

# CITY OF HIGHLAND REGULAR MEETING OF THE PLANNING COMMISSION AGENDA

## REGULAR MEETING

July 16, 2024

6:00 p.m.

City Hall

Donahue Council Chambers

27215 Base Line

Highland, California

## MEMBERS

Randall Hamerly, Chair

Chandra Thomas, Vice Chair

Craig Graves, Commissioner

Jarrold Miller, Commissioner

Vacant, Commissioner

## STAFF

Lawrence A. Mainez, Community Development Director

Kim Stater, Assistant Community Development Director

Angela Tafolla, Associate Planner

Travis Trejo, Assistant Planner

Tiffany Martinez, Assistant Planner

Camille Duarte, Administrative Assistant III

Matt Bennett, Assistant Public Works Director

Matt Wirz, Building Official

Scott Rice, City Landscape Architect

## MISSION STATEMENT

Highland is dedicated to the betterment of the individual, the family, the neighborhood and the community. The City Council and the staff of Highland are dedicated to providing the quality of public facilities and services that its citizens are willing to fund and will do so as efficiently as possible.

Visit the City's Website at: [www.cityofhighland.org](http://www.cityofhighland.org)

CITY OF HIGHLAND • 27215 BASE LINE • HIGHLAND, CALIFORNIA 92346 • (909) 864-6861 ☎ • (909) 862-3180 📠

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Pursuant to Government Code Section 54957.5, any disclosable public records related to an open session item on a regular meeting agenda and distributed by the City of Highland to all or a majority of the Planning Commission, less than 72 hours prior to that meeting, are available for public inspection at Highland City Hall, 27215 Base Line, Highland, CA 92346, during normal business hours.

Submission of Public Comments: For those wishing to make public comments by email, please submit your comments by email to be read aloud at the meeting. Email comments must be submitted by 5:00 p.m. on July 16, 2024 to [publiccomment@cityofhighland.org](mailto:publiccomment@cityofhighland.org). If you are submitting a public comment pertaining to an item on the July 16, 2024 agenda, please identify the agenda item number in the subject line.

For those wishing to make public comments regarding a public hearing item please identify the agenda item in the subject line. Comments can be submitted any time prior to the meeting, as well as during the meeting up until the close of the public hearing on the corresponding item to be considered part of the record. Please email your comments at [publiccomment@cityofhighland.org](mailto:publiccomment@cityofhighland.org).

Members of the public will be permitted to make public comments in person.

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**PLANNING COMMISSION  
REGULAR MEETING AGENDA  
July 16, 2024 - 6:00 P.M.**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**COMMUNITY INPUT (ITEMS NOT ON THE AGENDA)**

To address the Planning Commission, please complete a speaker form located at the entrance and give it to the Administrative Assistant prior to the beginning of the meeting. Your name will be called when it is your turn to speak. Individual speakers are limited to three minutes each. Comments received via email by July 16, 2024, 5:00 p.m., will be read into the record, provided that the reading shall not exceed three (3) minutes.

**CONSENT CALENDAR**

1. Minutes from the June 4, 2024 Regular Meeting. (Continued from the July 2, 2024 meeting)

**RECOMMENDATION:** That the Planning Commission approve the revised minutes, as submitted.

## **PUBLIC HEARINGS**

2. An application by Grocery Outlet grocery store Conditional Use Permit (CUP 24-002) for Alcohol Beverage Control, Type 21 Off-sale General license to authorize the sale of beer, wine and distilled spirits for consumption off the premises. (Representative: JLM-TREHVII HWY 30 LLC for Grocery Outlet) (27945 Greenspot Road)

**RECOMMENDATION:** Staff recommends the Planning Commission Adopt Resolution 2024-\_\_\_\_ approving Conditional Use Permit 24-002, subject to the Conditions of Approval, and adopting the Findings of Fact.

## **ANNOUNCEMENTS**

### **ADJOURN**

I, Camille Duarte, Administrative Assistant III of the City of Highland, California, certify that I caused to be posted this agenda on or before the 12th of July 2024 by 5:30 p.m. on our website at [www.cityofhighland.org](http://www.cityofhighland.org) and in the following designated areas:

Highland Branch Library  
7863 Central Avenue

Fire Station No. 1  
26974 Base Line

City Hall  
27215 Base Line

Date: July 12, 2024



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Camille Duarte, Administrative Assistant III



# STAFF REPORT

## TO THE PLANNING COMMISSION

**DATE:** July 16, 2024

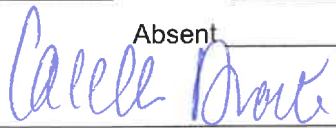
**FROM:** Lawrence Mainez, Community Development Director

**PREPARED BY:** Camille Duarte, Administrative Assistant III 

**SUBJECT:** Minutes from the June 4, 2024 Planning Commission Regular Meeting. (Continued from the July 2, 2024 meeting)

**RECOMMENDATION:** Staff recommends the Planning Commission approve the revised minutes as submitted.

**PUBLIC NOTICE:** The agenda for this item was posted at the three locations per Resolution No. 2011-047 and on the City's website.

|                                                                                                            |               |                                                                                                                        |                          |
|------------------------------------------------------------------------------------------------------------|---------------|------------------------------------------------------------------------------------------------------------------------|--------------------------|
| Approved _____                                                                                             | Motion _____  | Second _____                                                                                                           | Agenda Item No. <u>1</u> |
| Denied _____                                                                                               | Ayes _____    |                                                                                                                        |                          |
| Continued _____                                                                                            | Noes _____    |                                                                                                                        | File No. _____           |
| Tabled _____                                                                                               | Abstain _____ |                                                                                                                        |                          |
|                                                                                                            | Absent _____  |                                                                                                                        |                          |
| <br>Recording Secretary |               | <br>Community Development Director |                          |

**PLANNING COMMISSION REGULAR MEETING MINUTES**  
**June 4, 2024 – 6:00 P.M.**

**CALL TO ORDER**

The regular meeting of the Planning Commission of the City of Highland was called to order at 6:00 p.m. by Vice Chair Thomas at the Donahue Council Chambers, 27215 Base Line, Highland, California.

|          |              |                |
|----------|--------------|----------------|
| Present: | Vice Chair   | Chandra Thomas |
|          | Commissioner | Craig Graves   |
|          | Commissioner | Jarrold Miller |
|          | Commissioner | Vacant         |

|         |       |                 |
|---------|-------|-----------------|
| Absent: | Chair | Randall Hamerly |
|---------|-------|-----------------|

Staff Present: Lawrence Mainez, Community Development Director  
Kim Stater, Assistant Community Development Director  
Tiffany Martinez, Assistant Planner  
Ben Booth, Senior Engineer  
Matt Wirz, Building Official  
Camille Duarte, Administrative Assistant III  
Scott Rice, City Landscape Architect

Vice Chair Thomas led the Pledge of Allegiance.

**COMMUNITY INPUT (ITEMS NOT ON THE AGENDA)**

None.

**PUBLIC HEARING**

1. Accessory Sign Review (ASR 23-005) Application by Harikrishna Gas, LLC to establish a comprehensive sign program for the installation of a corner monument 'City Gateway' identification sign, two (2) primary and two (2) secondary building-mounted business identification signs, two (2) directional signs, and four (4) free-standing monument gas pricing signs. Additionally, compliance with a Design Review Condition of Approval for the final building colors and materials coordinated with the newly identified fueling station vendor (DRA 21-019). Applicant: Harikrishna Gas LLC. Address: 27408 5<sup>th</sup> Street.

