



185 SOUTH STATE STREET
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July 24, 2026

Hon. Dawn Rowe, Chair
Hon. Joe Bacca, Jr., Vice Chair
And Members of the San Bernadino Board of Supervisors

Re: Support for Approval of Minor Use Permit PROJ-2024-00030 and Denial of Appeal PAPL-2026-0002

Below please find Maverik, Inc's response to Appellant's appeal PAPL-2026-0002 of the June 9, 2026, San Bernadino County Planning Commission approval of Minor Use Permit PROJ-2024-00030 and denial of appellant's appeal. Appellant has submitted into the record a list of defects as grounds for the Board of Supervisors to overturn the Planning Commission's approval of the Minor use permit and denial of the appellant's appeal.

1. Outdated or Revised Site Plan: Appellant alleges the County provided an outdated site plan while staff and applicant (Maverik) relied on a revised site plan that materially changes the project's physical layout, circulation and operation and the Maverik Convenience store with fuel is a truck stop.

- a. Truck Stop: Appellant alleges the Maverik project meets the strict definition of a truck stop as defined in Section 810.01.220 Definitions, T(hh) of the San Bernadino County Development Code.

Maverik's Response: Per Section 810.01.220 Definitions, T(hh) a Truck Stop is *"a facility that provides convenience services primarily for the trucking community. These services include but are not limited to food, beverage, gasoline and retail services"*. Maverik does not cater primarily to the trucking community. Maverik provides services to both passenger vehicles and multi-fuel vehicles (recreational vehicles, pickup trucks and cars pulling trailers, box trucks, vans and smaller delivery vehicles). Our commercial court canopy offers both gasoline and diesel for RV's, vehicles pulling trailers, smaller delivery vehicles and vans which allows for easier access without blocking traffic flow in the forecourt area. Maverik point of sales split between passenger vehicles and multi-use vehicles averaged 12% to 25% commercial canopy sales compared to 75% to 88% for forecourt canopy sales. In addition, approximately 20% to 25% of commercial canopy sales are for RVs.

In summary, Maverik's convenience store with fueling is not a truck stop since it does not cater primarily to the trucking community but primarily caters to passenger vehicles therefore Section 810.01.220 Definitions, T(hh) does not impact the Planning Commission's approval and findings.

- b. Turning movement: Appellant alleges material changes to the site plan including driveway geometry and alignment, truck circulation patterns, turning movements, queueing and stacking space, sight distances and parking configuration.

Maverik's Response: The building orientation, number of driveway entrances and location, truck circulation patterns into and through the site and sight distances has not changed from our initial site plan reviewed by the County. The only subsequent site changes were, (1) elimination of 7-parking space along the north side of the forecourt canopy, reducing the parking space count from 42 to 35. Maverik still meets the minimum code requirement of 23 spaces. (2). The underground fuel tanks were moved from next to the forecourt to between the building and commercial court. This change was made to keep the fuel truck traffic separated from the



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passenger vehicle forecourt traffic reducing truck/car interaction around the forecourt.

In summary, the changes are not material to the review of the project, nor does it impact the Planning Commission's approval and findings since it did not alter the layout, project use or operation of the convenience store, fueling operation and surrounding roadway system.

- c. Change in Driveway Geometry: Appellant alleges the driveway geometry has been changed.

Maverik's Response: The site has three driveways, one on Oases Road and two on Buckthorn Road. All three driveways have been shown in the same location and configuration consistently with every site plan submittal to the County. The only change to the driveways has been to the curve radius to better allow vehicle turning movements for larger vehicles and to meet County roadway standards.

In summary, the change is not material to the review of the project, nor does it impact the Planning Commission's approval and findings since it did not alter the layout, project use or operation of the convenience store, fueling operation and surrounding roadway system.

- d. Change in Truck Circulation: Appellant alleges the truck circulation into and through the site has changes.

