

MINUTES
PLANNING COMMISSION REGULAR MEETING
January 19, 2021 – 6:00 P.M.

This meeting was conducted as a video conference meeting in a remote location. All votes during the meeting were conducted by roll call.

CALL TO ORDER

The regular meeting of the Planning Commission of the City of Highland was called to order at 6:04 p.m. by Chair Hamerly through video conference.

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

Staff Present: Lawrence Mainez, Community Development Director
Kim Stater, Assistant Community Development Director
Ash Syed, Associate Planner
Carlos Zamano, City Engineer
Matt Bennett, Assistant Public Works Director
Camille Goritz, Administrative Assistant III

The Pledge of Allegiance was led by Chair Hamerly

CALL TO ORDER

Pledge of Allegiance

COMMUNITY INPUT (ITEMS NOT ON THE AGENDA)

None

CONSENT CALENDAR

1. Minutes from the December 15, 2020 Regular Meeting.

A MOTION was made by Vice Chair Thomas, seconded by Commissioner Miller, to approve the minutes as amended. Motion carried on a roll call vote, 5-0

PUBLIC HEARING

2. City of Highland Active Transportation Plan (ATP); a comprehensive plan for the network of trails, bike lanes, sidewalks, and other elements to support safe walking and bicycling in the City [continued from the December 15, 2020 Planning Commission meeting].

Chair Hamerly opened the public hearing.

Samuel Zneimer, Applicant presented the Active Transportation Plan (ATP) presentation.

Commissioner Miller stated I appreciate the effort on the green infrastructure and the new language added. To maintain pervious pavement typically only requires street sweeping and it would be my assumption that within the city's right-of-way within those streets are already being swept, so there is a maintenance mechanism. Would it be safe to say within the city's right-of-way that there is a long-term maintenance mechanism in place for street sweeping?

City Engineer Zamano stated you are correct. The city does street sweeping on a weekly basis, so your statement is accurate.

Chair Hamerly stated I do appreciate the splitting in the maps into the east and west segments. It makes them a bit more legible. The only additional recommendation in terms of scaling is to use a landscape orientation on the page, it would increase the legibility. The use of higher contrast colors on some of the maps especially the yellow is difficult to locate on the map. Primary colors or higher contrast colors would really help the map. Lastly, on the vision section some of the goals and objectives talk about providing more access for all people of all ages and abilities to the ATP network, one of the suggestions I would make is increase bike ownership. I think that would help the utilization especially in the west end of the city where the residents are not a walkable distance.

Samuel Zneimer stated there are programs and I will look into it further.

Chair Hamerly stated there was a program a while ago I believe it was through LA County Sheriff's Department, they were refurbishing stolen bicycles that were not reclaimed and distributing them to school aged children within the city. I am not sure if there is a similar program in this area, but it was a highly effective program at the time.

Vice Chair Thomas thanked Samuel Zneimer for his presentation.

Chair Hamerly closed the public hearing.

A MOTION was made by Commissioner Miller, seconded by Commissioner Amaya, to approve:

1. Adopt Resolution No. 2021 – 001, recommending the City Council approve and adopt the City of Highland Active Transportation Plan (ATP), and direct Staff to file a Notice of Exemption with the County Clerk of the Board.

Motion carried on a roll call vote, 5-0.

RESOLUTION NO. 2021-001

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HIGHLAND, RECOMMENDING THE CITY COUNCIL ADOPT THE ACTIVE TRANSPORTATION PLAN OF THE CITY

**OF HIGHLAND AND MAKING FINDINGS IN SUPPORT
THEREOF.**

3. Conditional Use Permit (CUP 20-003) to redevelop an existing 5,800 square foot commercial building into a convenience store and the addition of a covered fueling station facility with eight (8) fuel pumps on a 0.48-acre parcel. (8020 Palm Ave)

Chair Hamerly opened the public hearing.

Associate Planner Syed presented the staff report.

