

**MINUTES
PLANNING COMMISSION REGULAR MEETING
OCTOBER 2, 2012**

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.

Present: Chairman Randall Hamerly
 Commissioners John Gamboa
 Richard Haller
 Milton Sparks
 Michael Stoffel

Absent: Commissioner Michael Willhite
 Vice Chairman Trang Huynh

Staff Present: John Jaquess, Community Development Director
 Lawrence Mainez, City 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

3.1 Minutes of September 18, 2012, Regular Meeting.

On Page 2, Eighth Paragraph, Second Sentence was amended to read as follows: "She stated that they are still arguing over whether the Roof was constructed..."

On Page 4, Fifth Paragraph, First Sentence was amended to read as follows: "...because it was part of the Permit and just eliminate the walls and they would still have a Covered Patio."

A Motion was made by Commissioner Gamboa and seconded by Commissioner Sparks to approve the Minutes of September 18, 2012, Regular Meeting, as amended.

Motion carried on a 4 – 0 vote with the abstention of Commissioner Stoffel and with Commissioner Willhite and Vice Chairman Huynh absent.

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4.0 OLD BUSINESS

There was none.

5.0 NEW BUSINESS

(Note: prior to the Meeting, Staff distributed a Revised Conditions of Approval for Item 5.1)

- 5.1 A Staff Review Application (SRP-012-033) and a Minor Sign Review Application (ASR-012-019) submitted by "Zapata Tire Shop" for a Permanent Outdoor Sale and Display and a new Building Mounted Sign on an existing Commercial Building. The Property is located at 26383 Base Line, a 1.35 acre site located at the southwest corner of the intersection of Base Line and Lynwood Way. (APN: 1192-101-56-0000) Representative: David Zapata.

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

City Planner Mainez explained the Revised Conditions of Approval (COAs) that were distributed to the Commission prior to the Meeting and then gave the presentation from the Staff Report and explained the proposed Project design and the Applicant's request to the Commission. He indicated that prior to tonight's Meeting, the Applicant advised Staff that the Address Sign will be larger so people will be able to see the business and not to pass it by. The Applicant is also requesting more than three (3) Mobile Tire Displays that Staff is recommending. In the Exhibit, the Applicant is showing eleven (11) Mobile Tire Displays with a maximum of four Tires on each Display to be located in the parking lot area. The Applicant is in the audience for any questions the Commission may have and then concluded his presentation.

A question was asked by Chairman Hamerly regarding how the stacks of Tires qualify or be considered under a Signage Program and understand that it is a Tire Shop and placing the Tires out qualifies for advertising. City Planner Mainez explained there are two (2) separate Applications and the Code allows the Planning Commission to approve Permanent Outdoor Displays whether if it is furniture, and how there was a Thrift Store located in the Village Commercial Area and another Thrift Store located on Base Line had been approved for Outdoor Displays and reiterated that it is within the parameters for the Commission's consideration and is separate from the Signs and that is why there are two (2) separate Motions that Staff is recommending.

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A question was asked by Commissioner Stoffel what about the draped plastic placed on the Tire stacks that usually have something written on the plastic regarding a promotion sale, etc. City Planner Mainez responded the Applicant is not proposing the sock and is proposing to keep the Tires exposed and the draped plastic / sock would be similar to accessory signage and a temporary Display the Applicant would have to apply for a Temporary Banner / Sign Permit.

A comment was made by Commissioner Gamboa the Exhibit shows eleven (11) Mobile Tire Displays. City Planner Mainez responded indicating there is a need for clarification and how one of the Plans show twelve (12) Mobile Tire Displays and the text says eleven (11) and the Applicant is requesting eleven (11).

A question was asked by Commissioner Haller if the Tires are sitting on a wooden pallet and City Planner Mainez responded affirmatively and will be transported with a dolly with taking them out in the morning and bringing them back inside at night similar to what Home Depot does.

A comment was made by Chairman Hamerly how the Tires would be mobile, but yet a permanent Display and City Planner Mainez said right and how they would be out there everyday.

Chairman Hamerly asked if the Commission had any further questions of Staff. Hearing none, he then opened the Public Hearing and asked if the Applicant would like to make a presentation.

Mr. David Zapata, 26383 Base Line, Highland, California, who is the Applicant and Business Owner, addressed the Commission.

