



**Planning Department
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AGENDA ITEM NO.: 9 (Action Item – Public Hearing)
PLANNING COMMISSION MEETING DATE: January 26, 2022
SUBJECT: Conditional Use Permit (CUP) 2021-09/Coso Junction Truck Stop

EXECUTIVE SUMMARY

The applicant has applied for a CUP to continue to operate and expand a non-conforming truck stop at the property located at 20 Gills Station Road, at Coso Junction. The gas station, store and truck parking has been operating at the site for many years. The applicant has demolished the gas station and store to rebuild a larger facility with a store and fast food restaurants. The truck parking area is also being expanded and paved and will allow for overnight big rig parking.

PROJECT INFORMATION.

Supervisory District: 5

Project Applicant: Jagdeep Dhillon

Property Owner: Coso Junction Store, Inc.

Site Address/ 20 Gills Station Road

Community: Coso Junction

A.P.N.: 037-510-02

General Plan: Retail Commercial (RC)

Zoning: Highway Service and Tourist Commercial (C2)

Size of Parcel: Approximately 18.6-acres

Surrounding Land Use:

Location:	Use:	Gen. Plan Designation	Zoning
Site	Gas Station and Store with truck parking areas	Retail Commercial (RC)	Highway Service and Tourist Commercial (C2)
North	Vacant/Open Space	State and Federal Lands (SFL)	Open Space - 40 acre minimum (OS-40)
East	Vacant/Open Space	State and Federal Lands (SFL)	Open Space - 40 acre minimum (OS-40)
South	CalTrans Highway Rest Stop	Retail Commercial (RC)	Highway Service and Tourist Commercial (C2)
West	Highway 395	NA	NA

Staff Recommended Action: 1.) Approve the Conditional Use Permit (CUP) 2021-09/Coso Junction Truck Stop and find the project is exempt under CEQA.

Alternatives:

- 1.) Deny the CUP.
- 2.) Approve the CUP with additional Conditions of Approval.
- 3.) Continue the public hearing to a future date, and provide specific direction to staff regarding what additional information and analysis is needed.

Project Planner: Cathreen Richards

STAFF ANALYSIS

Background and Overview

The applicant has applied for a CUP to replace and expand a gas station, store and existing truck parking at a property located at 20 Gills Station Road at Coso Junction. The gas station, store and truck parking area have been on this site for many years. Currently, the applicant has demolished the gas station and store and began the construction on a larger facility. This will include a larger store and restaurants, as well as, an additional 60-parking spaces for big rig trucks. Overnight truck parking will be allowed. Some big rig parking has been occurring on the site in compacted dirt and gravel parking areas that have existed for years. These same areas will be paved and striped to accommodate the overnight truck parking.

Inyo County Code Section 18.78.240 - Nonconforming Uses—Changes states:

“No nonconforming use shall be enlarged or extended so as to occupy a greater area of land or of a building than that occupied at the time it became a nonconforming use.”

This building and the parking areas fall under the provision of 18.78.240 that states a nonconforming use shall not be enlarged or altered without a conditional use permit; and

therefore, a conditional use permit approved by the Planning Commission is required. Since this is an expansion of the current use into a more obvious and larger truck stop, which is allowed in the C2 zone with a conditional use permit, it is an appropriate request and meets the requirements of the Inyo County Code. This project may also help to decrease the big rig truck parking in neighborhoods located along Highway 395 by creating an appropriate place for the drivers to stop and rest.

The general project area is adjacent to the north lane of Highway 395 and just north of the Cal Trans Coso Junction rest area. The greater area is vacant, open space, lands (vicinity map and site plan are attached).

General Plan Consistency

The goal of this project is to allow for an established non-conforming use, parking, and truck stop on the site, to be enlarged and continue in compliance with County's zoning ordinance. The project is consistent with the General Plan designation of Retail Commercial (RC) in which it is located, as it allows for commercial, retail and service uses. It is also compatible with the General Plan's Economic Development Element's Goal ED-1: Business Expansion that states: *The County shall encourage existing businesses to expand their own capacities.*

Zoning Ordinance Consistency

The C2 designation allows for truck stops as a conditional use. This is an established non-conforming use at the site and the applicant is seeking the use permit to continue to operate and expand the truck stop in compliance with County's zoning ordinance. The proposed new gas station, store and overnight truck parking are expansions of the use that has been on the property for years, although at a much smaller scale. The Inyo County Code requires that any changes to a non-conforming uses be approved by the Planning Commission. By acquiring the CUP the applicant is creating consistency with the code.