Commissioner Amaya stated it looks like a tight fit with eight pumps and the parking. Is there enough room when you pull out in the front as well as backing out?

Associate Planner Syed replied there is enough space for cars to back out.

Commissioner Miller asked if it was the intent to allow the runoff from under the fuel canopy?

Bernie Mayer, Engineer for the applicant, stated that is correct, you can see on the site plan there is a V-shaped gutter that goes around the canopy that will go into an inlet and be treated in the Water Quality Management Plan (WQMP) device before it exits to site.

Commissioner Miller stated his concerns. That usually drains to a dead-end sump, typically in the middle so if there are any spills or any contamination it is retained on site without infiltrating in the ground. There is an active cleanup site just 500 feet away that has contamination plumes that are existing and have not been cleaned up. Across the street where the ARCO gas station is also a leaking underground storage leaks (LUST) site with previous contamination and cleanup. Was there any consideration for the potential impact on some of the surrounding existing contamination as it relates to a proposed infrastructure?

Bernie Mayer stated there was not a study done in that regard. We could certainly be willing to address that concern and provide a proper treatment device for the canopy area.

Commissioner Miller stated I would like to see a change before I could support a project given the current site layout.

Vice Chair Thomas stated I read on the plans there was a preliminary WQMP.

Assistant Public Works Director Bennett stated the dead-end sump is a typical feature as Commissioner Miller pointed out. I do not see that detail in the site plan in front of me. The second condition did not come through in conversation regarding the plan check

potential issues. This one would put a hold on the potential use of underground infiltration, not a lot of room for many other options.

Community Development Director Mainez stated the water quality component is handled at staff level. We are asking the Planning Commission tonight is to look at the use of the project.

Chair Hamerly asked this application only for use, it does not have any design component to it?

Community Development Director Mainez stated yes, it is a conditionally permitted use. That basically means for the Planning Commissioners that it is a preferred use, but for some reason that particular use that is listed on the table may have some impacts that need to be mitigated or conditioned.

Chair Hamerly stated even though we have a landscape and site plan we are not reviewing or approving those elements tonight?

Community Development Director Mainez stated yes, that is correct. These are all conceptual.

Vice Chair Thomas applauded the applicant in their redevelopment of this property.

Chair Hamerly stated it fits much better if we have a six-pump configuration, because it either freeze up the southern end of the site for clean access for in and out or allows through access from the north end of the site.

Bernie Mayer stated it is a compact site. We are trying to redevelop an existing facility we certainly want to make sure we address those. If the site does not function correctly it will hurt business and the viability of the site going forward. The fuel delivery can be managed in terms of the timing it is being delivered. Scaling the number of the pumps down is certainly a viable alternative that could be considered to make the site useable.

Community Development Director Mainez stated there could be potentially a significant impact for the Planning Commissioners in terms of circulation. There appears to be some conflict with the fuel truck as well. These are great discussions because it is related to the use itself. If you want to continue the item and bring it back to address the comments that we have heard tonight, that is an option.

Commissioner Amaya applauded the applicant for trying to make this project work.

Chair Hamerly stated I have not heard any concerns about whether this is a completely inappropriate use for this location. It is a question of logistics and working out some of the details, but I think we applaud the idea that this site has sat vacant for so long is

trying to be reclaimed for a new viable use. If this Conditional Use Permit (CUP) and the purpose of this hearing is just to determine whether this use of this property is appropriate that is one decision. If we are not being asked to review or approve any of the exhibits specifically that have been presented in the packet then I think a lot of the concerns I have heard by the Commissioners go away, because we know it will come back to us to review. Is the form of the motion approving the use but not the intensity and layout?

Community Development Director Mainez stated if we do approve the CUP we always associate that with some type of site plan and could be conceptual. The site plan that we have been looking at tonight is close to the intensity would entail if we were to approve the CUP tonight.

