



**SAN BERNARDINO COUNTY
PLANNING COMMISSION MEETING MINUTES**
County Government Center
Covington Chambers
385 N. Arrowhead Avenue, 1st Floor
San Bernardino, CA 92415

Thursday, June 6, 2019

COMMISSIONERS PRESENT

Jonathan Weldy, Chair, First District
Ray Allard, Vice Chair, Second District
Michael Stoffel, Commissioner, Third District
Gabriel Chavez, Commissioner, Fourth District
Audrey Mathews, Commissioner, Fifth District

STAFF PRESENT

Heidi Duron, Planning Director, LUSD
Jason Searles, Deputy County Counsel
Anthony De Luca, Senior Planner, LUSD
Chrystale Sonick, Executive Assistant II, LUSD

The Planning Commission Meeting of June 6, 2019, was called to order at 9:04 a.m. by Chair Weldy. Chair Weldy led the Invocation and Commissioner Chavez led the Pledge of Allegiance.

1. a. ADVANCE SCHEDULE

The advanced schedule was presented by Heidi Duron, Planning Director, stating that the meeting of June 20, 2019, would be cancelled.

b. DIRECTOR'S REPORT

Ms. Duron stated that she did not have anything to report.

c. COMMISSIONER COMMENTS

Vice Chair Allard asked when the Planning Division would go live with the Easy Online Permitting System (EZOP). Ms. Duron responded that the division recently had a developer round table for the EZOP system and received good feedback. She confirmed that it would launch on July 1, 2019.

Commissioner Chavez acknowledge the anniversary of D-Day.

PLANNING COMMISSION MEETING MINUTES

June 6, 2019

PAGE 2 OF 5

2. PUBLIC HEARING

| | |
|-----------------------------|--|
| APPLICANT: | George Wanis |
| COMMUNITY: | Phelan/1st Supervisorial District |
| PROJECT NO: | P201700697 |
| LOCATION: | Northwest corner of Beekley Road and State Highway 138 in the Community of Pinon Hills within the Phelan/Pinon Hills Community Plan. |
| STAFF: | Anthony De Luca, Senior Planner |
| PROPOSAL: | Conditional Use Permit to construct a 4,998 square foot convenience store and gas station with six (6) fuel pumps, and a Minor Variance to allow the west side street setback to be reduced from 25 feet to 20 feet. |
| CEQA RECOMMENDATION: | Adopt the Mitigated Negative Declaration |
| EST. TIME: | 30 minutes |

STAFF PRESENTATION:

Anthony De Luca, Senior Planner, presented the staff report to the Planning Commission, which report is on file with the Land Use Services Department.

RECOMMENDATION: That the Planning Commission:

1. **ADOPT** the Mitigated Negative Declaration;
2. **APPROVE** the Conditional Use Permit (CUP) to construct and operate a 4,998 square-foot convenience store and gas station with six-island fueling stations on approximately 1.65 acres of a 3.01-acre site, subject to the recommended Conditions of Approval;
3. **APPROVE** the Minor Variance to allow the street-side setback requirement along Beekley Lane to be reduced from Twenty-five (25) feet to twenty (20) feet;
4. **ADOPT** the Findings as contained in the Staff Report; and
5. **FILE** the Notice of Determination.

COMMISSION COMMENTS:

Vice Chair Allard asked if the Project was allowed in the current zoning. Mr. De Luca confirmed that it was allowed.

The Commission had further questions regarding the traffic and entrance into the Project. The applicant spoke and provided answers to those questions.

APPLICANT COMMENTS:

Tom Steeno with Steeno Design representing the applicant stated that the biggest issue was the traffic and they had worked extensively with Caltrans. He also confirmed that they completed traffic studies regarding the intersection.

Mr. Steeno also advised the Commission that there was a raised median on Beekley which is proposed to be 4 foot wide that starts at the intersection heading north and creates a lane pocket.

Vice Chair Allard asked who would maintain the median. Mr. Steeno responded that the applicant would maintain the median.

Mr. Steeno also showed a picture of the design and explained it. He spoke regarding parking, landscaping and the Joshua Trees.

PLANNING COMMISSION MEETING MINUTES

June 6, 2019

PAGE 3 OF 5

Mr. Steeno concluded that the Project would be a good neighbor and they agreed to the Conditions of Approval.