ENVIRONMENTAL REVIEW

Pursuant to the California Environmental Quality Act (CEQA), the proposal is covered by the Common Sense Rule 15061(b) (3) that states that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This application for a CUP is for a property that has already been in use as a truck stop. The changes will be upgrades within the same building and parking areas. No new area of the property will be built upon as part of the project and the entire property is already disturbed.

NOTICING & REVIEW

The application for CUP 2021-09/Coso Junction Truck Stop has been reviewed by the appropriate county departments and Cal Trans. No issues were reported by County staff and the applicant is currently working with both Building and Safety and Environmental Health staffs. Cal Trans did however have comments (attached) regarding possible drainage to Highway 395, and the need for the applicant to get an encroachment permit

that is based on all Cal Trans requirements. The Conditional Use Permit is being conditioned with meeting all of Cal Trans regulations regarding Highway 395 and the truck stop, as well as, meeting all County regulations for building, water and sanitary services.

The hearing for CUP 2021-09/Coso Junction Truck Stop was noticed on January 15, 2022 in the Inyo Register and mailed to property owners within 300-feet of the project location as required by the Inyo County Code. No comments have been received to date.

RECOMMENDATION

Planning Department staff recommends the approval of Conditional Use Permit No. 2020-09/Coso Junction Truck Stop, with the following Findings and Conditions of Approval:

FINDINGS

1. The proposed Conditional Use Permit is exempt by the Common Sense Rule 15061(b) (3) that states that CEQA applies only to projects which have the potential for causing a significant effect on the environment; and, the provisions of the California Environmental Quality Act have been satisfied.
[Evidence: The Common Sense Rule 15061(b) (3) states that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This application for this CUP is for a property that has already been in use as a truck stop. The changes will be upgrades and expansions to the same building footprints and parking areas. No new area of the property will be built upon as part of the project and the entire property is already disturbed (graded and compacted).]
2. The proposed Conditional Use Permit is consistent with the Inyo County General Plan Land Use designation of RC.
[Evidence: The goal of this project is to allow for an established non-conforming building, parking and use as a truck stop on the site, to continue in compliance with County's zoning ordinance. The project is consistent with the General Plan designation of RC as it allows for commercial, retail and service uses. It is also compatible with the General Plan's Economic Development Element's Goal ED-1: Business Expansion that states: The County shall encourage existing businesses to expand their own capacities, fits Goal ED 1.1 as the applicant's improvements will likely increase the use of the truck stop bringing additional business to the facility.]
3. The proposed Conditional Use Permit is consistent with the Inyo County Zoning Ordinance, which permits "Truck Stops" as a conditional use in the C2 Zone.
[Evidence: The C2 designation allows for truck stops as a conditional use. This is an established non-conforming use at the site and the applicant is seeking the use permit to continue to operate and expand the truck stop in compliance with County's zoning ordinance. The proposed new gas station, store and overnight truck parking are expansions of the use that has been on the property for years. The Inyo County Code requires that any changes to a non-conforming building/use be approved by the

Planning Commission. By acquiring the CUP the applicant is creating consistency with the code.]

4. The proposed Conditional Use Permit is necessary or desirable.
[Evidence: The General Plan's Economic Development Element's Goal ED-1: Business Expansion states: The County shall encourage existing businesses to expand their own capacities, fits Goal ED 1.1 as the applicant's improvements will likely increase the use of the truck stop bringing additional business to the facility; therefore, this is a desirable use.] This project will also provide an area for truck drivers traveling through the County to stop and rest. This can be a benefit to both the safety of the traveling public and keeping big rig drivers from parking on neighborhood roads.
5. The proposed Conditional Use Permit is properly related to other uses and transportation and service facilities in the vicinity.
[Evidence: The proposed conditional use permit is to make an existing use and building compliant with the County's Zoning Code. It will likely increase the current level of use exiting and entering Highway 395. The applicant is working with Cal Trans on obtaining all necessary permits and meeting the State's regulations regarding grading, drainage and highway encroachment. By meeting Cal Trans' standards, the project will have no impact on transportation or service facilities in the vicinity.]
6. The proposed Conditional Use Permit would not, under all the circumstances of this case, affect adversely the health or safety of persons living or working in the vicinity or be materially detrimental to the public welfare.
[Evidence: The conditional use permit is being proposed to make an existing use and building compliant the County's Zoning Code. It will not create impacts on the health or safety of persons living or working in the vicinity by meeting the highway standards as set forth by the state of California nor be materially detrimental to the public welfare. Having a safe place for truck drivers to stop and rest is more likely to be a benefit to the public welfare by keeping tired drivers off the highway.]
7. Operating requirements necessitate the Conditional Use Permit for the site.
[Evidence: The continued use of the property and expansion of the truck stop requires a conditional use permit per the Inyo County Code. Therefore, the conditional use permit is necessary for the continued operations at the site.]