Assistant Planner Martinez presented the staff report.

Commissioner Miller stated regarding the City of Highland sign, I want to make sure our dimensions and textures are matching completely. I noticed going through the city we do not have a standard sign throughout the city, it would be good to implement consistency.

Assistant Planner Martinez stated it is not matching exactly.

Commissioner Miller asked does the city have a standard sign that is used consistently throughout the city or are there different signs per corner?

Assistant Community Development Director Stater stated there is not one standard sign for gateway monuments. The Applicant was provided with the sign that's diagonally across the street. It is similar with the materials and height, but not the same length. The Applicant's preference was a smaller sign.

Vice Chair Thomas stated previously it was stated to have addition of wrought iron, however I do not see it shown on this staff report presented tonight.

Assistant Community Development Director Stater stated the Applicant did not include it for the center piece. It was only on the extensions of the sign at the southwest corner.

Commissioner Graves inaudible.

Assistant Community Development Director Stater stated the Shell gas station is the provider, however they don't provide the diesel, so we have to have an additional sign. It is required for the pricing to be shown.

Commissioner Miller stated moving forward it would be great to implement consistency for the city sign. Would it be possible to give directive to the City Council to consider a standard city sign?

Community Development Director Mainez stated I will take note of that request and in the future, we can discuss it as a work program item.

Commissioner Miller stated it would be easier for staff to have a standard monument sign that meets the requirements when the Applicant comes to submit their plans.

Commissioner Graves stated the signs look so big they just almost override any decent landscaping.

Commissioner Miller stated based on some of the previous gas stations and signage that we were approved these are on the smaller side of what was approved in the past.

Assistant Community Development Director Stater stated one advantage we have is it is a new site. We have a wider landscape plan because it's a bigger site and we're able to implement some of the city standard requirements for 20 foot or more buffering.

Applicant Raj Patel stated I am the owner and developer of this project. Thank you everybody for coming out today and I appreciate everybody's feedback. Shell signage is standard, and we cannot adjust it. There are going to be a lot of trucks that are going to be moving across the station and targeting the high speed fuel. I would like the one sign; however, Shell is protective, and they cannot provide diesel pricing on Shell sign. As far as the landscaping there are concerns for the bio basins so that's why there is a specific arc on the bottom end of it. We would love to kind of match the centerpiece where we can't keep it flat because of the bio basins, which that was another concern.

Vice Chair Thomas opened the public hearing.

Commissioner Miller stated we are calling the market Citrus on some signage and another signage at the car wash is called Orange. Is there a reason why we aren't consistently using Citrus throughout the project?

Applicant Raj Patel stated the reason why we are not consistent with that is because potentially we want to use it as branding. So, for future car washes we can use the name Orange Express.

Vice Chair Thomas stated my only concern was it just looked very sparse. I see the brick and three color pellets, but I am wondering if the Applicant is willing to do anything else to make it more decorative or stand out more.

Assistant Community Development Director Stater stated this particular elevation rendering did not show the top cornice trim is dark brown and that is missing on the plans.

Applicant Raj Patel asked do you have any feedback of what we can add? We wanted the building to look more modern with the brick and elevation to pop out.

Assistant Community Development Director Stater stated another recommendation early on was for a brow or an awning on this southerly elevation. It's possible to extend the brow out further.

Vice Chair Thomas stated that is something can be added.

Commissioner Miller stated yes, an awning or a brow.

Applicant Raj Patel stated yes, we can speak to the Architect regarding the change.

Assistant Community Development Director Stater stated you could extend the brow that's already there on the southern elevation.

Applicant Raj stated noted.

Vice Chair Thomas stated we are in consensus of extending the brow.

Vice Chair Thomas closed the public hearing.

**A MOTION** was made by Vice Chair Thomas and seconded by Commissioner Miller to:

1. Adopt Resolution No. 2024-009 to approve Accessory Sign Review (ASR 23-005) to establish a sign program for a fueling station, convenience store, and carwash subject to the Conditions of Approval, and Findings of Fact;

2. Adopt Resolution No. 2024 - 010, approving the project's Building Elevations including colors and materials associated with Design Review Application (DRA 21-019); and
3. Direct Staff to file a Notice of Exemption with the County Clerk of the Board. Motion carried, 3-0.

RESOLUTION NO. 2024-009

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HIGHLAND, CALIFORNIA, APPROVING ACCESSORY SIGN REVIEW (ASR 23-005) TO ESTABLISH A COMPREHENSIVE SIGN PROGRAM FOR A VEHICLE FUELING STATION, CONVENIENCE STORE AND CAR WASH LOCATED AT 27408 5<sup>TH</sup> STREET. ASSESSOR'S PARCEL NUMBERS: 1201-301-14, -15, -19, and 1201-311-02, -03, -04, -05

RESOLUTION NO. 2024-010

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HIGHLAND, CALIFORNIA, APPROVING FINAL BUILDING ELEVATIONS, EXTERIOR COLORS AND MATERIALS RELATED TO THE DEVELOPMENT OF A VEHICLE FUELING STATION, CONVENIENCE STORE AND CAR WASH, DESIGN REVIEW APPLICATION (DRA 21-019) LOCATED AT THE NORTHEAST CORNER OF PALM AVENUE AND 5TH STREET, 27408 5<sup>TH</sup> STREET, HIGHLAND, CA. ASSESSOR'S PARCEL NUMBERS: 1201-301-14, -15, -19, and 1201-311-02, -03, -04, -05.

**ANNOUNCEMENTS**

The next Planning Commission Regular Meeting is scheduled June 18, 2024.

**ADJOURN**

There being no further business, Chair Hamerly declared the meeting adjourned at 6:43 p.m.

Submitted by:

Approved by:

\_\_\_\_\_  
Camille Duarte, Administrative Assistant III

\_\_\_\_\_  
Chandra Thomas, Vice Chair





# STAFF REPORT

## TO THE Planning Commission

**DATE:** July 16, 2024

**FROM:** Lawrence A. Mainez, Community Development Director

**REVIEWED BY:** Kim Stater, Assistant Community Development Director *KS*

**PREPARED BY:** Tiffany Martinez, Assistant Planner *TM*

**SUBJECT:** An application by Grocery Outlet grocery store for Conditional Use Permit (CUP 24-002) for an Alcohol Beverage Control Type 21 Off-sale General license to sell of beer, wine and distilled spirits for consumption off the premises.

**LOCATION:** Grocery Outlet  
27945 Greenspot Road, Highland, CA (APN: 1201-341-21)

**REPRESENTATIVE:** JLM-TREHVII HWY 30 LLC for Grocery Outlet

**RECOMMENDATION:** Staff recommends the Planning Commission Adopt Resolution 24-\_\_\_\_ approving Conditional Use Permit 24-002, subject to the Conditions of Approval, and adopting the Findings of Fact.

**FISCAL IMPACT:** Staff time for the review of the application, plans and preparation of the staff report for the Planning Commission's consideration is covered by the application fee for the Minor Conditional Use Permit.

**PUBLIC NOTICE:** The agenda for this item was posted at the three locations per Resolution No. 2011-047 and on the City's website. A notice was published in the San Bernardino Sun on July 5, 2024, and mailed to property owns within 300 foot radius as well as those requesting notice.

