



REGULAR MEETING OF THE UPLAND PLANNING COMMISSION AGENDA

**September 23, 2020 at 6:30 PM
Council Chambers**

**ROBIN ASPINALL, CHAIR
GARY SCHWARY, VICE CHAIR
CAROLYN ANDERSON, COMMISSIONER
CHRISTINE S. CALDWELL, COMMISSIONER
THOMAS GRAHN, COMMISSIONER
SERGE MAYER, COMMISSIONER
PATRICK Y. SHIM, COMMISSIONER**

**ROBERT D. DALQUEST, DEVELOPMENT SERVICES DIRECTOR
ISRA SHAH, DEPUTY CITY ATTORNEY**

DISRUPTION OF MEETINGS

Individuals who demonstrate disruptive conduct during Planning Commission Meetings that prevent the Planning Commission from conducting its meeting in an orderly manner are guilty of a misdemeanor as stated in PC403, disrupting a public meeting, and are subject to removal from the chamber or arrest.

1. CALL TO ORDER OF THE PLANNING COMMISSION REGULAR MEETING

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Chair Aspinall	_____
Vice Chair Schwary	_____
Commissioner Anderson	_____
Commissioner Caldwell	_____
Commissioner Grahn	_____
Commissioner Mayer	_____
Commissioner Shim	_____

4. APPROVAL OF MINUTES

Approve the Special Meeting Minutes of August 12, 2020. (Staff Person: Jamie Davidson)

5. COUNCIL ACTIONS

Presentation of City Council actions from the Regular Meeting of September 14, 2020. (Staff Person: Robert D. Dalquest)

6. FUTURE AGENDA ITEMS

Presentation of future Planning Commission Agenda Items. (Staff Person: Mike Poland)

7. ORAL COMMUNICATIONS

This is the time for any citizen to comment on any items that are not listed on the agenda under "Public Hearings" but within the Planning Commission's purview. Anyone wishing to address the Planning Commission should submit a speaker card to the Planning Secretary prior to speaking. The speakers are requested to keep their comments to five (5) minutes. The use of visual aids will be included in the time limit. Under the provisions of the Brown Act, the Planning Commission is prohibited from taking action on items not listed on the agenda.

8. PUBLIC HEARINGS

At a meeting when multiple public hearings are scheduled, the Chairperson, with the concurrence of the Commission, may re-order the items within this portion of the agenda in order to benefit the public or to provide efficient hearing of the scheduled items.

**A. PUBLIC HEARING FOR CONDITIONAL USE PERMIT NO. 19-07.
(Continued from August 12, 2020)**

Project Description: Request to allow a daycare/pre-school facility within a 5,040 square foot tenant space in an existing shopping center. The property is located within the Commercial/Office Mixed-Use (C/O-MU) General Plan Designation and the Commercial/Office Mixed-Use (C/O-MU) Zoning District.

Note: This Public Hearing item was continued by the Planning Commission from their Special Meeting on August 12, 2020 to their Regular Meeting on October 28, 2020 to allow the Applicant additional time to address the Planning Commission's concerns related to the site plan. Recently the Applicant has requested that the Public Hearing be moved to September 23, 2020. Therefore, Staff has re-noticed the Public Hearing in accordance with Upland Municipal Code Section 17.46.

Project Location: Property is located at 710 E. Foothill Boulevard, further described as Assessor's Parcel Number 1046-101-08.

Staff:	Joshua Winter, Associate Planner
Applicant:	Wei Zhao 4996 Aldine Street Montclair, CA 91763

Recommendation:	<p>That the Planning Commission:</p> <ol style="list-style-type: none"> 1. Receive staff's presentation; and 2. Open public hearing and receive testimony from the public; and 3. Close public hearing and have Commission discussion; and 4. Find that this project is Categorically Exempt from environmental proceedings pursuant to Article 19, Section 15301, Existing Facilities, Class 1 (a), of the California Environmental Quality Act Guidelines, since the proposed project consists of a negligible change in use within an existing structure; and 5. Move to adopt a Resolution for approval of Conditional Use Permit No. 19-07, based upon the findings and subject to conditions of approval as set forth in the Resolution dated September 23, 2020.
Council Hearing Required:	The Planning Commission's decision is final unless the request is appealed to the City Council. UMC Section 17.47.040.
Appeal Period:	September 24, 2020 – October 5, 2020.