CONDITIONS OF APPROVAL

1. Hold Harmless
The applicant/developer shall defend, indemnify and hold harmless Inyo County agents, officers, and employees from any claim, action or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul an approval of the county, its advisory agencies, its appeals board, or legislative body concerning Conditional Use Permit No. 2021-09/Coso Junction Truck Stop. The County reserves the right to prepare its own defense.

2. Compliance with County Code

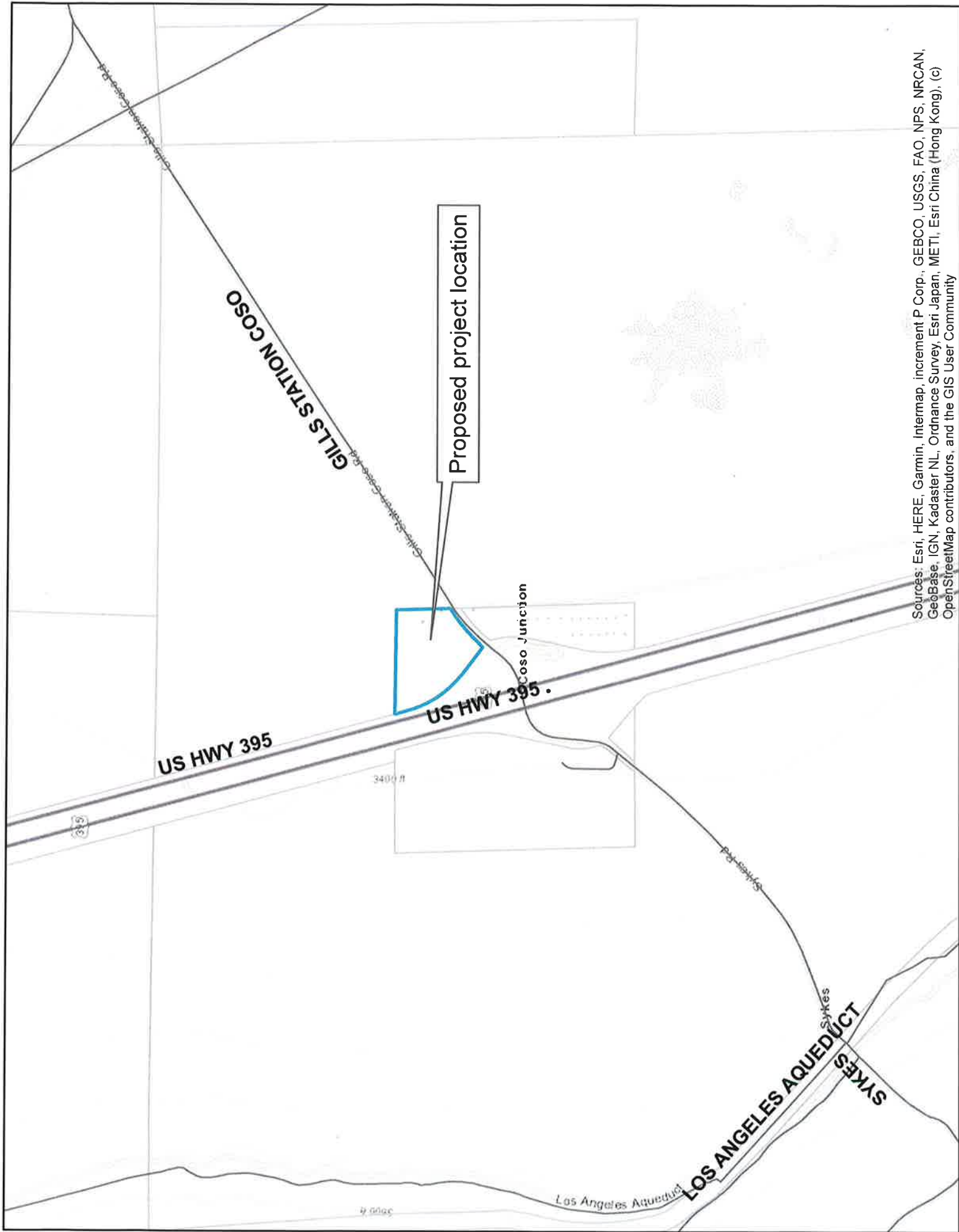
The applicant/developer shall conform to all applicable provisions of Inyo County Code. If the use provided by this conditional use permit is not established within one year of the approval date it will become void.