**ENVIRONMENTAL REVIEW:** This project is Categorically Exempt from environmental proceedings pursuant to Section 15301, Class 1, Existing Facilities, of the California Environmental Quality Act (CEQA) Guidelines, since the proposed project consists of issuance of a license by another

|                      |               |                                |                          |
|----------------------|---------------|--------------------------------|--------------------------|
| Approved _____       | Motion _____  | Second _____                   | Agenda Item No. <u>2</u> |
| Denied _____         | Ayes _____    |                                |                          |
| Continued _____      | Noes _____    |                                | File No. _____           |
| Tabled _____         | Abstain _____ |                                |                          |
|                      | Absent _____  |                                |                          |
| <i>Cecile Bronte</i> |               | <i>Lawrence Mainez</i>         |                          |
| Recording Secretary  |               | Community Development Director |                          |

agency and an alteration to operational characteristics for an existing use.

**PUBLIC COMMENT:** Staff has not received any public comments in response to the project notice at the time of preparing this staff report.

**BACKGROUND:** On September 18, 2007, The Planning Commission approved CUP 007-003 for the Lowe's "Highland Crossing" Project. It included this approximately 20,211 square foot commercial building that has been occupied by Staples (office supply store). The Applicant is currently establishing a grocery store in an existing commercial building at this site and is requesting Type 21 Off-sale General Alcohol Beverage Control License to sell beer, wine, and distilled spirits, which requires a Conditional Use Permit. The grocery store will be a full-service grocery store.

**DESCRIPTION OF SITE:** The commercial center in which the Project is located is surrounded by other commercial businesses on site and adjacent Open Space (OS) to the south (exhibit A & B)

Surrounding Land Uses:

|       | Existing Use                      | General Plan Designation | Zoning Designation       |
|-------|-----------------------------------|--------------------------|--------------------------|
| North | Commercial Retail                 | Planned Development      | Planned Development (PD) |
| South | Vacant/ Flood Channel             | Open Space               | Open Space (OS)          |
| East  | Commercial Retail                 | Planned Development      | Planned Development (PD) |
| West  | Lowe's Home Improvement Warehouse | Planned Development      | Planned Development (PD) |

The Site is designated as Planned Development (PD) Zoning District with the same General Plan designation.

**PROJECT REVIEW/ ANALYSIS:** The Applicant is requesting the approval of a Type 21 (Off-Sale Beer, Wine and Distilled Spirits) Alcoholic Beverage Control license for a supermarket. The operation hours of the supermarket are 6:00a.m. to 11:00p.m., seven (7) days a week.

The Department of Alcoholic Beverage Control (ABC) is the public agency which issues licenses to sell alcohol in the State of California. State law includes provisions aimed at avoiding what is termed an 'undue concentration' of licenses and ABC utilizes census tracts as the statistical subdivision to track and determine the number of licenses to be issued.

The Alcoholic Beverage Control separates licenses into two separate categories; 'On-sale' and 'Off-sale'. 'On-sale' refers to licenses issued by ABC which permit the consumption of alcohol on the premises licensed, such as a bar, tavern, or restaurant. 'Off-sale' refers to licenses which allow for the sale of packaged alcohol for consumption off the premises, such as grocery stores, convenience stores, and liquor stores.

The project site is located within Census Tract 76.04, which has a population of 4,844 as determined by ABC. Based on the population of the census tract, ABC authorizes three (3) 'off-sale' licenses (Attachment 1 – ABC allowed licenses). Currently, there are seven (7) active off-sale licenses one of which is issued to the subject site (Attachment 2 - List and Map of active ABC licenses within Census Tract 76.04). The Census Tract currently is over concentrated. The seven (7) active off-sale licenses comprise of Type 20 and Type 21 licenses. While both allow for the

sale of beer and wine for consumption off premises, a Type 21 license included the sale of distilled spirits.

Census Tract 76.04 also authorizes a maximum of three (3) 'on sale' licenses to be issued to eating establishments for the sale and consumption of alcohol on site. As of 2024, the number of businesses within the Census Tract with "on sale" licenses is six (6).

The issuance of the requested Type 21 license would further an 'undue concentration' of permits as the existing licenses are:

**Table 1: Census Tract 76.04 Active Licenses**

| Business Name              | License Type & Status  | Location                      | Jurisdiction     |
|----------------------------|------------------------|-------------------------------|------------------|
| Cee Vee Liquor             | 21 - Active (off-sale) | 7750 Palm Ave.                | City of Highland |
| Valero – Base Line         | 21 - Active (off-sale) | 27767 Base Line               | City of Highland |
| Valero – Greenspot Rd.     | 20 - Active (off-sale) | 7955 Webster St.              | City of Highland |
| Chevron – Greenspot Rd.    | 20 - Active (off-sale) | 27981 Greenspot Rd.           | City of Highland |
| Arco – 5 <sup>th</sup> St. | 20 - Active (off-sale) | 27323 5 <sup>th</sup> Street. | City of Highland |
| Arco – Base Line           | 20 - Active (off-sale) | 27727 Base Line               | City of Highland |
| Chevron – Base Line        | 20 - Active (off-sale) | 27627 Base Line               | City of Highland |

Additional licenses have been approved for the northernly portions of Greenspot Crossing, but are not yet active. The Sherriff's Department did not provide any objections to the ABC request.

#### **FINDING FOR PUBLIC CONVEIENCE OR NECESSITY:**

**Analysis:** According to the Business and Professions Code Section 23958 finding of "public convenience or necessity" must be made by a jurisdiction if there is an overconcentration of similar liquor licenses within the census tract associated with the project. The attached map from ABC highlights the locations of licenses authorized in the project's census tract and the immediate areas in the surrounding census.

This request for an ABC license Type 21 would be ancillary to food products for sale at the grocery store. Only 3% of the grocery store's floor area would be dedicated to alcohol display, allowing the patrons to do the grocery shopping and purchase the alcohol. Currently, there are limited full size grocery stores available to serve this neighborhood area. Therefore, providing this opportunity at this location provides a public convenience with increased shopping opportunities and competitiveness by issuing this Type 21 Alcohol Beverage Control License, along with providing an economic benefit to the business and the city.

**SUMMARY:** The Applicant has provided a letter of justification with respect to the overconcentration. In summary type 21 ABC license would provide a convenience to their patrons. Alcohol sales is a desirable public convenience for grocery store customers. Although ancillary, it is commonplace to sell alcohol in combination with fruits, vegetables, meat, dairy, etc. Grocery Outlet will take appropriate design and operational features such as limiting hours to 11p.m. daily and having bright LED lighting in the parking areas. Grocery Outlet will install a minimum 16 camera system. Additionally, all employees that are engaged in the sale or supervision of the sale of alcoholic beverages shall complete training programs in accordance with ABC rules and regulations.

Staff has considered all possible concerns thought to be relevant to this business's operation. The

site is appropriate for the proposed use. Staff supports the project and does not foresee any negative impacts with the liquor license. However, should the Applicant lose their State License or should there arise any significant issues, the Conditional Use Permit may be revoked by action of the Planning Commission. Staff is recommending approval of the project subject to findings within the attached Resolution.