**B. PUBLIC HEARING TO CONSIDER ZONING CODE AMENDMENT NO. 20-0001.
(Continued from August 12, 2020)**

Project Description: Consideration of an Ordinance revising Chapter 17.37 concerning Accessory Dwelling Units (ADU) and Junior Accessory Dwelling Units (JADU) in order to conform to the changes to Government Code Sections 65852.2 and 65852.22 that went into effect on January 1, 2020.

Project Location: Citywide.

Staff:	Robert D. Dalquest, Development Services Director
Applicant:	City of Upland
Recommendation:	<p>That the Planning Commission:</p> <ol style="list-style-type: none"> 1. Receive staff's presentation; and 2. Open public hearing and receive testimony from the public; and 3. Close public hearing and have Commission discussion; 4. Find this project statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15282(h) of the CEQA Guidelines, which states that the adoption of an ordinance regarding second units to implement the provisions of Sections 65852.1 and 65852.2 of the Government Code are exempt from the requirements of CEQA; and 5. Move to adopt a Resolution recommending that the City Council approve an Ordinance revising the City's regulations pertaining to Accessory Dwelling Units (ADU)

	and Junior Accessory Dwelling Units (JADU) to conform to the revisions of Government Code Sections 65852.2 and 65852.22 that went into effect on January 1, 2020.
Council Hearing Required:	This item will be forwarded to City Council for final action.
Appeal Period:	NA.

C. PUBLIC HEARING FOR LOCAL REGISTER NO. LR-20-0001.

Project Description: Request to designate 843 N. 2nd Avenue to the local register of historic places. The property is located within the Residential Single-Family Medium (RS-7.5) General Plan Designation and the Residential Single-Family Medium (RS-7.5) Zoning District.

Project Location: Property is located at 843 N. 2nd Avenue, further described as Assessor's Parcel Number 1046-061-16.

Staff:	Jacqueline Hong, Assistant Planner
Applicant:	Jeffrey and Kellene Johnson 843 N. 2 nd Avenue Upland, CA 91784
Recommendation:	That the Planning Commission: 1. Receive staff's presentation; and 2. Open public hearing and receive testimony from the public; and 3. Close public hearing and have Commission discussion; and 4. Find that the project is Categorical Exempt from further environmental proceedings pursuant to Article 5, Section 15061(b)(3). The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment; and 5. Move to adopt a Resolution approving Local Register No. 20-0001, based upon the findings and subject to conditions of approval as set forth in the Resolution dated September 23, 2020.
Council Hearing Required:	The Planning Commission's decision is final unless the request is appealed to the City Council. UMC Section 17.47.040.
Appeal Period:	September 24, 2020 – October 5, 2020.

D. PUBLIC HEARING FOR CONDITIONAL USE PERMIT NO. 19-10, SITE PLAN NO. 19-07, DESIGN REVIEW NO. 19-13, AND ENVIRONMENTAL ASSESSMENT REVIEW NO. 0084.

Project Description: Request to allow a gas station, automated drive-thru car wash, a 4,565 square foot convenience store, and a 1,515 square foot quick service restaurant. The property is located within the Highway Commercial (CH) Designation of The Colonies at San Antonio Specific Plan.

Project Location: Property is located on the south side of East 20th Street, approximately 330 feet east of Campus Avenue, further described as Assessor's Parcel Number 1044-111-49.

