effect. A question was asked by Community Development Director Mainez does this mean that there would not be any landscaping on the wall and Chairman Hamerly said no, asking to maintain it at three feet (3') and would rather keep the landscaping out on the street frontage as opposed to against that wall because no trees are proposed to be installed there.

A question was asked by Community Development Director Mainez if the Commission is interested for a wall to exhibit public art. Commissioner Huynh asked if the "POP" signage with one (1) in front of the Building with a light on it and two (2) more on the side (West Elevation) and if the Signage is for advertisements for the Project / Site or could have Highland history located on the Signage similar to the Family Dollar Store Project and indicated that would dress up the area more and say something about Highland. Mr. Hann asked if Commissioner Huynh was talking about Signage on the retaining wall by the Apartments and Commissioner Huynh said no, it would be on the Building. Chairman Hamerly then explained the Signage about / for Highland. Mr. Hann responded that he did the Shopping Center that is located at the 215 / Murrieta with Murrieta's "life style signs". Senior Planner Irwin added that the Color Sign Elevation is not correct in that the Revised Plan omits the lighting above the "POP" signage and reiterated the Plans that are in front of the Commission do not propose lights for the Signs. Community Development Director Mainez added that is such a large space and suggested to frame the Signage out and get together with the City's Historic and Cultural Preservation Board, as well as the Highland Historic Society to obtain rights / permissions to place images in that space.

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A comment was made by Commissioner Stoffel that he thought there was going to be ivy planted and Senior Planner Irwin responded affirmatively. Chairman Hamerly added that the Signage would not be visible. Senior Planner Irwin indicated that the east side of the Building is eleven feet (11') from the bottom of the Building. Mr. Hann explained that the Building is so far back and having two or three (2 or 3) Signs located on the retaining wall and have the Signage spaced out and run conduit might take away from the wall feature. Senior Planner Irwin explained the COA could be modified stating how the wall height can be taller and decorative wall with smaller wrought iron top. Mr. Hann responded that would then be problematic and does not know what types of footings are located there and if they could hold the weight of the additional wall height.

A comment was made by Commissioner Huynh the future Gas Station with the drivers coming to this location and being able to identify the Gas Station's trademark. With regards to the South Front Elevation Wall Sign, a wall-mounted light Sign will do little, but will enhance the Building. He explained how some people who are new residents in Highland and that he gave a tour to them. They were referring to the historic signage at the Family Dollar Store Project and provided positive comments with seeing and complimenting the design features in a positive light and Commissioner Huynh reiterated that he would like to see something there similar to the Family Dollar Store Project with the historical signage of some sort. Mr. Hann said that Mr. Jhawar and Mr. Hann agree and said that he would do that and added that if the Monument Sign located on the corner could be set higher and then would be able to place the City of Highland (Logo) at the base on both sides of the Monument Sign.

Mr. Balbir Jhawar, of Victoria Service, 6476 Victoria Avenue, Highland, California, who is the Applicant / Property Owner, addressed the Commission. He stated whatever the Commission wants, they (he and Mr. Hann) will do. He also wants the public to see that they are located in the City of Highland.

A question was asked by Commissioner Stoffel regarding the City of Highland's Logo. Senior Planner Irwin responded the base of the Sign was hiding it. Commissioner Stoffel said that everyone sees this Site / Property thinks that it is located in San Bernardino. Chairman Hamerly explained and provided an drew an example of a retaining wall on the Color Elevation and asked Community Development Director Mainez if the City Logo could be located on the Monument Sign or on the wall. Senior Planner Irwin responded that is correct and allow the height to exceed the Highland Municipal Code and is not part of the Sign Plan. Chairman Hamerly said with Plan Sheet SN1 is not a part of the Sign Program and to add the City's Logo and the Commission concurred. Chairman Hamerly then started to configure the Sign in order to increase the Sign dimensions and to include the City's Logo into the Monument Sign. City Planner Stater added to recommend a maximum height and that Staff will work with the Applicant.

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A comment was made by Vice Chairman Gamboa that the City's Logo on the Monument Sign at the Jack in the Box located at Base Line / Sterling is small and Community Development Director Mainez responded that the Applicant could return to the Commission with the revised Signage.

Chairman Hamerly said regarding the Monument Sign's dimension as follows: six inches (6") from the ground, with a four inch (4") cap, even two feet (2') from grade to the top of the cap in order to place the City Logo and City Name on the Monument Sign and still have seventeen to eighteen inches (17" – 18") clearance. Community Development Director Mainez said to measure from the grade to the top of the curb.

A question was asked by Chairman Hamerly if the Monument Sign is spanning a bio-swale and Mr. Hann said that is correct. Chairman Hamerly rhetorically said to have it either open or bridge it and then said to bridge it in order to maintain the flow from the high side to the high side. Mr. Hann said the Monument Sign should have a three foot (3') base.

A comment was made by Vice Chairman Gamboa if adding two feet (2') more won't make a difference if the Sign was nine feet (9') tall and Chairman Hamerly responded there be a minimum and is the Commission's call. Commissioner Haller said that he is fine with the three foot (3') base.