**EXHIBITS:**

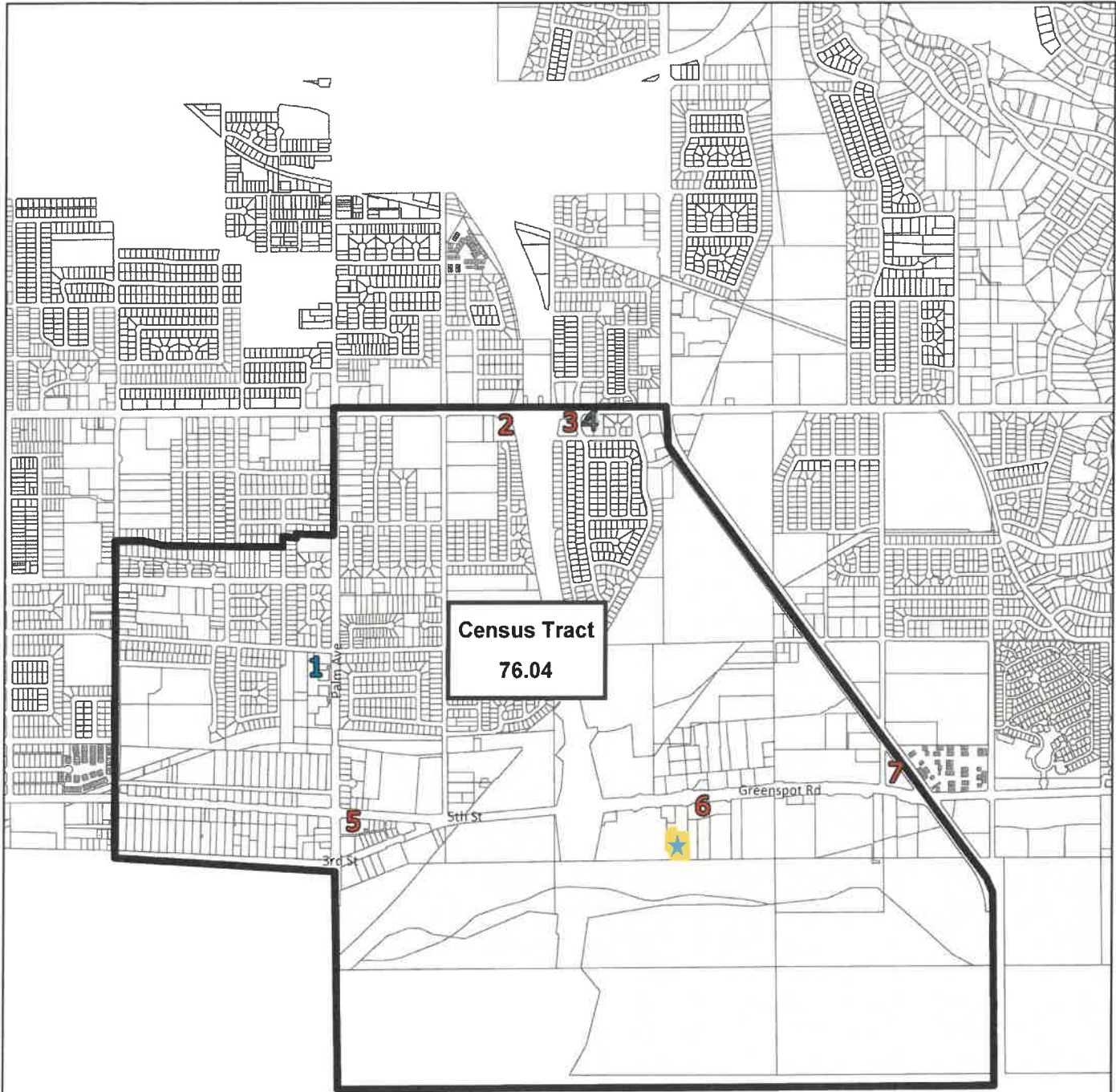
- A) Project Site Map
- B) Site Plan

**ATTACHMENTS:**

1. Number of ABC Licenses per Census Tract
2. Active 'Off-Sale' ABC licenses within Census Tract 76.04
3. Letter of Justification from Applicant
4. Resolution 2024 - \_\_\_\_\_ for Conditional Use Permit (CUP 24-002)  
Exhibit 1: Conditions of Approval

**EXHIBT 'A'**  
Project Site Map

# Project Site Existing Type 21 and Type 20 (off-sale) ABC Licenses In Census Tract 76.04

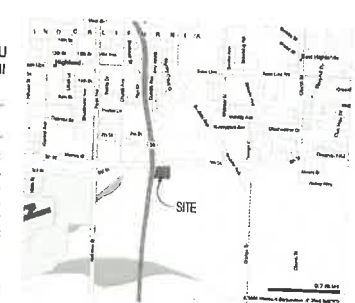
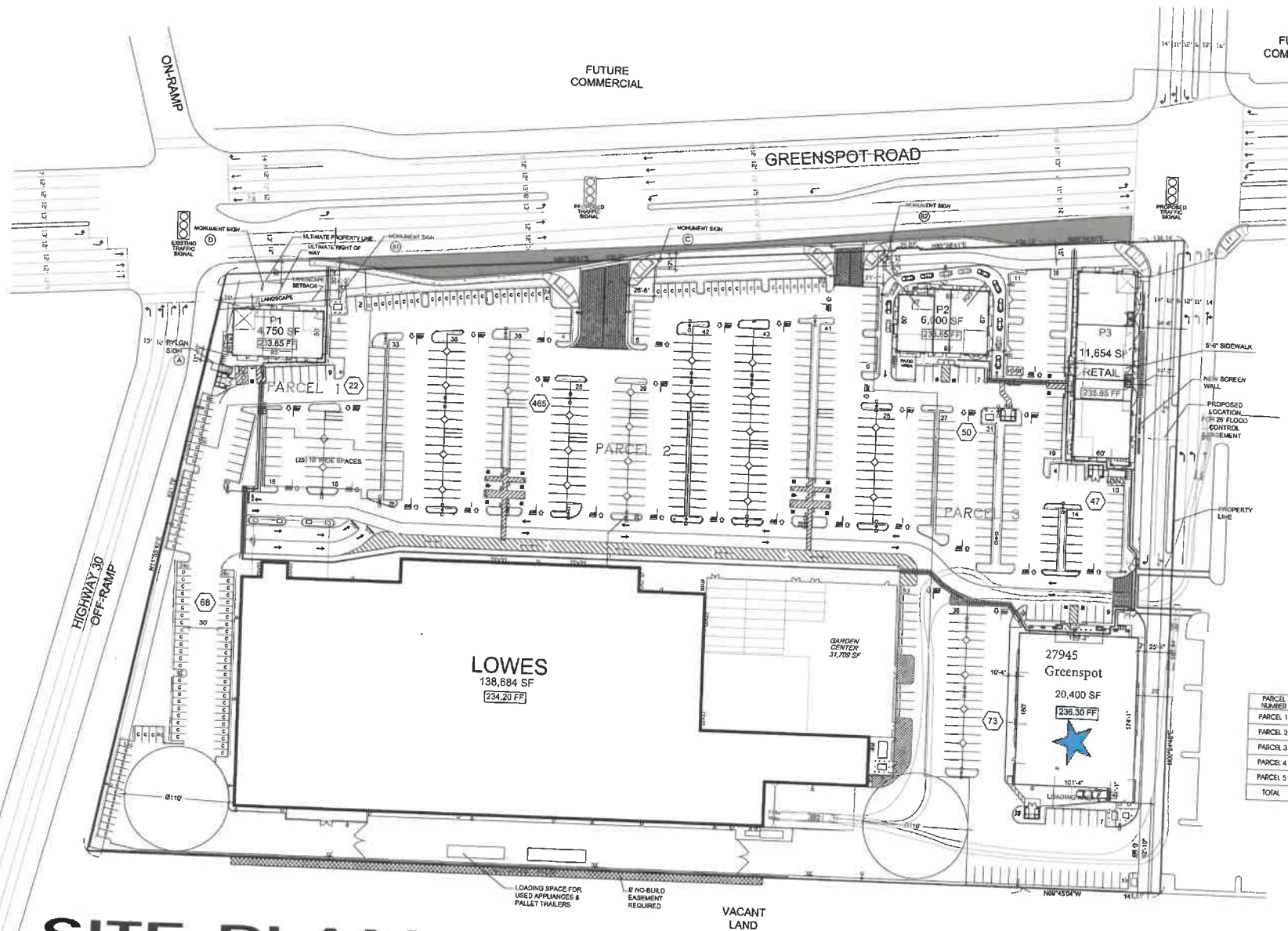