Staff:	Mike Poland, Contract Planning Manager
Applicant:	Ash Etemadian 1138 E. 20 th Street Upland, CA 91784
Recommendation:	That the Planning Commission: <ol style="list-style-type: none"> 1. Receive staff's presentation; and 2. Open public hearing and receive testimony from the public; and 3. Close public hearing and have Commission discussion; and 4. Find that pursuant to the provisions of the California Environmental Quality Act (CEQA) a Final Environmental Impact Report was previously certified by the City of Upland in connection with the approval of The Colonies at San Antonio Specific Plan and that the City has determined that the Project does not trigger any of the conditions described in Sections 15162 of CEQA Guidelines which would require the preparation of a subsequent or supplemental environmental document; and 5. Move to adopt a Resolution for approval of Conditional Use Permit No. 19-10, Site Plan No. 19-07, and Design Review No. 19-13, based upon the findings and subject to conditions of approval as set forth in the Resolution dated September 23, 2020.
Council Hearing Required:	The Planning Commission's decision is final unless the request is appealed to the City Council. UMC Section 17.47.040.
Appeal Period:	September 24, 2020 – October 5, 2020.

E. PUBLIC HEARING FOR CONDITIONAL USE PERMIT NO. 19-11, SITE PLAN NO. 19-08, DESIGN REVIEW NO. 19-14, AND ENVIRONMENTAL ASSESSMENT REVIEW NO. 0085.

Project Description: Request to allow an 8,825 square foot mixed-use (retail/food) building with a single drive-thru. The property is located within the Highway Commercial (CH) Designation of The Colonies at San Antonio Specific Plan.

Project Location: Property is located on the south side of East 20th Street, approximately 550 feet east of Campus Avenue, further described as Assessor's Parcel Number 1044-111-50.

Staff:	Mike Poland, Contract Planning Manager
Applicant:	Ash Etemadian 1138 E. 20 th Street Upland, CA 91784

Recommendation:	<p>That the Planning Commission:</p> <ol style="list-style-type: none"> 1. Receive staff's presentation; and 2. Open public hearing and receive testimony from the public; and 3. Close public hearing and have Commission discussion; and 4. Find that pursuant to the provisions of the California Environmental Quality Act (CEQA) a Final Environmental Impact Report was previously certified by the City of Upland in connection with the approval of The Colonies at San Antonio Specific Plan and that the City has determined that the Project does not trigger any of the conditions described in Sections 15162 of CEQA Guidelines which would require the preparation of a subsequent or supplemental environmental document; and 5. Move to adopt a Resolution for approval of Conditional Use Permit No. 19-11, Site Plan No. 19-08, and Design Review No. 19-14, based upon the findings and subject to conditions of approval as set forth in the Resolution dated September 23, 2020.
Council Hearing Required:	The Planning Commission's decision is final unless the request is appealed to the City Council. UMC Section 17.47.040.
Appeal Period:	September 24, 2020 – October 5, 2020.

9. BUSINESS ITEMS

None

10. COMMISSION ANNOUNCEMENTS

12. ADJOURNMENT

Adjourn to the next regular scheduled Planning Commission meeting on October 28, 2020.

NOTICE TO PUBLIC: All maps, environmental information, and other pertinent data is on file in the City of Upland Development Services Department and will be available for public inspection by appointment prior to the meeting at 460 North Euclid Avenue during normal business hours. To schedule an appointment, please call 931-4305.

If you wish to appeal a decision of the Planning Commission, you must do so within ten (10) calendar days following the meeting. Please contact the Planning Division for information regarding the appeal procedure.

If you challenge the public hearing(s) or the related environmental determinations, in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Upland, at or prior to, the public hearing.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Division at 931-4305. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102-35.104 ADA Title II]

POSTING STATEMENT: I, Jamie Davidson, Senior Administrative Assistant for the City of Upland, hereby certify that a true accurate copy of the foregoing agenda was posted on September 17, 2020, at least 72 hours prior to the meeting on the bulletin boards at 460 N. Euclid Avenue (Upland City Hall), 450 N. Euclid Avenue (Upland Public Library), and the City's website at www.uplandca.gov per Government Code Section 54954.2.