3. The applicant shall obtain and adhere to the requirements of a Cal Trans encroachment permit. The applicant shall also work with Cal Trans regarding grading, runoff, and paving standards with regard to the proposed truck stop. Failure to comply may cause revocation of CUP 2021-09.

4. The applicant shall work with the County Departments of Building and Safety and Environmental Health to ensure all State and County requirements have been met and all required permits are obtained regarding building, septic and wells. Failure to comply may cause revocation of CUP 2021-09.

Attachments:

- Vicinity Map
- Site Plan



Proposed project location

GILLS STATION COSO

US HWY 395

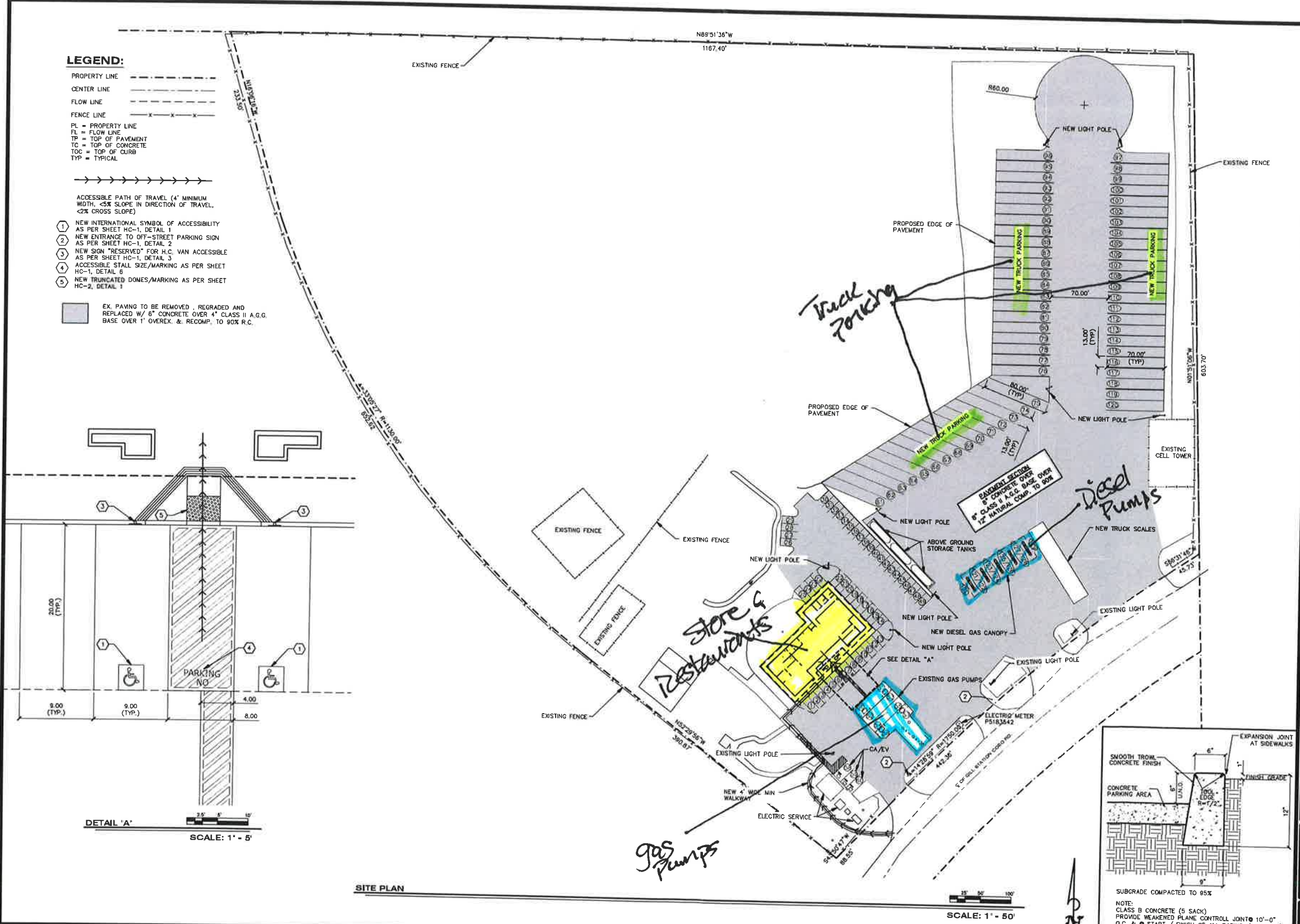
US HWY 395 .