|   | License Type | Business            |
|---|--------------|---------------------|
| 1 | 21           | Cee Vee Liquor      |
| 2 | 20           | Chevron - Base Line |
| 3 | 20           | Arco - Base Line    |
| 4 | 20           | Valero - Base Line  |
| 5 | 20           | Arco - 5th St.      |
| 6 | 20           | Chevron - Greenspot |
| 7 | 20           | Valero - Greenspot  |



**EXHIBT 'B'**  
Site Plan





VICINITY MAP  
N. T. S.

### PROJECT SUMMARY:

|                                                  |                         |
|--------------------------------------------------|-------------------------|
| SITE AREA:                                       |                         |
| GROSS LAND:                                      | (±670,307 SF) ±15.38 AC |
| NET LAND:                                        | (±668,954 SF) ±15.13 AC |
| BUILDING:                                        | 181,834 SF              |
| SITE COVERAGE RATIO:                             | 27.6%                   |
| PARKING REQUIRED:                                |                         |
| RETAIL (175,000 SF @ 1/250 SF)                   | 701 STALLS              |
| OUTSIDE SALES (31,709 SF @ 1/1000 SF)            | 32 STALLS               |
| RESTAURANT SEATING (2,000 @ 1/75 SF)             | 27 STALLS               |
| RESTAURANT SERVICE (4,000 @ 1/250 SF)            | 16 STALLS               |
| TOTAL REQUIRED:                                  | 778 STALLS              |
| TOTAL MINIMUM C.U.P. APPROVED:                   | 718 STALLS              |
| PARKING PROVIDED:                                |                         |
| TOTAL PARKING:                                   | 724 STALLS              |
| TOTAL HANDICAP PARKING INCLUDED:                 | 20 STALLS               |
| PARKING RATIO (NOT INCLUDING C.U.)               | 4,011,000               |
| LANDSCAPE PROVIDED:                              |                         |
| SOFTSCAPE PROVIDED:                              | 52,296 SF               |
| HARDSCAPE PROVIDED:                              | 27,770 SF               |
| TOTAL LANDSCAPE PROVIDED:                        | 80,066 SF               |
| PARKING AREA PROVIDED:                           | 366,857 SF              |
| TOTAL PARKING AREA:                              | 448,963 SF              |
| * LANDSCAPE RATIO: (based on total parking area) | 18%                     |
| TOTAL LAND COVERAGE:                             | 12.5%                   |
| LANDSCAPE COVERAGE:                              | 18.0%                   |
| PARKING AREA COVERAGE:                           | 56.9%                   |
| BUILDING COVERAGE:                               | 31.6%                   |
| TOTAL:                                           | 100.0%                  |

\* MINIMUM LANDSCAPE RATIO PER CITY STANDARDS IS 10%

| PARCEL NUMBER | PARCEL SIZE               | BUILDING AREA          | FORMULA USED   | PARKING REQUIRED | PARKING PROVIDED |
|---------------|---------------------------|------------------------|----------------|------------------|------------------|
| PARCEL 1      | 21,245 SF<br>0.49 ACRES   | 4,750 SF<br>RETAIL     | 1 STALL/250 SF | 19 STALLS        | 23 STALLS        |
| PARCEL 2      | 478,625 SF<br>10.95 ACRES | 1,703,393 SF<br>RETAIL | 1 STALL/250 SF | 681 STALLS       | 633 STALLS       |
| PARCEL 3      | 44,100 SF<br>1.01 ACRES   | 11,854 SF<br>RETAIL    | 1 STALL/250 SF | 47 STALLS        | 47 STALLS        |
| PARCEL 4      | 41,785 SF<br>0.95 ACRES   | 11,854 SF<br>RETAIL    | 1 STALL/250 SF | 47 STALLS        | 47 STALLS        |
| PARCEL 5      | 70,450 SF<br>1.62 ACRES   | 20,400 SF<br>RETAIL    | 1 STALL/250 SF | 82 STALLS        | 73 STALLS        |
| TOTAL         | 656,391 SF<br>15.07 ACRES | 213,197 SF             |                | 778 STALLS       | 724 STALLS       |

# SITE PLAN

JLM-TREH VIII HWY 30, LLC |  
4590 MacArthur Blvd., Ste 550  
Newport Beach, CA 92660

