

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY
AND RECORD OF ACTION**

June 9, 2026

FROM

MIGUEL FIGUEROA, Director, Land Use Services Department

SUBJECT

Appeal of the Planning Commission Approval of the Maverik Convenience Store and Gas Station Project

RECOMMENDATION(S)

CONTINUED OPEN HEARING FROM TUESDAY, MAY 19, 2026, ITEM NO. 106

1. Conduct a public hearing to consider Appeal No. PAPL-2026-00002 related to the Planning Commission's approval of Project No. PROJ-2024-00030 consisting of a Minor Use Permit to construct and operate a gas station and convenience store with 5,637 square feet of retail space and two canopies with a total of 15 fuel dispensing islands on an 8.78-acre parcel.
 - Appellant: William Hale
 - Applicant: Maverik, Inc.
 - Community: Phelan-Piñon Hills
 - Location: 10450 Oasis Road, Piñon Hills
2. Deny the appeal and uphold the Planning Commission's decision approving Project No. PROJ-2024-00030 by taking the following actions:
 - a. Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan.
 - b. Adopt the findings for approval of the Minor Use Permit.
 - c. Approve the Minor Use Permit to construct and operate a gas station and convenience store with 5,637 square feet of retail space and two canopies with a total of 15 fuel dispensing islands on an 8.78-acre parcel, subject to the conditions of approval.
 - d. Direct the Land Use Services Department to file the Notice of Determination in compliance with the California Environmental Quality Act.

(Presenter: Miguel Figueroa, Director, 387-4431)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Promote the Countywide Vision.

Create, Maintain and Grow Jobs and Economic Value in the County.

Ensure Development of a Well-Planned, Balanced, and Sustainable County.

FINANCIAL IMPACT

Approval of this item will not result in the use of Discretionary Funding (Net County Cost). Adequate appropriation and revenue to complete this action have been included in the Land Use Services Department (LUS), Planning Division 2025-2026 budget. All costs of processing this appeal application are paid by William Hale (Appellant). The cost of processing the development application is paid by Maverik, Inc. (Applicant).

**Appeal of the Planning Commission Approval of the Maverik
Convenience Store and Gas Station Project
June 9, 2026**

BACKGROUND INFORMATION

This item was continued from the May 19, 2026 (Item No. 106) Board of Supervisors (Board) meeting and involves an appeal related to the Planning Commission's approval of Project No. PROJ-2024-00030 consisting of a Minor Use Permit to construct and operate a gas station and convenience store with 5,637 square feet of retail space and two canopies with a total of 15 fuel dispensers (Project) on an 8.78 acre parcel in Phelan-Piñon Hills (Project Site).

On February 6, 2024, the Applicant applied for a Minor Use Permit for the proposed Project. The Project Site is in the Commercial (C) Land Use Category designation and is zoned General Commercial (CG). The proposed use of a gas station and convenience store is a permissible use within the CG zone with a Minor Use Permit. Because the Project does not require a change in the Land Use Category or Land Use Zoning District designation, the Project is generally considered to be compatible and consistent with surrounding land uses and the community's identity pursuant to Policy LU-2.4 of the County's Policy Plan (General Plan). The Project is also consistent with the Phelan-Piñon Hills Community Action Guide (CAG). Specifically, Community Focus Statement B of the CAG encourages commercial and light industrial uses in Phelan-Piñon Hills. The CAG encourages more retail and service uses within commercial zones. The Project, a new gas station and convenience store, is a commercial use proposed within the CG zone.

APPEAL

The Project was approved by the Zoning Administrator on December 11, 2025, after receiving opposition from three in-person speakers. On December 22, 2025, Appellant filed an appeal citing concerns with traffic, safety, lack of community benefit, and environmental concerns. The arguments raised by the Appellant and LUS responses are included in the Planning Commission Staff Report as a document attached to this item. The Planning Commission subsequently denied the appeal on February 19, 2026, and unanimously approved the Project (3-0 vote; 2 members absent) after considering the Appellant's arguments and hearing from eight speakers in opposition to the Project.

