

**MINUTES
PLANNING COMMISSION REGULAR MEETING
JUNE 18, 2013**

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
	Vice Chairman	Trang Huynh
	Commissioners	John Gamboa
		Richard Haller

Absent:	Commissioner	Mark Rush
	Commissioner	Milton Sparks
	Commissioner	Michael Stoffel

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 REORGANIZATION OF THE PLANNING COMMISSION

2.1 Reorganization of the Planning Commission and election of Chairman and Vice Chairman for 2012 - 2013.

Chairman Hamerly identified the Item and then he turned the Meeting over to Community Development Director Jaquess who explained the Election process and opened the nominations for Chairman.

Commissioner Haller nominated Commissioner Hamerly for Chairman and Commissioner Gamboa seconded the nomination of Commissioner Hamerly and then closed the nominations for Chairman.

Community Development Director Jaquess said it was affirmed to close the nominations by acclamation for the Motion to elect Commissioner Hamerly for Chairman.

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A Motion to elect Commissioner Hamerly as Chairman carried on a 4 – 0 vote with Commissioners Rush, Sparks and Stoffel absent.

Commissioner Hamerly was elected as Chairman of the Commission.

Community Development Director Jaquess turned the Meeting over to Chairman Hamerly.

Chairman Hamerly then opened the nominations for Vice Chairman.

Commissioner Haller nominated Commissioner Gamboa for Vice Chairman and Commissioner Huynh seconded the nomination of Commissioner Gamboa.

Chairman Hamerly asked if there were any further nominations for Vice Chairman. There being no further nominations, it was affirmed to close the nominations for Vice Chairman.

A Motion to elect Commissioner Gamboa as Vice Chairman carried on a 4 – 0 vote with Commissioners Rush, Sparks and Stoffel absent.

Commissioner Gamboa was elected as Vice Chairman of the Commission.

Both the Commissioners and Staff congratulated the Chair and Vice Chair.

A comment was made by Commissioner Haller how Chairman Hamerly has done a great job in his capacity for the Commission.

A comment was made by Chairman Hamerly how Commissioner Huynh had done an outstanding service for the past few years in his capacity as Vice Chairman for the Commission.

3.0 COMMUNITY INPUT

There was none.

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4.0 CONSENT CALENDAR

4.1 Minutes of May 21, 2013, Regular Meeting.

A comment was made by Chairman Hamerly regarding on Page 2, Second Paragraph for posterity and for readers not having a sense of humor, clarifying that it was a joke and no one had written letters and Administrative Assistant III McKeough replied that is why she used the word, “quipped” and ended the sentence with an exclamation point!

A Motion was made by Vice Chairman Gamboa and seconded by Commissioner Haller to approve the Minutes of May 21, 2013, Regular Meeting, as submitted.

Motion carried on a 3 – 0 vote with the abstention of Vice Chairman Huynh Commissioners Rush, Sparks and Stoffel absent.

Community Development Director Jaquess stated that it is a majority of those who are in attendance to approve the Minutes.

Comments were made by Chairman Hamerly, Vice Chairman Gamboa and Commissioner Haller that Administrative Assistant III McKeough has done a great job in preparing the Commission Minutes and Administrative Assistant III McKeough thanked the Commission for the kind words.

5.0 OLD BUSINESS

There was none.

6.0 NEW BUSINESS

6.1 An Accessory Sign Review Application (ASR-013-016) requesting the Planning Commissions consideration of a New Building Mounted Sign for Our Favorite Things Furniture Store. The address is 25494 Base Line. The Assessor Parcel Nos.: 0273-253-28 & 18 -0000. Representative: Maria Hernandez, Business Owner.

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

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City Planner Mainez gave the presentation from the Staff Report and explained the Sign Review Application Project design and layout, historical background and the Applicant's request to the Commission. He indicated that he had approached the Property Owner in submitting a Sign Program and he is unwilling to do that, at this time. He further explained the Applicant was not in the audience and that he will attempt to answer any questions the Commission may have and then concluded his presentation.

Chairman Hamerly opened the Hearing and asked if the Commission had any questions of Staff.

A question was asked by Chairman Hamerly if there are two (2) parts to the Building and the Applicant wants to have the Sign on part of the Building where the business is located and does the Commission have to require a Sign Program to get their Sign on the Base Line frontage, as opposed to being completely screened by view. City Planner Mainez responded that the Sign is screened from view and the Building is a two (2) part building. The front part of the Building is an old Bar and is set up like a Bar / Restaurant and the Applicant is not going to be leasing that area and that sharing the space on the Base Line frontage is a good idea.

A comment was made by Chairman Hamerly that the Base Line frontage would be able to advertise the Applicant's business and then asked regarding the feasibility of giving the Applicant latitude to have extra footage and possibly have an additional Sign, or if that would take a separate Application. City Planner Mainez responded that is a good idea and that it would be at the Property Owner's discretion, and that Staff is willing to work with the Applicant, if that is the Commission's desire and reiterated that is a good idea.

A comment was made by Commissioner Haller that he concurred with Chairman Hamerly's suggestion because no one would be able to see the Sign otherwise.