Coso Junction

3400 ft

LOS ANGELES AQUEDUCT
SYKES CREEK

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community



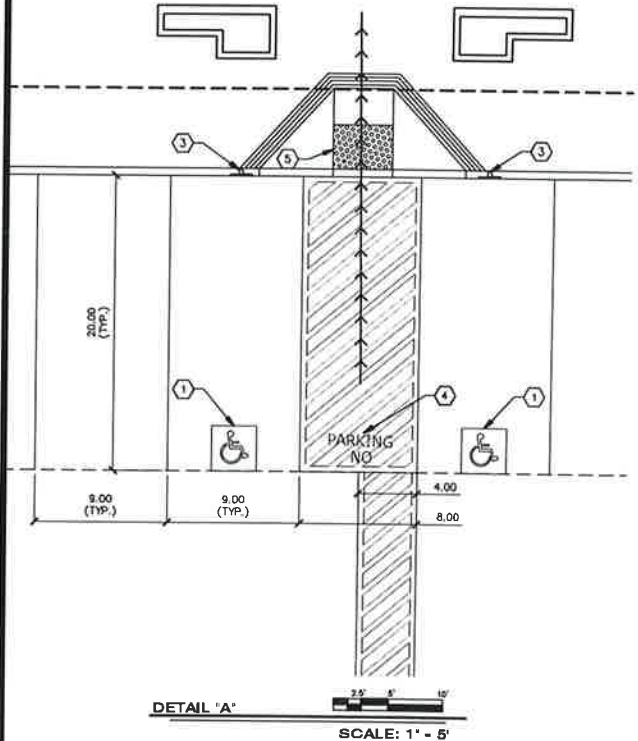
LEGEND:

- PROPERTY LINE
- CENTER LINE
- FLOW LINE
- FENCE LINE
- PL = PROPERTY LINE
- FL = FLOW LINE
- TP = TOP OF PAVEMENT
- TC = TOP OF CONCRETE
- TOC = TOP OF CURB
- TYP = TYPICAL

ACCESSIBLE PATH OF TRAVEL (4' MINIMUM WIDTH, <3% SLOPE IN DIRECTION OF TRAVEL, <2% CROSS SLOPE)

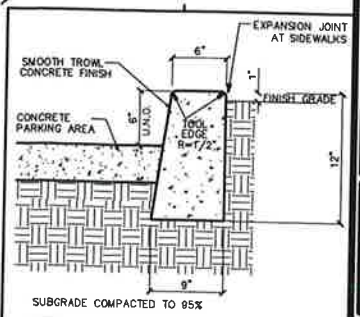
- 1 NEW INTERNATIONAL SYMBOL OF ACCESSIBILITY AS PER SHEET HC-1, DETAIL 1
- 2 NEW ENTRANCE TO OFF-STREET PARKING SIGN AS PER SHEET HC-1, DETAIL 2
- 3 NEW SIGN "RESERVED" FOR H.C. VAN ACCESSIBLE AS PER SHEET HC-1, DETAIL 3
- 4 ACCESSIBLE STALL SIZE/MARKING AS PER SHEET HC-1, DETAIL 6
- 5 NEW TRUNCATED DORIES/MARKING AS PER SHEET HC-2, DETAIL 1

EX. PAVING TO BE REMOVED, REGRADED AND REPLACED W/ 6" CONCRETE OVER 4" CLASS II A.G.G. BASE OVER 1" OVEREX. & RECOMP. TO 90% R.C.