A comment was made by Chairman Hamerly that the Monument Sign have the point with contact with the swale. Then to the top of the swale with a maximum height of three feet (3') The Monument Sign to bridge over the swale with a maximum Sign height of eight feet, nine inches (8'9") with a Monument Sign base of three feet (3').

A question was asked by Chairman Hamerly if that was all of the comments with the Landscape Plan and the Commission concurred.

Another question was asked by Chairman Hamerly if there were any other comments regarding the Site Layout. Vice Chairman Gamboa responded and that the Applicant reduce the amount of Fuel Pumps and Convenience Store length-wise. Commissioner Haller added with regards to the circulation, will reduce business and minimize the impact of deliveries and not to block others and indicated that he seems to arrive at the other ARCO Gas Station at peak times. Commissioner Stoffel said that the In-N-Out Hamburger Restaurant is always packed and that he doesn't want cars to back into him and that is why that he doesn't go there.

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Another comment was made by Commissioner Haller that from the first time the Commission had reviewed this Project, it has always been a tight Site and hopefully, the Applicant will take heed and revise the future Phases.

There being no further comments on the Site Plan, Chairman Hamerly asked about the proposed Signage, Fuel Pumps and Canopy. A question was asked by Commissioner Haller regarding the LED lighting. Chairman Hamerly responded that the location of the LED lighting would wrap around the Canopy and that the Sunbrella Orange Awning is tucked behind the Canopy / Apartments visibility of the Building. Vice Chairman Gamboa added there is not much lighting on there. Commissioner Haller said that he does not want the Commission to set a precedent and have the Commission do on a case-by-case basis.

Chairman Hamerly summarized again with the following:

1. Burnt Orange Color needs to be toned down on the Sunbrella fabric
2. Raise the brick on the Canopy Columns to align with the valance on the Pumps
3. Historical signage located on the south façade to the right of the main entry door
4. The Monument Sign have a three foot (3') high base with an eight foot, nine inches (8'9") overall maximum height to accommodate the City Logo and that it will bridge across the swale
5. Modify Planning COA No. 31
6. Require Historical Art on the Building and Wall-mounted Decorative Light on the Building

A question was asked by Mr. Hann if the light for the Historical Art on the Building could be internally lit and Chairman Hamerly responded the Commission prefers it to be externally lit and to note it on the Sign Plans.

A question was asked by Chairman Hamerly if the Applicant to do this plus as the Commission's Directives or add additional COAs. Mr. Hann responded affirmatively and that he had no further questions.

Chairman Hamerly asked if the Commission had any further questions of Mr. Hann, Mr. Jhawar or of Staff. Hearing none, he then asked if anyone in the audience would like to speak on the Item. Hearing none, he then closed the Public Hearing and there being no further questions or discussion amongst the Commissioners, he then summarized with the following Conditions and Directives as modified:

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1. Modify Planning COA No. 31 in order to allow the Applicant to maintain a three foot (3') high Landscape planter.
2. Tone down the Burnt Orange Sunbrella Color on the Awning
3. Raise the brick on the Canopy Columns to align with the valance on the Pumps
4. Modify the west drive aisle width from twenty-four feet (24') to twenty-six feet (26') for access between Highland Avenue and the Apartments
5. Historical Graphic Signage on the Southern Building Façade to the right hand side of the main entrance with exterior illumination
6. The Monument Sign with a three foot (3') high base to a maximum height of eight feet, nine inches (8'9") in order to accommodate the City Logo and to bridge the Monument Sign across the bio-swale

and then called for the question.

A Motion was made by Commissioner Haller and seconded by Commissioner Huynh to:

1. Approve Design Review Application (DRA-12-006) and Accessory Sign Review Application (ASR-13-006) for reconstruction of a Service Station and Convenience Store and associated Signage related to Conditional Use Permit (CUP-08-012), modified with the six (6) Changes that the Chairman determined previously:

and;

2. Adopt the Findings of Fact.

A question was asked by Commissioner Huynh if there should be a Condition or a Directive regarding the Applicant to work with the Historical Society. Community Development Director Mainez responded if the Directive is to use something historical, i.e. a photograph, rights would have to be obtained in order to use that photograph and that usually comes from the Highland Historic Society and explained the process to the Commission.

Motion carried on a 5 – 2 vote with Vice Chairman Gamboa and Commissioner Sparks dissenting.

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6.0 ANNOUNCEMENTS

City Planner Stater explained that the Regular Meeting of March 18, 2014, is canceled and further explained the Items that are tentatively scheduled for the Regular Meeting of April 1, 2014. In addition, she explained the Citrus Harvest Festival is scheduled for Saturday, March 29, 2014.

Associate Planner Madera explained the Community Trails Day and Ribbon Cutting Event is scheduled for Saturday, May 3, 2014, at the City's Natural Parkland Trail System.

Community Development Director Mainez explained the East Valley Water District (EVWD) has its Grand Opening / Ribbon Cutting and Open House scheduled for Saturday, March 15, 2014.

7.0 ADJOURN

There being no further business, Chairman Hamerly declared the Meeting adjourned at 7:53p.m.

Submitted by:

Approved by:

Linda McKeough, Community Development
Administrative Assistant III

Randall Hamerly, Chairman
Planning Commission

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