SEC HWY 30 & 5TH STREET

Highland, CA



**Carter-Burgess**

4 Hutton Centre Drive, Suite 800 Santa Ana, California 92707  
Telephone 714.327.1600 Fax 714.327.1601

ARCHITECTURE | ENGINEERING | RELATED SERVICES

DRAWN BY: CMB/DALE  
CHECKED BY: CMB/DALE  
REVISION  
**01**  
OF 3418



**ATTACHMENT 1**

Maximum Number of ABC licenses authorized per Census Tract

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL  
NUMBER OF LICENSES AUTHORIZED  
BY CENSUS TRACT

| County Name    | County Population | County Ratio On Sale | County Ratio Off Sale | Census Tract # | Census Tract Population | On Sale | Off Sale |
|----------------|-------------------|----------------------|-----------------------|----------------|-------------------------|---------|----------|
| SAN BERNARDINO | 2,175,909         | 1216                 | 1,429                 | 73.08          | 5,074                   | 4       | 3        |
| SAN BERNARDINO | 2,175,909         | 1216                 | 1,429                 | 74.04          | 4,638                   | 3       | 3        |
| SAN BERNARDINO | 2,175,909         | 1216                 | 1,429                 | 74.07          | 3,119                   | 2       | 2        |
| SAN BERNARDINO | 2,175,909         | 1216                 | 1,429                 | 74.08          | 4,432                   | 3       | 3        |
| SAN BERNARDINO | 2,175,909         | 1216                 | 1,429                 | 74.09          | 6,278                   | 5       | 4        |
| SAN BERNARDINO | 2,175,909         | 1216                 | 1,429                 | 74.10          | 6,091                   | 5       | 4        |
| SAN BERNARDINO | 2,175,909         | 1216                 | 1,429                 | 74.11          | 1,729                   | 1       | 1        |
| SAN BERNARDINO | 2,175,909         | 1216                 | 1,429                 | 74.12          | 6,645                   | 5       | 4        |
| SAN BERNARDINO | 2,175,909         | 1216                 | 1,429                 | 76.03          | 5,059                   | 4       | 3        |
| SAN BERNARDINO | 2,175,909         | 1216                 | 1,429                 | 76.04          | 4,844                   | 3       | 3        |
| SAN BERNARDINO | 2,175,909         | 1216                 | 1,429                 | 76.05          | 4,233                   | 3       | 2        |
| SAN BERNARDINO | 2,175,909         | 1216                 | 1,429                 | 76.06          | 3,556                   | 2       | 2        |
| SAN BERNARDINO | 2,175,909         | 1216                 | 1,429                 | 78.00          | 6,632                   | 5       | 4        |
| SAN BERNARDINO | 2,175,909         | 1216                 | 1,429                 | 79.03          | 4,931                   | 4       | 3        |
| SAN BERNARDINO | 2,175,909         | 1216                 | 1,429                 | 79.04          | 7,061                   | 5       | 4        |
| SAN BERNARDINO | 2,175,909         | 1216                 | 1,429                 | 79.05          | 3,600                   | 2       | 2        |
| SAN BERNARDINO | 2,175,909         | 1216                 | 1,429                 | 79.06          | 4,343                   | 3       | 3        |
| SAN BERNARDINO | 2,175,909         | 1216                 | 1,429                 | 80.01          | 7,038                   | 5       | 4        |
| SAN BERNARDINO | 2,175,909         | 1216                 | 1,429                 | 80.03          | 4,222                   | 3       | 2        |
| SAN BERNARDINO | 2,175,909         | 1216                 | 1,429                 | 80.04          | 3,250                   | 2       | 2        |
| SAN BERNARDINO | 2,175,909         | 1216                 | 1,429                 | 81.00          | 3,326                   | 2       | 2        |
| SAN BERNARDINO | 2,175,909         | 1216                 | 1,429                 | 82.01          | 3,323                   | 2       | 2        |
| SAN BERNARDINO | 2,175,909         | 1216                 | 1,429                 | 82.02          | 2,576                   | 2       | 1        |
| SAN BERNARDINO | 2,175,909         | 1216                 | 1,429                 | 83.01          | 6,616                   | 5       | 4        |
| SAN BERNARDINO | 2,175,909         | 1216                 | 1,429                 | 83.02          | 3,268                   | 2       | 2        |
| SAN BERNARDINO | 2,175,909         | 1216                 | 1,429                 | 84.02          | 6,501                   | 5       | 4        |
| SAN BERNARDINO | 2,175,909         | 1216                 | 1,429                 | 84.03          | 5,791                   | 4       | 4        |
| SAN BERNARDINO | 2,175,909         | 1216                 | 1,429                 | 84.04          | 2,931                   | 2       | 2        |
| SAN BERNARDINO | 2,175,909         | 1216                 | 1,429                 | 84.05          | 5,752                   | 4       | 4        |
| SAN BERNARDINO | 2,175,909         | 1216                 | 1,429                 | 84.06          | 5,254                   | 4       | 3        |
| SAN BERNARDINO | 2,175,909         | 1216                 | 1,429                 | 85.01          | 3,945                   | 3       | 2        |
| SAN BERNARDINO | 2,175,909         | 1216                 | 1,429                 | 85.02          | 4,782                   | 3       | 3        |
| SAN BERNARDINO | 2,175,909         | 1216                 | 1,429                 | 86.01          | 6,404                   | 5       | 4        |
| SAN BERNARDINO | 2,175,909         | 1216                 | 1,429                 | 86.02          | 3,641                   | 2       | 2        |
| SAN BERNARDINO | 2,175,909         | 1216                 | 1,429                 | 87.05          | 4,669                   | 3       | 3        |
| SAN BERNARDINO | 2,175,909         | 1216                 | 1,429                 | 87.08          | 4,415                   | 3       | 3        |
| SAN BERNARDINO | 2,175,909         | 1216                 | 1,429                 | 87.09          | 4,627                   | 3       | 3        |
| SAN BERNARDINO | 2,175,909         | 1216                 | 1,429                 | 87.10          | 4,700                   | 3       | 3        |
| SAN BERNARDINO | 2,175,909         | 1216                 | 1,429                 | 87.11          | 3,720                   | 3       | 2        |
| SAN BERNARDINO | 2,175,909         | 1216                 | 1,429                 | 87.12          | 4,102                   | 3       | 2        |
| SAN BERNARDINO | 2,175,909         | 1216                 | 1,429                 | 87.13          | 4,224                   | 3       | 2        |
| SAN BERNARDINO | 2,175,909         | 1216                 | 1,429                 | 87.14          | 4,314                   | 3       | 3        |
| SAN BERNARDINO | 2,175,909         | 1216                 | 1,429                 | 87.15          | 7,091                   | 5       | 4        |
| SAN BERNARDINO | 2,175,909         | 1216                 | 1,429                 | 87.16          | 6,650                   | 5       | 4        |
| SAN BERNARDINO | 2,175,909         | 1216                 | 1,429                 | 88.00          | 6,520                   | 5       | 4        |

**ATTACHMENT 2**  
Active 'Offe-Sale' ABC licenses within Census Tract 76.04

| License Number | Status | License Type | Orig. Iss. Date | Expir. Date | Primary Owner                 | Premises Addr.                                                                     | Business Name             | Geo Code |
|----------------|--------|--------------|-----------------|-------------|-------------------------------|------------------------------------------------------------------------------------|---------------------------|----------|
| 510734         | ACTIVE | 21           | 05/13/2011      | 07/31/2024  | HADDAD, BASEL                 | 7750 PALM AVE,<br>UNIT 1 & 2,<br>HIGHLAND, CA<br>92346<br>Census Tract:<br>0076.04 | CEE VEES LIQUOR           | 3618     |
| 641504         | ACTIVE | 21           | 04/13/2023      | 03/31/2025  | HAVE A SNACK,<br>INCORPORATED | 27767 BASELINE<br>ST,<br>HIGHLAND, CA<br>92346-3394<br>Census Tract:<br>0076.04    | HAVE A SNACK<br>VALERO    | 3618     |
| 378677         | ACTIVE | 20           | 08/24/2001      | 07/31/2024  | NS INVESTMENTS INC            | 7955 WEBSTER ST,<br>HIGHLAND, CA<br>92346<br>Census Tract:<br>0076.04              | HIGHLAND RANCH<br>SERVICE | 3618     |
| 514471         | ACTIVE | 20           | 03/06/2012      | 02/28/2025  | HIGHLAND FUELS LLC            | 27981 GREENSPOT<br>RD,<br>HIGHLAND, CA<br>92346<br>Census Tract:<br>0076.04        | CHEVRON                   | 3618     |
| 528035         | ACTIVE | 20           | 01/10/2013      | 10/31/2024  | SB PETROLEUM INC              | 27323 5TH ST,<br>HIGHLAND, CA<br>92346-4214<br>Census Tract:<br>0076.04            | ARCO                      | 3618     |
| 528346         | ACTIVE | 20           | 08/09/2013      | 09/30/2024  | THRIFTY PETROLEUM<br>INC      | 27727 BASELINE<br>ST,<br>HIGHLAND, CA<br>92346-3321<br>Census Tract:<br>0076.04    | AMPM ARCO                 | 3618     |
| 633717         | ACTIVE | 20           | 03/02/2022      | 02/28/2025  | MG GASOLINE INC               | 27627 BASELINE<br>ST,<br>HIGHLAND, CA<br>92346-6408<br>Census Tract:<br>0076.04    |                           | 3618     |

Showing 1 to 7 of 7 entries

Previous **1** Next

**ATTACHMENT 3**  
Letter of Justification from Applicant



**Project Description – PCN Justification**  
27945 Greenspot Road, Highland, CA

**Grocery Outlet Background**

Grocery Outlet, a publicly owned 78-year-old supermarket company with more than 540 stores, offers fantastic bargains and deals on a variety of products including grocery, fresh meat, fresh produce, frozen foods, deli items, bakery, vitamins, health and beauty items, housewares, gift items and much, much more. *Brand names for less* is the name of the game and smart shoppers get incredible savings over regular store prices every day when they shop at Grocery Outlet. Grocery Outlet gets products by searching the nation's major manufacturers, with whom it has a longstanding purchasing history, for amazing one-time buys resulting from excess production, packaging/design changes, and special promotions. Approximately half of Grocery Outlet's assortment of products changes frequently because of the nature of the one-time buys.