A further appeal to the Board was filed on March 2, 2026, with claims of unresolved issues related to roadway safety, truck routing, environmental impacts, and community compatibility. A copy of the Appellant's appeal to the Board is included as a document attached to this item. Many of the claims asserted in the initial appeal application contain generalized statements (e.g., "The project's traffic analysis contains material inconsistencies", "The Planning Commission relied on incomplete or inaccurate information", "There are discrepancies in the staff report", etc.) without supporting facts or evidence to substantiate the claim or to guide LUS, the Applicant, or the Board in evaluating the basis of the appeal.

Prior to the May 19, 2026, Board appeal hearing, it was discovered that the most current Traffic Impact Analysis (TIA – dated October 2025) Study and site plan (dated November 2025) were not included in the initial December 2025 Zoning Hearing approval, the subsequent February 2026 Planning Commission appeal hearing, or the initial Board appeal hearing packets. LUS requested that the May 19, 2026, appeal hearing be continued in order to ensure the Board and the public has sufficient time to review the additional material prior to the hearing.

Pursuant to section 86.08.050 of the San Bernardino County Development Code, the Board's consideration of the appeal is a "*de novo*" hearing, and new information can be introduced into the record for Board consideration. Therefore, the above documents have been attached to this

**Appeal of the Planning Commission Approval of the Maverik
Convenience Store and Gas Station Project
June 9, 2026**

report to allow the Board to review and consider the design and potential impacts from the most recent information/documents.

The updated (November 2025) site plan does not substantially alter the project function and is more refined and detailed site plan than the site plan which was included in prior hearings. The primary differences are: 1) removed seven parking spaces in the northern portion of the parking lot, due to potential encroachment into the recorded 25' easement along the northern property line; 2) relocated the underground storage tanks from near the automobile filling pumps to the adjacent filling pumps; 3) reduced the size and design of the southeast landscape island; 4) showed Surface Transportation Assistance Act truck turning movements; and 5) reduced all driveway aisles to 34-feet. None of these changes altered the consistency of the project when measured against applicable development standards.

The updated TIA (October 2025) also refined the traffic analysis and was more detailed in nature than the previous TIA included in the California Environmental Quality Act document. The October 2025 TIA included "pass-by trip credits" per the ITE Trip Generation Manual (11th Edition, 2021). The updated TIA also provided a full analysis of Horizon Year Impacts as required by *San Bernardino County's Transportation Impact Study Guidelines*. The findings for the Horizon Year Impact required a fair share contribution for a future signal improvement which is captured in the Project's Conditions of Approval. The updated TIA included the Vehicle Miles Traveled analysis and concluded that the project satisfies the project-type screening (used in CEQA) due to the nature of the project being a "local serving gas station.

The updates to the TIA and Site Plan do not constitute substantial revisions to the Project that would trigger an additional CEQA review pursuant to Section 15073.5 of the CEQA Guidelines because the changes do not involve or relate to "a new avoidable significant effect or mitigation measures or project revisions to reduce the effect to insignificance" or require "new or replacement mitigation measures." The Project's original Initial Study/Mitigated Negative Declaration determined that no mitigation measures were required; and the Project was conditioned based on the October 2025 TIA at the time it was presented to both the Zoning Administrator and Planning Commission.

This item recommends denial of the appeal and approval of the Project, subject to incorporation of the updated TIA and Site Plan. If the Board denies the appeal, the proposed findings and conditions of approval supporting adoption of the Mitigated Negative Declaration and the approval of the Minor Use Permit are attached to this item.

In the event the Board grants the appeal, LUS recommends the item be continued for LUS to prepare a set of proposed findings consistent with the decision.

PROCUREMENT

N/A

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Jason Searles, Supervising Deputy County Counsel, 387-5455) on May 26, 2026; and County Finance and Administration (Iliana Rodriguez, Administrative Analyst, 386-8392) on May 26, 2026.

**Appeal of the Planning Commission Approval of the Maverik
Convenience Store and Gas Station Project
June 9, 2026**

Record of Action of the Board of Supervisors
San Bernardino County

Public Comment: Barbara Fredette

CONTINUED OPEN HEARING TO TUESDAY, AUGUST 4, 2026

Moved: Curt Hagman Seconded: Joe Baca, Jr.
Ayes: Jesse Armendarez, Dawn Rowe, Curt Hagman, Joe Baca, Jr.
Abstained: Col. Paul Cook (Ret.)

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: June 9, 2026



cc: File - Final BAI
JLL 06/10/2026