PUBLIC COMMENTS:

Anthony Moreno, resident of Phelan, spoke in opposition to the Project, stating that he has lived adjacent to the Project for over 25 years. He stated concerns regarding exposure to chemical fumes in the air and ground, noise produced by large gas tankers, risk of armed robberies, criminal behavior, panhandling, homelessness, his property value decreasing and lighting that may affect his property.

ADDITIONAL COMMENTS:

Commissioner Chavez asked if the concerns raised by the public speaker were addressed by staff. Ms. Duron stated that some were addressed in the environmental study and others were addressed in the conditions of approval.

Vice Chair Allard asked the applicant if there was going to be a curb and gutter installed on Beekley Lane. Mr. Steeno responded that they were not planning to install curbs and gutters.

COMMISSION ACTION:

Vice Chair Allard made a motion to approve staff's recommendation. Commissioner Mathews seconded the motion. The motion passed with a 5-0 vote.

COMMISSION VOTE

MOTION: Allard
SECOND: Mathews
AYES: Weldy, Allard, Stoffel, Chavez, Mathews
NOES: None
RECUSED: None
ABSENT: None
ABSTAIN: None

The Commission took a break to present Paul Smith with a plaque thanking him for his years of service on the Planning Commission.

3. PUBLIC HEARING

| | |
|------------|--|
| COMMUNITY: | Rules of Order |
| STAFF: | County Wide |
| PROPOSAL: | Heidi Duron, Planning Director |
| EST. TIME: | Revision to the Planning Commission Rules of Order |
| | 30 minutes |

STAFF PRESENTATION:

Heidi Duron, Planning Director, presented the memo to the Planning Commission, which report is on file with the Land Use Services Department.

RECOMMENDATION: That the Planning Commission:

- 1) **CONSIDER** the proposed redline changes to the Planning Commission Rules of Order as contained in the staff report.
 - 2) **MAKE** alterations, if necessary, to proposed redline changes as contained in the staff report.
 - 3) **APPROVE** changes with recommendation to the Board of Supervisors for ratification.
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PLANNING COMMISSION MEETING MINUTES

June 6, 2019

PAGE 4 OF 5

COMMISSION COMMENTS:

Commissioner Chavez pointed out a typo and staff stated they would correct it.

Chair Weldy asked if there would be a time limit noted in the redline changes regarding appeals. Jason Searles, Deputy County Counsel, stated that they have kept that option open for the Commission's discretion. Ms. Duron also confirmed that staff notified the applicant and appellants of their time limits when they had appeals well in advance to the hearing. Chair Weldy also asked staff to consider the future availability and use of the Joshua Tree and High Desert Government Centers for future hearings.

Mr. Searles also stated that staff looked into the concern the Commission raised regarding late submission of documents during hearings. He stated that they evaluated the current law which allows oral or written comments to be submitted up until the time of the decision and to be included in the administrative record.

PUBLIC COMMENTS:

No comments

COMMISSION ACTION:

Commissioner Mathews made a motion to approve staff's recommendation. Commissioner Chavez seconded the motion. The motion passed with a 5-0 vote.

COMMISSION VOTE

MOTION: Mathews
SECOND: Chavez
AYES: Weldy, Allard, Stoffel, Chavez, Mathews
NOES: None
RECUSED: None
ABSENT: None
ABSTAIN: None

4. PUBLIC COMMENTS:

Chair Weldy opened the Public Comments at 10:26 a.m., with one speaker requesting to speak.

Robin Kobaly, resident of Morongo Valley, a Botanist and Wildlife Biologist spoke about her past accomplishments. She also provided a handout to the Commission explaining the effects of what happens underground when people disturb the grounds above. She said that the Commission has responsibility that would affect the future, health and quality of life in the desert and should know the ramifications of their decisions.

Having no more speakers, Chair Weldy closed the Public Comments at 10:30 a.m.

5. ADJOURNMENT:

There being no further business, Commissioner Stoffel made a motion to adjourn the meeting. Commissioner Mathews seconded the motion. The meeting was adjourned at 10:30 a.m.


PLANNING COMMISSION MEETING MINUTES

June 6, 2019

PAGE 5 OF 5


Chair Weldy **Date**
Chair Weldy, Planning Commission

 7/3/2019
Heidi Duron **Date**
Planning Director, Land Use Services Department

 7-9-19
Chrystale Sonick **Date**
Executive Assistant II, Land Use Services Department