A question was asked by Chairman Hamerly how the Applicant has requested eleven to twelve (11 – 12) Mobile Tire Displays and that the Staff Report COA is Conditioned for three (3) Mobile Tire Displays. Mr. Zapata responded that he wanted more Mobile Tire Displays because the front of the Building has a lot of room and how the customers complain that they are unable to see / find his business.

Another question was asked by Chairman Hamerly if the Mobile Tire Displays would be moved into the Tire Shop each evening and were each on a pallet or on the ground and Mr. Zapata responded that the Tire Stacks are on a pallet six inches (6”) off the ground and would be removed every night. Why the Tires are on the pallet is because he does not want to contaminate the ground and that the Mobile Tire Displays would be brought out in the morning.

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A question was asked by Chairman Hamerly if the Applicant was going to use a lift to transport the Displays or are the pallets going to have wheels on them. Mr. Zapata responded eventually, he will be getting a lift, but in the meantime, they have to do it by hand in transporting the Tires in and out.

Chairman Hamerly asked if the Commission had any questions of Staff or the Applicant. Hearing none, he then opened the Hearing then asked if anyone in the audience would like to speak on the Item. Hearing none, he left the Hearing open and then opened the floor for discussion amongst the Commissioners.

Mr. Zapata then thanked the Commission.

A question was asked by Commissioner Haller if blue is the proposed color for the Sign and City Planner Mainez responded affirmatively.

A question was asked by Commissioner Gamboa if the Sign would be the same blue color as the one located on Fifth Street and City Planner Mainez responded affirmatively which would be a similar blue and added that the Applicant is the same Business Owner.

A comment was made by Chairman Hamerly if the Applicant is increasing the number size for the Building's Address Sign and typically, addresses are not considered a part of the Sign Program and asked if that was correct and City Planner said right.

A question was asked by Chairman Hamerly if there was a recommended standard size requirement for the Address Sign that the City uses or by the Fire Department or the Post Office. Community Development Director Jaquess responded that he doesn't believe that there is a standard for commercial. The numbers that he has seen most used are a minimum of four inches (4"). But being back from the street, then possibly the numbers could be larger than four inches (4") without a problem. The four inches (4") is a minimum in order to the Fire Department to see the Address Sign.

A comment was made by Chairman Hamerly regarding the Address Sign be a contrasting color in order to have greater visibility and asked is it up for discussion if the Commission is to consider / approving the size or color or if Staff is advising the Commission that the Applicant is going to change the contrasting color. City Planner Mainez responded if this would help with the discussion in terms of the Mobile Tire Display and the Applicant is going to increase the size of the Address Sign and Staff is encouraging the Applicant to submit a Sign Program and that Staff is willing to assist the Applicant.

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Chairman Hamerly summarized for the Commission that the Commission's consideration is with the Revised COA No. 7, in that Staff has listed for the Applicant to have three (3) Mobile Tire Displays and the Applicant is requesting twelve (12) Mobile Tire Displays. He then asked for the Commission's opinions.

A comment was made by Commissioner Gamboa that if the Applicant is going to be wheeling the pallets in / out every day and does not see a problem with that and will help with the Applicant's business. He then requested clarification if the Applicant wants eleven (11) or twelve Mobile Tire Displays. Mr. Zapata responded that he is requesting possibly twelve (12). City Planner Mainez said for the record, that the Applicant is requesting twelve (12) Mobile Tire Displays.

A question was asked by Commissioner Haller how did Staff come up with three (3) Mobile Tire Displays and indicated that he assumed so that they would not impede the north edge of the drive aisle. City Planner Mainez responded there are three (3) circles behind the front fence between the two (2) entries / driveways. When Staff visited the Site, it would not impede the drive aisle and ensure circulation flow and that the Applicant might relocate the fence back in the future for a monument sign, but the fence is currently being utilized as a security system in keeping the merchandise safe and deterring graffiti.

Commissioner Haller asked again how did Staff come up with the three (3) Mobile Tire Displays. Community Development Director Jaquess responded that it was a judgment call and thought that it was reasonable number in lieu of signage and was uncomfortable with twelve (12) being too much from a City's aesthetic perspective. So Staff is leaning toward a lower number that Staff was more comfortable with being three (3) or four (4) Mobile Tire Displays.