SITE PLAN

SCALE: 1" = 50'



SUBGRADE COMPACTED TO 95%
 NOTE:
 CLASS B CONCRETE (5 SACK)
 PROVIDE WEAKENED PLANE CONTROL JOINT @ 10'-0"
 O.C. & @ START / FINISH OF ALL RADIUS / WALKS /



NO.	DATE

**JAG DHILLON
 CONVENIENCE STORE**
 GILL STATION & HWY 395
 INYO COUNTY, CA.

THESE PLANS ARE NOT FOR CONSTRUCTION AND ARE TO BE CONSIDERED PRELIMINARY UNLESS A "WET STAMP & SIGNATURE" FROM BOTH THE ENGINEER OF RECORD AND A PROFESSIONAL SEAL WITH A "WET STAMP & SIGNATURE" FROM THE LOCAL GOVERNING AGENCY ARE PRESENT.

DRN. BY	LL
CHK'D BY	
DATE	8/18/2020
JOB NO.	0419
TAB. NO.	001910



SHEET **A-1.2**
 OF SHEET

CURB 1-1/2"

California Department of Transportation

DISTRICT 9
500 SOUTH MAIN STREET | BISHOP, CA 93514
(760) 874-8330 | FAX (760) 872-0678 TTY 711
www.dot.ca.gov



November 29, 2021

Ms. Cathreen Richards, Director
Inyo County Planning Department
Post Office Drawer L
Independence, CA 93526

File: INY-395-17.87
RFC
SCH#: None

Coso Junction Gas Station, Mini-Mart, Truck Stop, Restaurants – Conditional Use Permit #2021-09

Dear Ms. Richards;

The California Department of Transportation (Caltrans) District 9 appreciates the opportunity to comment on the proposed Coso Junction Gas Station expansion, with US 395 access at Gill Station-Coso Road. Since only the cover sheet's vicinity map shows the US 395 right-of-way (R/W) pictorially (no label) and plan sheets don't label it, I emailed the R/W map to you on November 19, 2021. Caltrans acquired R/W (fee title) at this highway junction for an eventual interchange, including a segment of the Gill Station-Coso Road. I have included the map again with this letter. We offer the following:

- Along the project frontage, Gill Station-Coso Road is under Caltrans – not Inyo County's, jurisdiction. Please ensure plan sheets label State R/W accordingly.
- The driveways and any other improvements in State R/W must be constructed to Caltrans Standards with an Encroachment Permit, which will also cover traffic control. Hence, please condition the project to "Obtain and adhere to the requirements of a Caltrans Encroachment Permit." As further discussed below, there could be additional requirements for the Encroachment Permit.

For interaction regarding design standards and permitting, Stephen Winzenread may be contacted at (760) 874-8348 or stephen.winzenread@dot.ca.gov.

See permit information at: <https://dot.ca.gov/programs/traffic-operations/ep/applications>

- As shown on the R/W map there is access control along the parcel's western road frontage. The westerly driveway is correctly outside of this area. However, a proposed walkway is shown to cut through this access control; its location will need to be altered.
- Ensure no additional drainage enters State R/W.

Ms. Cathreen Richards
November 29, 2021
Page 2

- The cover sheet statement regarding an Inyo County Roads Department Encroachment Permit should be corrected, along with any other plan set references to Inyo standards, which should be Caltrans standards.
- The project should be helpful overall by providing additional goods movement services along US 395. In the recent past, District 9 has experienced a new truck stop creating unexpected operational impacts. Since this expanded property use would trigger more trips – especially semi-trucks, please provide trip generation estimates, turn movement splits, and queuing analysis. This will assist both the County and Caltrans in determining any responsibility of the project proponent for possible improvements at the US 395 intersection (e.g. extended acceleration lanes) and/or the Gill Station-Coso Road along with any collision countermeasures (e.g. additional lighting).

We value our cooperative working relationship with Inyo County regarding the public transportation system. For any questions, feel free to contact me at (760) 874-8330 or gayle.rosander@dot.ca.gov.

Sincerely,



GAYLE J. ROSANDER
External Project Liaison

Enclosure: R/W Record Map Iny 395 17.9

c: Mark Reistetter, Caltrans