Maverik's Response: Truck circulation has been shown consistently in the same location, direction and configuration. As stated in 1.b above, the only change was to the location of the underground fuel tanks.

In summary, the change is not material to the review of the project, nor does it impact the Planning Commission's approval and findings since it did not alter the layout, project use or operation of the convenience store, fueling operation and surrounding roadway system.

- e. Site Operation: Appellant alleges the site operation has changed.

Maverik's Response: This allegation is a repeat of sections 1.a, 1.b, 1.c and 1.d above and they provide no addental information to substantiate that the overall site operation has changed. Further the appellant states the number of forecourt dispensers has been reduced. The site plan clearly shows one stack of dispensers will be installed at the initial buildout and one stack of dispensers is for future development. This distinction is clearly labeled on the site plan and appellants failed to understand the distinction during their analysis.

In summary, there is no change to the site but is a mistake/oversight by the appellant in their review of the site plan details thus it does not impact the Planning Commission's approval and findings.

- 2. **Traffic Study:** Appellant alleges Maverik's traffic studies are defective that it does not address traffic on North Oases Road and school safety, relies on 2019 traffic counts, use is a truck stop, site is designed for STAA WB-67 trucks, does not analysis legal access, turning movements, off-tracking, or roadway geometry, does not evaluate school zone safety or emergency access or evacuation, or cumulative impacts.

- a. **School and Pedestrian Safety:** Appellant alleges the Maverik project impacts the health, safety and welfare of the Pinon Hills Elementary school; Maverik's project increases vehicle traffic especially truck traffic in front of the school, speed in front of the school creates a dangerous environment for children, lack of infrastructure (sidewalks, bike lanes, narrow roadway) along North Oases Road, the project will divert traffic especially truck traffic past the school, conflict with school bus drop-off and queueing.



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Maverik's Response: The Maverik project is located on the south side of SR-138, and the Pinion Hills Elementary School is located on the north side of SR-138 and are separated by 0.9 miles.

- 1) North Oases Road was not required to be included in the intersection analysis because per the Bernardino County Transportation Impact Study Guidelines (July 2019), the threshold for intersections to be included in the study area are 50 peak hour trips or more. A traffic scoping agreement was prepared and approved by County staff that included the project trip generation, distribution, and the study area including study intersections. The project is distributing 5% of trips to North Oasis Road which results in less than 50 peak hour trips. The traffic study utilized counts taken in 2024 and growth rates utilized were consistent with agency guidelines and reviewed/approved by County staff.
- 2) Vehicles patronizing the Maverik store will be pulled primarily from SR-138 with approximately 85% of customers being by-pass customers (already existing on SR-138 with or without the Maverik store) currently on SR-138. Per the traffic study the Maverik project will not increase traffic near or around the Elementary School because vehicles will be turning south on Oases Road and not north on Oases Road to access the Maverik store.
- 3) Since the Mavrik project is located south of SR-138 all infrastructure improvements such as roadway widening, sidewalks, bike lanes, streetlights and landscaping will be along South Oases Road. North Oases Road is not part of the project site and Maverik is not responsible to improve this section of road since it is outside the project perimeters. Appellant is making an intentional misrepresentation of the project impacts to illicit an emotional response by the Board using the safety of children when the Maverik project has no impact on the school, children's safety and North Oases Road.
- 4) Maverik is required to install sidewalks along Oases Road. The Oases Road sidewalk will connect into the existing pedestrian cross on SR-138 to provide a seamless and safe path of travel from the south side of SR-138 to the north via existing Caltrans pedestrian crossing signal. The Oases Road sidewalk connects to an interior sidewalk providing a safe path of travel thru the project site from Oases Road.
- 5) As outlined in Section 1.a above, the Maverik convenience store with fuel does not meet Section 810.01.220 Definitions, T (hh) for a truck stop.

In summary, analysis of North Oases Road and the Pinion Hills Elementary School does not meet the County guidelines threshold for inclusion in the study, the study used 2024 traffic data collected in real time and does not materially impact the Planning Commission's approval and findings.