A comment was made by Chairman Hamerly regarding aesthetically, it's not a problem with new Tires, but what surprised him was with the Applicant using plain wooden pallets. He recommended that the Applicant dress the pallets up and paint them either black or blue or whatever the Applicant can do in order to make them more presentable. He also commented even though the pallets will probably get beat up with taking them in / out. In addition, the sketch is not to scale because the Tires are wider than a parking space and that the pallet(s) are not wider than a parking space and is not much possibility for Mobile Tire Displays to obstruct the drive aisles, as long as the Mobile Tire Displays would be pushed up towards the planters that are shown on the diagram. If the Mobile Tire Displays would obstruct the flow of traffic through the Site, it seems then that the Business Owner would want them out of the way so it would not keep customers from getting onto the Site. Chairman Hamerly was unsure regarding to change the language by the Applicant can have up to twelve (12) Mobile Tire Displays and then it would be left up to the Applicant's discretion. So if the Applicant wanted to push out three (3) Mobile Tire Displays on one day or twelve (12) on another day, it would give the Applicant an option.

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A comment was made by Commissioner Stoffel that he was comfortable with the Applicant having up to twelve (12) Mobile Tire Displays and both Commissioners Gamboa and Sparks agreed.

A comment was made by Chairman Hamerly with revising the COA No. 7 in that the Applicant shall be permitted up to twelve (12) Mobile Tire Displays.

A question was asked by Commissioner Sparks regarding the top drawing shows the Mobile Tire Displays by the planters and the bottom drawing shows them by the fence and asked which is it or if was going to be both ways. Chairman Hamerly responded one of the drawings shows the Mobile Tire Displays up against the Building and then the street drawing is showing them out against the street and indicated that the Applicant is trying to show both lines of Tires. Commissioner Sparks said how he was looking at the drawing, it looked like that the Mobile Tire Displays were more towards the Building.

A comment was made by Commissioner Stoffel that there are two (2) different views and two (2) different places and Commissioner Sparks asked if the Mobile Tire Displays would be only across the front of the area.

A question was asked by Chairman Hamerly if there would be two (2) rows of the Mobile Tire Displays - one (1) row against the Building and one (1) row against the fence and Mr. Zapata responded affirmatively and that the pallets will be painted and will be kept nice and clean.

There being no further amongst the Commissioners, Chairman Hamerly closed the Public Hearing and then called for the question.

A Motion was made by Commissioner Haller and seconded by Commissioner Stoffel to

1. Approve Staff Review (SRP-012-033) for a Permanent Outdoor Sales and Display areas as modified, with COA No. 7; and Adopt Finding of Facts
2. Approve a Proposed Sign Program (ASR-012-019) for an existing Commercial Building, which includes a Proposal for a Building Mounted Sign, subject to Staff's comments and Conditions of Approval and Adopt Findings of Facts

Chairman Hamerly said that the amended COAs in the first portion Finding No. 1, rather than in the second portion of Finding No. 2 for COAs.

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Commissioner Haller amended the Motion and Commissioner Stoffel amended the Second to the following:

1. Approve Staff Review (SRP-012-033) for a Permanent Outdoor Sales and Display areas as modified, and Adopt Finding of Facts
2. Approve a Proposed Sign Program (ASR-012-019) for an existing Commercial Building, which includes a Proposal for a Building Mounted Sign, subject to Staff's comments and Conditions of Approval; as modified with the following:

No. 7 The Permanent Outdoor Sale and Display shall be limited up to twelve (12) Mobile Tire Displays at a maximum of four (4) tires high.

1. All other displays shall be within the existing Building.

And;

Adopt Findings of Facts

Motion carried on a 5 – 0 vote with Commissioner Willhite and vice Chairman Huynh absent.

6.0 ANNOUNCEMENTS

Community Development Director Jaquess explained the Items scheduled for the Commission's Regular Meeting for October 16, 2012, at 6:00pm. In addition, he reminded the Commission of the Volunteer Dinner for this Friday, October 5, 2012, at 5:30pm.

7.0 ADJOURN

There being no further business, Chairman Hamerly declared the Meeting adjourned at 6:28p.m.

Submitted by:

Approved by:

Linda McKeough, Community Development
Administrative Assistant III

Randall Hamerly, Chairman
Planning Commission

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