Chair Hamerly suggested the resolution that is adopted would be to redevelop an existing commercial building to a convenience store with a covered fueling station area and strike any mention of 8 fuel pumps. We are acknowledging the use without committing to a number which leaves it open.

Bernie Mayer stated the owner of this project has another service station in Yucaipa, CA. He does have experience in this type of this use, and he was instrumental in this layout which he thought would work adequately. Our preference from the applicant standpoint is if we can get the use entitle for the property, we could then work through the design issues.

Community Development Director Mainez stated just for clarification the site plan would be the attached to the CUP.

Chair Hamerly asked if there is a mechanism for separating out the use from the intensity of use?

Community Development Director Mainez stated I could not see separating the two out.

Chair Hamerly replied the way the resolution is written does reference the site plan that has been provided and the most critical component of that is the number of fuel pumps. We acknowledge there will be a convenience store in a fueling station of some sort.

Assistant Community Development Director Stater stated removing the number of pumps from the entitlement is usually out of the ordinary. We can certainly do that; however, that is the applicants desire for us to do that and if we entitle that and there is no number of pumps, is he able to market that with any sense of surety or would it be better to come back with a revised plan? My question to Mr. Mayer is will Mr. Sarwar be satisfied with a use permit that did not qualify a number of pumps?

Bernie Mayer stated if Mr. Sarwar had the approval of use which is a convenience store along with a fuel canopy without necessary approval of the number of pumps, we could work on those details moving forward. This would enable him to attract a potential tenant for it and I think we would certainly accept that flexibility.

Chair Hamerly asked that would be an acceptable solution striking the intensity use on the fuel side?

Bernie Mayer stated yes.

Chair Hamerly asked the Commissioners if they are comfortable with the course of action being considered.

Commissioner Amaya, Thomas, and Sutorus voted yes. Commissioner Miller voted no.

Chair Hamerly stated it sounds like we have a consensus that we are comfortable with the use and the details need to be worked out in the future. We have a consensus by striking the specific reference to eight pumps. At least it gives the applicant the leverage to market the property and come back with a functional workable design that includes convenience store and fueling facilities. Would that be correct?

Assistant Community Development Director Stater replied yes.

Chair Hamerly stated I am concerned with the Engineering conditions because if we adopt the CUP, we cannot strike out the eight because we are also adopting the conditions of approval. My concern is that some of those conditions of approval maybe addressing things that are not workable given some of the water quality issues.

Assistant Community Development Director Stater recommended a modification in the planning conditions.

Chair Hamerly closed the public hearing. This motion is for the use, references to fuel pumps will be stricken throughout the resolutions and the conditions of approval from the respective departments.

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

RECOMMENDATION: Staff recommends the Planning Commission:

- 1) Adopt Resolution No. 2021 –002 approving Conditional Use Permit (CUP 20-003) to redevelop an existing commercial building to a convenience store with a covered fueling station area and fueling pumps, subject to the Conditions of Approval as modified and Findings of Fact; and

- 2) Direct staff to file a Notice of Exemption with the County Clerk of the Board of Supervisors.

Motion carried on a roll call vote, 4-1.

RESOLUTION NO. 2021 - 002

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HIGHLAND, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT (CUP 20-003), TO REDEVELOP AN EXISTING 5,800 SQUARE FOOT COMMERCIAL BUILDING INTO A CONVENIENCE STORE AND THE ADDITION OF A COVERED FUELING STATION FACILITY WITH FUEL PUMPS ON A 0.48 ACRE PARCEL LOCATED AT 8020 PALM AVENUE. ASSESSOR'S PARCEL NUMBER: 1192-641-01.

ANNOUNCEMENTS

None.

ADJOURN

There being no further business, Chair Hamerly declared the meeting adjourned at 7:48 p.m.

Submitted by:

Approved by:

Camille Goritz, Administrative Assistant III
Community Development Department

Randall Hamerly, Chair
Planning Commission