- b. **Truck Turning Movements & Traffic Flow:** Appellant makes several allegations regarding truck turning movements, residential driveway conflicts, fuel delivery, STAA roadway identification, emergency evacuation access, roadway design not accommodating a WB-67 truck length, bottlenecks, and lack of sidewalks were not addressed in the traffic study and overall roadway design.

Maverik's Response:

- 1) Maverik designs all its sites to allow for ingress/egress of a WB-67 truck and is industry standard for measuring truck movements on and through commercial sites. In addition, County standards require the site to be designed to accommodate WB-67 truck turn movements. All Maverik roadways and turn



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movements are designed to accommodate a WB-67 truck length.

- 2) There is one residential driveway that is located on Buckthorn Road south of the Maverik site. Maverik is improving Buckthorn Road along the project's frontage only with a rural road paved section of 30' including curb gutter on both the north and south sides of the roadway. We will improve the one residential driveway entrance with a paved apron, so it seamlessly intersects Buckthorn Road. The driveway improvement will make ingress/egress safer by meeting County standards for sight distance.
- 3) Path of travel for the fuel delivery trucks is no different than other large vehicles and the path of travel was designed using the WB-67 truck turn template. In addition, the WB-67 template accommodates all STAA trucks, so the project roadways accommodate STAA trucks and STAA truck turn movements. By moving the underground fuel tanks next to the commercial canopy allows the fuel tanker trucks to use the same path of travel as other large vehicles and does not require any special geometry for turning movements.
- 4) SR-138 is a STAA designated route. Since Oases Buckthorn Roads are adjacent to and provides access/service to and from SR-138 both roads do not have to be designated STAA travel routes. Additionally, 85% of the vehicles patronizing the Maverik store are by-pass trips so the statement the Maverik project will increase the number of STAA trucks near the school is inaccurate.
- 5) The Maverik project will not impact ingress/egress of emergency vehicles or evacuation routes. Maverik will be improving the Oases and Buckthorn Roads to a rural roadway County standard, and this will improve the flow of traffic in all situations.

In summary, as outlined above, analysis of North Oases Road and the Pinon Hills Elementary School was not required. The improvements to both Oases Road and Buckthorn Road increase the level of safety for both vehicles and pedestrians and meets the STAA and WB-67 turn movement standards. Site improvements of curb gutter and sidewalks ensure the project provides a safe path for pedestrians and meets County standards.

3. **Health & Safety:** Appellant alleges the lack of public health and safety services in the area.

Maverik's Response: Per submitted letters Fire protection services will be provided by the San Bernadino County Fire Department and Fire Station 10. Police protection will be provided by the San Bernadino County Sheriff's Department and served by the Victor Valley Sheriff's Service Agency and the Phelan Substation on Pheland Road. Both the San Bernadino County Fire Department and Sheriff's Department currently services the commercial and residential area surrounding the project site.

In summary, the San Bernadino County Fire Department and Sheriff's Department will adequately serve the Maverik Project, nor does it impact the Planning Commission's approval and findings.

4. **Post Office Circulation:** Appellant alleges the project development impacts the customer and mail delivery ingress/egress, increases peak hour congestion, Maverik failed to speak with the local Post Office Supervisor and the traffic study did not address Post Office traffic.

Maverik's Response:

- a. The Pinon Hills United State Post Office is located catty corner from the Maverik projects. Current circulation



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into and out of the facility is via Oases Road and Buckthorn Road. The parking lot is a one-way circulation pattern, in off of Oases Road and out onto Buckthorn Road. Buckthorn Road, where it intersects Oases Road, is positioned directly across from the section of Buckthorn Road Maverik will be improving. Maverik will be improving Oases Road to a three-lane configuration with a dedicated right turn lane onto Buckthorne going west, a thru-lane on Oases Road going south and a left turn lane onto Buckthorn going east. This intersection will be controlled in four directions by stop signs. It was discussed to reverse the Post Offices parking lot flow from ingress off Oases and egress on Buckthorn to ingress on Buckthorn with egress on Oases. This will allow for a controlled left turn onto Buckthorn and into the post office and a controlled right-turn egress out of the post office to a stop sign on Oases.