Grocery Outlet operates over 230 stores in California with off sale (type 20 and 21) alcohol licenses. Operators and their employees at all locations are careful to make sure the store is always clean, neat and free from debris. Grocery Outlet has had no significant issues raised by local law enforcement agencies with respect to alcoholic products or public disturbances. The company operates in a conscientious and thoughtful way with sensitivity to any possible detriment to adjacent residents and businesses. Grocery Outlet is fully aware of the unique responsibilities of operating a store associated with alcoholic beverage sales.

The store will be open no earlier than 6:00AM and no later than 11:00PM 7 days a week. Grocery Outlet expects the store will be staffed with approximately 35-40 employees and will be managed/operated by a member of the local community.

Grocery Outlet's unique Independent Operator model provides incentive to manage the store and serve the community in a manner that surpasses the standards found at many of Grocery Outlet's competitors.

### **Training**

The store will be operated in strict compliance with the state's Alcoholic Beverage Control Act together with any conditions of the license that may be issued by ABC. Operator's managers, supervisors and employees that are engaged in the sale or supervision of the sale of alcoholic beverages shall complete training programs in accordance with ABC rules and regulations. Operator's register clerks will be trained in proper alcoholic beverage sales rules. All the clerks will have read and signed the Alcoholic Beverage Control's Clerk's Affidavit. These affidavits will be kept on file by the store operator.

### **Security**

Grocery Outlet will install a minimum 16 camera system which has a view of all parts of the store, including the alcoholic beverage display area and the sales check-stands. The video system will have a 30-day retrieval function which can track previous days' activity. Monitors are kept in a locked room at the store and available to managers, key personnel and law enforcement, if necessary.

### **Operational Procedures**

The store operator will monitor the parking areas and sidewalks to keep these areas free from litter and debris. Trash receptacles will be provided near the store entrance and will be emptied daily. Graffiti on the exterior of the building shall be removed expeditiously. Signs will be posted at the store and in the parking lot as required by ABC and the City of Highland.

Grocery Outlet stores are "destination stores" offering a full complement of name-brand items at bargain prices. The beer, wine and distilled spirits sales are an incidental part of the total grocery store business. Customers desire the convenience of being able to purchase alcoholic beverages together with the full



assortment of Grocery Outlet's unique offering of value priced items. Like other supermarkets, this convenience is imperative to Grocery Outlet's ability to serve and attract customers.

This new Grocery Outlet store is located in an area that is rapidly developing with both single family and multi-family residential homes densely in which there are no full-service grocery store options nearby. The nearby residents and businesses will be greatly convenience and will benefit from the proximity of a new Grocery Outlet and the full selection of products sold at the store.

### Summary

1. The use is essential and desirable to the public convenience and public welfare. The proposed availability of alcoholic beverages together with everyday products such as fruits, vegetables, fresh meat, milk, juice, eggs, bread, cereal, coffee, soup and pasta as well as consumer products such as pet food, toothpaste, detergent and paper towels allows customers to have readily available products in one location. It is typical for grocery stores to sell alcoholic beverages as an ancillary, yet very integral, part of the total product offering. The percentage of the total premises dedicated to alcohol display is approximately 3%. The low percentage of floor area for alcohol provides evidence of the ancillary nature of the alcoholic beverages sales to the primary grocery store use.
2. The store will close no later than 11pm seven days a week. Because alcoholic beverages are sold for consumption off-site and the store closes by 11pm each day, the store is unlikely to be a nuisance to businesses and residents in close proximity.
3. The use conforms to good zoning practices and development standards. The store is located at the SEC of the intersection of I-210 and Greenspot Road. Greenspot Road is a major thoroughfare and makes this location easily accessible to the residents and visitors of Highland. The site offers more than adequate on-site parking. Great care is taken by the local independent operator to ensure that the environment is safe for customers and employees. The abundant LED lighting, properly trained personnel, video cameras with

recording capability and Grocery Outlet's decades of experience in varied trade areas creates a superb value-oriented grocery store alternative to the neighborhood.

4. Grocery stores are a vital part of every community. Store clerks will be trained in proper sales of alcoholic beverages. Clerks will be supervised by a manager on duty. The security system, which includes cameras on the check stands and the alcohol display area, will deter theft and improper sales of alcoholic beverage products. Store personnel will monitor the parking area and sidewalks to keep the area free from litter and debris.

We thank you for the opportunity to bring another Grocery Outlet to the City of Highland and look forward to working with the community to make the new store a positive experience for the community.

**ATTACHMENT 4**  
Resolution 2024-\_\_\_\_\_ for Conditional Use Permit (CUP 24-002)  
Exhibit 1: Conditions of Approval

**ATTACHMENT 4**

Resolution 2024-\_\_\_\_\_ for Conditional Use Permit (CUP 24-002)  
Exhibit 1: Conditions of Approval

**RESOLUTION NO. 2024-\_\_\_\_\_**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HIGHLAND, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT (CUP 24-002) FOR A TYPE 21 ALCOHOL BEVERAGE CONTROL (ABC) LICENSE FOR OFF-SALE BEER, WINE, AND DISTILLED SPIRITS AT AN GROCERY STORE LOCATED AT 27945 GREENSPOT ROAD, HIGHLAND, CA ASSESSOR'S PARCEL NUMBER(S): 1201-3341-21**

**APPLICANT: JLM-TREH VIII HWY 30 LLC on behalf of 'Grocery Outlet'**

**A. RECITALS**

1. On April 23, 2024, the Applicant filed an application with the City of Highland for Conditional Use Permit (CUP 24-002) to approve a Type 21 ABC License for off-sale beer, wine, and distilled spirits at a grocery store.
2. The site is within the Planned Developed (PD) General Plan Land Use Designation and Zoning District.
3. Approval of an ABC License for off-sale beer, wine, and distilled spirits is subject to the Planning Commission's review, as specified per the Highland Municipal Code.
4. On July 16, 2024, the Planning Commission of the City of Highland, conducted a public hearing on the subject application and concluded the hearing on that date.
5. Pursuant to California Environmental Quality Act, the Project is Categorically Exempt per the CEQA Guidelines, Section 15301, Class 1 Existing Facilities. There is no further environmental review required.
6. All legal prerequisites to the adoption of this Resolution have occurred.

**B. RESOLUTION**

NOW THEREFORE, it is hereby found, determined and resolved by the Planning Commission of the City of Highland as follows:

1. The Planning Commission finds that all of the facts set forth in the Recitals, Part "A" of this Resolution, are true and correct.
2. The City of Highland Planning Commission after due consideration, inspection, investigation and study made by itself and on its behalf, and after due consideration of all evidence and reports offered at said hearing, including the staff report to the Planning Commission dated July 16, 2024, which is incorporated herein by this reference, does find and determine the following facts:

- a. All necessary public meetings and opportunities for public testimony and comment have been conducted in compliance with State Law and the Municipal Code of the City of Highland.