A question was asked by Chairman Hamerly if there is an exclusion in the Sign Code if a person's business is not in that building, the person is unable to place a Sign, unless the Property has a Master Sign Program. City Planner Mainez responded there is a pole sign located on the corner and would be a good opportunity to list the tenants' business on the pole sign, but reiterated the Applicant is not here tonight, and with the City trying to be business friendly, rather than saying that we are not going to modify this until the Applicant submits a Sign Program and he liked the approach with working with the Applicant.

Chairman Hamerly asked if the Commission had any further questions of Staff.

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A question was asked by Vice Chairman Gamboa if the proposed Sign letters are the same type / style that the Commission approved in the same Center for the Tire Store that was recently approved and City Planner Mainez responded that he was unsure the Sign letters are to be the same style, but the letters are to be foam letters.

Chairman Hamerly asked if anyone would like to speak on the item. Hearing none, he then closed the Public Hearing and opened the floor for further discussion amongst the Commissioners.

A comment was made by Commissioner Haller the feasibility of modifying a Condition of Approval (COA) for flexibility and Chairman Hamerly added that he, too, would like to and suggested to delete the word, "A" for "new" and add an "S" to pluralize the word, "sign" for "signs" and not to exceed the maximum permitted area by Code. City Planner Mainez responded the issue is that the Sign's location, as well, and suggested as a Commission's directive, have the Applicant modify the attached submitted Sign Plan, to show where the Applicant would be placing the Sign on the Base Line frontage, if the Applicant wants to.

A question was asked by Chairman Hamerly what about how Staff is willing to work with the Applicant, and with the Commission's directive and City Planner Mainez responded the Applicant building the Sign to Code, and with the Commission's directive to modify the Sign Plan, the bar has a porch in front and cannot place the Sign on the roof or porch area and come up with the solution, and if not, will have to bring the Sign back to the Commission for further consideration.

A question was asked by Community Development Director Jaquess that the Commission does not want to bring the Sign back if the Applicant wants to leave the Sign, where it is proposed. Chairman Hamerly responded indicated that he does not want to see again if the Applicant elected to add a Second Sign, because the Applicant could go three times larger on their Sign area and City Planner Mainez said right and Chairman Hamerly continued that the Applicant would still be within the limits permitted by Code. Community Development Director Jaquess added the Applicant may not want to advertise the business on the other Building because then the people would not know which Building the Applicant is located and reiterated Staff is willing to work with the Applicant.

A comment was made by Vice Chairman Gamboa regarding to leave it at Staff's discretion and City Planner Mainez said that it is a challenging Site.

A comment was made by Chairman Hamerly then the Motion would be as it is written and Vice Chairman Gamboa responded that is acceptable, as written. Commissioner Haller added that as written, it is fine.

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There being no further questions of Staff, or discussion amongst the Commissioners, Chairman Hamerly then called for the question.

A Motion was made by Vice Chairman Gamboa and seconded by Commissioner Haller to Approve the Sign Application (ASR 013-016) for a New Building Mounted Sign, subject to Conditions of Approval, and Adopt the Findings of Facts.

Motion carried on a 4 – 0 vote with Commissioners Rush, Sparks and Stoffel absent.

- 6.2 A Staff Review Application (SRP-013-013) submitted by Elite Furniture Store for a Permanent Outdoor Sale and Display in front of an existing Commercial Building. The Project is located at 25608 Base Line, an approximate 0.68 gross acre parcel located on the northwest corner of Base Line and Mira Vista Avenue just west of Sterling Avenue. (APN: 0273-261-08-0000). Representative: Mau Pham, Property Owner / Business Owner.

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

City Planner Mainez gave the presentation from the Staff Report and explained the Staff Review Application Project design and layout, historical background and the Applicant's request to the Commission. He added that the previous Property Owner had removed the large roof-mounted Sign and that the Site has been cleaned up, from a signage perspective, and that the Application is "straight forward" and there are no COAs applied to this Application and the Outdoor Display Area would be utilized to only display a few pieces of furniture. He indicated that the Applicant was in the audience and then concluded his presentation.

A question was asked by Chairman Hamerly there are no obstructions / access issues to the Building and City Planner Mainez responded that is correct and Staff had worked with the Public Works Staff that the Outdoor Display Area would not impede the sidewalk area for pedestrian traffic or ADA requirements.

A comment was made by Chairman Hamerly on the Site Plan, it appeared that proposed Display Area obstructed the sidewalk and City Planner Mainez responded no, and that the area is all concrete up to the curb and gutter.

A question was asked by Commissioner Huynh if there is any restriction on height of the Display Area and gave an example of mattress(es) leaning vertically against the Building and City Planner Mainez said there are no height restrictions

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and just the Display Area and what is going to be displayed in that area and believed that the Applicant is placing just different types of furniture in the Display Area rather than mattresses.

A comment was made by Chairman Hamerly that there would be a height limitation due to the canopy and City Planner Mainez responded the canopy is pretty tall.

A comment was made by Vice Chairman Gamboa that he has driven by the Site and has seen couches on end there vertically standing up. City Planner Mainez said that can be a question for the Applicant for clarification.