- b. There will be no impact on mail truck circulation since Per the Post Office Supervisor they currently circulate into the parking lot and back-up into the loading area. The mail trucks can make the same back-up movement going in the opposite direction.
- c. The traffic study measured the peak hour traffic volumes on Oases Road south of SR-138 and did not find a significant increase in peak hours volumes. With the widening of Oases Road to three lanes, traffic will have designated lanes for vehicle turning and stacking lessening overall area congestion.
- d. When Maverik designed the widening of Oases Road, we spoke with the Post Office Supervisor about reversing the parking lot flow. At the time the Supervision was April Galdo and she indicated any parking lot work needed to be approved by the landowner since the facility is a leased piece of land. We spoke with the landowner Jess Oliver and Mr. Oliver sent a letter to Supervisor Galdo authorizing her to work with Maverik. We were subsequently informed Supervisor Galdo was replaced by Amanda LeDoux with whom we spoke with, and Supervisor LeDoux passed us onto the USPS Facilities Department. We are currently waiting for returned calls from the USPS Facilities Department as to how to proceed.

In Summary, Maverik addressed the parking lot issue with Pinon Hills Post Office Supervisors and with the District Facilities Managers. Appellant has been misinformed as to our level of communication.

5. Noise Impact: Appellant alleges Maverik's CEQA Noise Study was incomplete and technically unreliable.

Maverik's Response: A noise study was completed by a certified noise engineer in accordance with CEQA guidelines. The study used residential levels to measure the noise impacts since the project is located near residential land uses. Noise samples were taken near the residential uses and the park to assess both daytime and nighttime noise levels and the findings show both store construction and operation noise is a less than significant impact as per CEQA Guidelines.

In summary, the CEQA noise findings are in accordance with State CEQA guidelines and appellants' allegations are beyond that which is required by CEQA.

6. Project Lighting: Appellant alleges the project lighting impact was not studied, the revised site plan necessities a new lighting plan and a photometric plan was not completed.

Maverik's Response: As clearly outlined in Sections 1.b, 1.c, 1.d and 1.e above, the site plan did not change materially, necessitating a change in site lighting. Maverik also completed a photometric plan showing the site lighting meets the rural dark sky requirements and County lighting standards including light from site signage.



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In summary, Maverik's project meets the County lighting standards and appellants' allegations are beyond that which is required by CEQA and County code.

7. Brandt-Howley Law Group Letter: Appellant submitted a letter from Susan Brandt-Hawley challenging the use of an IS/MND.

Maverik's Response: Maverik counsel believes the letter is directed primarily towards the County and its decision to uses an IS/MND for CEQA Review. The CEQA studies and IS/MND address all CEQA guideline requirements.

8. Planning Commission Findings: Approval of PROJ-2-24-00030 and Denial of Appeal PAPL-2026-0002.

It is clear from staff's review Maverik has met both the San Bernardino County Development Code requirements for on and off-site development and CEQA review guidelines for a complete and thorough IS/MND of the retail commercial development in a Commercial and General Commercial (C & GC) zone.

Maverik respectfully requests the San Bernardino County Board to Supervisor to

- a. **DENY** the appeal and uphold the Planning Commission's approval of the Minor Use Permit with Conditions of Approval to establish a new convenience store with 5,637 square feet of retail space and 18 fuel dispensing islands; and
- b. **ADOPT** the Findings for approval of the Minor Use Permit;
- c. **ADOPT** the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.
- d. **DIRECT** Land Use Services staff file a Notice of Determination in compliance with the California Environmental Quality Act.

Thank You,

Kevin Deis

Maverik Site Development Manger