3. Conditional Use Permit Findings of Fact (CUP 24-002):

- a. The proposed use is permitted within the subject district pursuant to the provisions of this section and complies with all of the applicable provisions of this title; and is consistent with the goals, policies, and objectives of the Highland General Plan, and the applicable development policies and standards of the city.

Response: The proposal is for a Type 21 Alcoholic Beverage Control license for Off-sale beer, wine, and distilled spirits at a grocery store. The property is within the Planned Development (PD) General Plan land use designation and is within the Greenspot Crossing retail shopping center approved via CUP 007-001. The CUP permits grocery stores and the sale of alcoholic beverages subject to approval by the Planning Commission.

- b. The proposed use would not impair the integrity and character of the district in which it is to be established or located.

Response: The project site is within the Planned development (PD) General Plan land use designation and is surrounded by commercial businesses including restaurants, service retail, general retail and an athletic club. The new Grocery Outlet is an approved use as permitted by the sites existing general commercial land use entitlement. The addition of alcoholic beverage sales will offer convenience for its daily shoppers and will not impose a negative or detrimental effect on the store or surrounding uses. It is a retail commercial in nature.

The absence of an ABC license and availability of alcohol for sale at this location would be detrimental to patrons visiting supermarket strictly to purchase alcohol. The business hours will be from 6:00 A.M to 11:00 P.M. Monday through Sunday. The proposal would not impair the integrity or character of the district in which it is to be established.

- c. The site is suitable for the type and intensity of use or development which is proposed.

Response: The supermarket is approximately 20,211 square feet of interior shopping area. As indicated above, the property is within the Planned Development (PD) General Plan land use designation, commercial in nature and is surrounded by other retail businesses. The subject application has been

reviewed in compliance with the Highland Municipal Code and appropriate conditions of approval have been applied to the project.

- d. There are adequate provisions for water, sanitation, and public utilities and services to ensure public health and safety.

Response: The project site is currently served by water, sewer, public utilities, and by the City of Highland Fire and Police Departments. There are adequate provisions for water, sanitation, and public utilities and services to ensure public health and safety.

- e. The proposed use will not be detrimental to the public health, safety, or welfare, or materially injurious to properties and improvements in the vicinity.

Response: Census Tract 76.04 authorizes a maximum of three (3) 'on sale' licenses and three (3) 'off-sale' licenses. Currently, there are six (6) active 'on-sale' licenses and seven (7) 'off-sale' licenses for a total of thirteen (13), triggering an 'undue concentration' of ABC licenses within the Census Tract. However, the supermarket having the ancillary type 21 ABC license use would provide a convenience to the patrons of the supermarket. As alcoholic beverages could purchase with and ancillary to other grocery products. The Sherriff's Department did not provide any objections to the ABC request. However, should the Applicant lose their State License or should there arise any significant issues, the Conditional Use Permit may be revoked by action of the Planning Commission. The planning Commission hereby finds that the granting of CUP 24-02 is a matter of Public Convenience.

- f. The proposed use would not result in a significant effect on the environment.

Response: This project is Categorically Exempt from environmental proceedings pursuant to Section 15301, Class 1, Existing Facilities, of the California Environmental Quality Act (CEQA) Guidelines, since the proposed project consists of issuance of a license by another agency and an alteration to operational characteristics for an existing non-conforming convenience store use.

- 5. Based on the findings of fact and conclusions set forth above, the Planning Commission approves Conditional Use Permit (CUP 24-002) for the approval of a Type 21 ABC License for off-sale beer, wine, distilled spirits for a grocery store.

## C. ADOPTION OF RESOLUTION.

The City Clerk shall certify the adoption of this Resolution and shall cause the same to be published or posted in the manner prescribed by law.

**PASSED, APPROVED, and ADOPTED** this 16<sup>th</sup> day of July 2024.

ATTEST:

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Randall Hamerly, Chairman  
Planning Commission

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Lawrence A. Mainez  
Community Development Director



**CITY OF HIGHLAND**  
**PLANNING DIVISION CONDITIONS OF APPROVAL**

Date: July 16, 2024

Applicant: JLM-TREH VIII HWY 30 LLC.

Project No: Conditional Use Permit (CUP 24-002)

Proposal: A request for the approval of a Type 21 ABC License for off-sale beer, wine, and distilled spirits for a Grocery Outlet store.

Location: 27945 Greenspot Road, Highland, CA 92346 (APN:1201-341-21)

**PLANNING CONDITIONS**

These conditions of approval represent the Planning Divisions conditions of approval and are meant to be one part of overall conditions of approval that may include, Engineering, Building and Safety, Fire Department, and other agency conditions of approval.

The conditions below are continuing conditions. Failure of the applicant and/or operator to comply with any or all said conditions at any time shall result in the revocation of this permit granted to use the subject property.

1. This Conditional Use Permit approval shall become null and void:
  - a. Unless all conditions have been complied with and the occupancy or use of the land or existing structures authorized by such conditional use permit approval has occurred within twelve (12) months from the approval date of said conditional use permit.
  - b. Where circumstances beyond the control of the applicant cause delays which do not permit compliance within the time limitation established in this section, the City Planner may grant an extension of time for a period of time not to exceed an additional twelve (12) months. An application for an extension of time must be set forth in writing, stating the reasons for the extension, and must be filed with the Planning Division a minimum of thirty (30) calendar days prior to the expiration of the conditional use permit approval. Such application shall be filed together with the city's processing fee, as established by the City Council.
2. This approval is for a Type 21 ABC License for off-sale beer, wine, and distilled spirits at a grocery store.

3. The applicant shall agree to defend, at his sole expense, any action brought against the city, its agents, officers, or employees, because of the issuance of such approval, or in the alternative, to relinquish such approval. The applicant shall reimburse the city, its agents, officers, or employers, for any court costs and attorney's fees which the city, its agents, officers or employees may be required by a court to pay as a result of such action. The city may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the applicant of his obligations under this condition.
4. Any revisions, modifications to the ABC License, as prepared by the State of California Department of Alcoholic and Beverage Control or any modifications to any conditions listed herein, must be submitted to the Planning Division; additional review and approval may be required by the Planning Commission.
5. All requirements of the Department of Alcoholic and Beverage Control shall be complied with and such requirements shall become part of these conditions of approval by reference.
6. "Loitering is Prohibited" signs shall be posted on and around the subject premises. Size and location shall be approved by the property owner and the City of Highland Planning Division.
7. The Applicant shall participate in the City's local business outreach program by annually maintaining in current status, a Trespassing Agreement Authorization Form (Letter of Agency) with the Highland Police Station. The outreach program offers the Applicant the ability to authorize the Highland Police Department to act as their agent to arrest, remove, or advise any person present on the property without their consent or without lawful purpose to leave the property. A copy of the Letter of Agency attached and made a part of this Conditional Use Permit.
8. The sale of alcoholic beverages shall be limited to the hours of 6:00 a.m. to 11:00p.m. seven (7) days a week.
9. Should at any time, the ABC License issued to the applicant by the State of California be surrendered or abandoned, this Conditional Use Permit shall automatically become null and void.
10. Should the supermarket lose its Conditional Use Permit entitlement, the ABC license shall automatically become null and void.

#### **PUBLIC SERVICES CONDITIONS**

11. The development will need to address the trash enclosure to include green waste. This may require reconstruction of the trash enclosure to a standard 700 trash enclosure.