A question was asked by Commissioner Haller there is no temporary signage and like advertise the pricing or other types of signage. City Planner Mainez responded that this Application is for the proposed Outdoor Display Area only and that there is a separate Permit for temporary signage the Applicant would have to obtain and Code Enforcement would track it and is not proposed tonight, but is a good question about pricing.

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

Mr. Mau Pham, who is the Business Owner, addressed the Commission. He stated that he would be displaying some high drawer chests outside in front of the Store and that the proposed Display Area size is 16" X 44" with 48" in height and wants to advise the public that he is there and has furniture.

A question was asked by Commissioner Huynh if he sells mattresses and Mr. Pham responded affirmatively, but not outside for display.

A question was asked by Vice Chairman Gamboa if the Applicant places couches outside and Mr. Pham responded just chest of drawers.

Another question was asked by Vice Chairman Gamboa just chest of drawers, etc. and Mr. Pham responded affirmatively. Vice Chairman Gamboa added that he wanted assurance the Applicant would not place couches on end vertically standing up and Mr. Pham responded sometimes with deliveries, when the couches are dropped off, they will and then are taken inside and not left outside.

A question was asked by Chairman Hamerly regarding deliveries on the front sidewalk area and Mr. Pham responded sometimes a small truck delivers items in front and with larger deliveries, they are delivered at the rear of the Store and the Applicant does not have the truck stay for long. Vice Chairman Gamboa added that he must have driven by at the right time.

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Chairman Hamerly asked if the Commission had any further questions of the Applicant or Staff.

A question was asked by Commissioner Huynh regarding the feasibility of limiting a height restriction, and if that would contradict with requirements and his concern how has seen furniture stores lean mattresses lean against the window, and items across on the Building and looks bad. City Planner Mainez responded a COA can be prepared stating that no material shall be up against the Building, individual pieces of furniture and not stacked up, no mattresses.

A comment was made by Chairman Hamerly regarding this is a supplement for the Applicant's advertisement and is not a "yard sale" and is inclined to have him to display his wares attractively and that signage is less than desirable and that there is no heavy furniture or anything that could blow over. Commissioner Huynh added or have something that may fall down and hit someone walking by on the sidewalk.

A question was asked by Vice Chairman Gamboa if no taller than the bottom of the canopy which appears to be eight feet (8') in height. City Planner Mainez responded that it is higher than eight feet (8').

A comment was made by Commissioner Huynh regarding five feet (5') and forty-eight inches (48") and allow an extra twelve inches (12") totally five feet (5'). He explained how at the Tire Store on Fifth Street that recently obtained approval from the Commission that they have stacked tires ten feet (10') high in order to attract people driving by and is a height issue and that it looked tacky. City Planner Mainez responded have the Applicant modify the Site Plan not only to show the (Outdoor Display) Area adjacent to the Building, but add a note stating the maximum height of up to five feet (5') and suggested the Plan indicate 2' X 10' X 5'; and Vice Chairman Gamboa stated that he is comfortable with the five foot (5') height limit. Commissioner Huynh added that would be for the Permanent Display Area and not have something so tall. Mr. Pham responded if the sofa is five feet (5'), would be okay.

A question was asked by Chairman Hamerly if the Applicant had any armoire, entertainment centers or anything like that and Mr. Pham responded that they would be gotten off the truck and taken inside.

A comment was made by Chairman Hamerly that he is fine with the five foot (5') height restriction and if that was acceptable to the Applicant and Mr. Pham responded affirmatively.

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A question was asked by Chairman Hamerly if the Applicant make a note on the Site Plan stating the Display Area be 2' X 10' X 5' and not have to modify / add any COAs and say the Site Plan, as amended. City Planner Mainez said correct and that he will have the Applicant revise the Site Plan.

Chairman Hamerly asked if anyone else would like to speak on the item. Seeing none, and there being no further questions of the Applicant or Staff, or discussion amongst the Commissioners, he then closed the Public Hearing and called for the question.

A Motion was made by Commissioner Haller and seconded by Commissioner Huynh that the Planning Commission Approve Staff Review Permit (SRP-013-013) for a Permanent Outdoor Sales and Display Area, as amended with the following with the provision that the Site Plan be revised with a height limit of five feet (5') and Adopt the Finding of Facts.

Motion carried on a 4 – 0 vote with Commissioners Rush, Sparks and Stoffel absent.

7.0 ANNOUNCEMENTS

Community Development Director Jaquess explained the Meeting of July 2, is cancelled and the Items tentatively scheduled for the Regular Meeting for July 16, 2013. Commissioner Haller stated that he will be out of town for the July 16, Meeting.

A brief discussion ensued between the Commission and Staff regarding the status of the Family Dollar project.

Everyone wished all a safe and Happy Fourth of July.

8.0 ADJOURN

There being no further business, Chairman Hamerly declared the Meeting adjourned at 6:25p.m.

Submitted by:

Approved by:

Linda McKeough, Community Development
Administrative Assistant III

Randall Hamerly, Chairman
Planning Commission

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