



CITY OF COLTON
PLANNING COMMISSION MEETING MINUTES
Tuesday, March 8, 2011 – Adopted 3/22/11

Planning Commission meeting held on the above given date at 6:30 p.m., in the Council Chambers of City Hall with Chairperson Mitchell presiding.

A. CALL TO ORDER.

At 6:30 p.m. Chairperson Mitchell called the meeting to order.

B. INVOCATION

Deacon Leonard, Immaculate Conception Catholic Church led the Invocation.

C. PLEDGE OF ALLEGIANCE

Flag Salute: Commissioner Archuleta led the Pledge of Allegiance.

D. ROLL CALL

Commissioners Present:

Chairperson Gary Mitchell
Thomas Archuleta
Angel Delgado
Frank Navarro
Joe Perez III
Cynthia L. Ramirez

Staff Present:

Mark Tomich, Development Services Director
Jay Jarrin, Senior Planner
Rahsaan J. Tilford, City Attorney

Absent: Vice-Chairperson Richard Prieto (excused absence)

E. APPROVAL OF MEETING MINUTES

1. Minutes from the Planning Commission Meeting of January 25, 2011. Commissioner Archuleta asked for a correction noting that he recused himself for Item G-1. DAP-000-931 (All-Star Towing). Director Tomich states that a corrected version would be provided for the Commission's approval at the next meeting.
2. Commissioner Ramirez asked for a corrected version of the January 11, 2011 minutes. Director Tomich stated that this would be provided for each of the Commissioners.

F. ORAL COMMUNICATION

None

G. PUBLIC HEARINGS

**1. FILE INDEX NUMBER: DAP-000-910 SOIL SAFE LAND
IMPROVEMENT PROJECT**

REQUEST: Conditional Use Permit to place 500,000 cubic yards of engineered fill (soil cement) to raise the 29-acre project site, in an Open Space zone, out of the 100-year floodplain of the Santa Ana River.

LOCATION: Property is located at the terminus of Fernando and Flores Streets

APN: 0163-362-11, -0163-362-12, and 0163-362-26

ENVIRONMENTAL DETERMINATION: An Environmental Impact Report has been prepared for the project.

Mark Tomich, Director, stated that staff is recommending that the Planning Commission receive public comment at this meeting and continue the public hearing to a special meeting on March 22, 2011. He noted that the contract planner for the project was not in attendance but that any questions or comments made would be addressed in the staff report for the next meeting. Mark Tomich summarized the staff report using a slide (Powerpoint) presentation.

Commission comment:

- Water wells in vicinity of the site.
- History of the R-1 zoning of the City-owned lot relative to the open space conservancy agreement.
- Request for roster of DRC members attending the meeting when this project was considered.
- Hardcopies of staff's Powerpoint presentation to be provided to each Commissioner
- Hardcopies of colored exhibits attached to staff report to be made available at Development Services Department counter.

Chairperson Gary Mitchell opened the public hearing.

Michael Griffin, property owner of subject lot and adjacent (Pico Rivera Pallet), introduced the project.

Mark Smith, President, Soil safe, presented a slide (Powerpoint) presentation providing background on the company, past projects, and the work performed prior to filing the application.

Max Rosouli, City of Riverside: EIR comments from his agency, dated 12-9-11, have not been adequately addressed and submitted additional written comments to

Staff. Staff stated that the document dated 3-8-2011 with the additional comments would be included in the staff report for the next meeting.

Apolino Espudo, resident: While the top of the ground of the old landfill on the site is being addressed, the City should be worried about underneath the top surface; No way to stop polluted soil from being brought in (mentioned a similar project has been ordered to clean up due to arsenic and lead contamination); Project does not benefit the residents of Colton; Need more time to figure out what it is; Future development site is not possible due to no street access to the site and the limitations of Mt Vernon Avenue as main access route (narrow bridges).

Lenny LaRocco, Pacific Rail: There are too many trucks on M Street and Mt Vernon currently; a need for a contingency plan for spills on Mt Vernon bridges by soil trucks; address where to park his company trucks if access to business is closed.

Suzanne Trabridge, resident on Florez: The vision of the applicant conflicts with the vision of the residents, many of who are part of multi-generational families that live in South Colton; streets (Congress) have been damaged by truck traffic (curb damage); applicant's failure to recognize site contamination upon purchase is no reason for City approval; traffic hazards due to truck traffic along a street where kids play in street; concern that city has liability and will be sued for accidents occurring due to truck traffic.

Rachel Warner, resident: Over 1000 signatures were collected for petitions to keep streets in South Colton residential; the pavement on M Street in bad shape, the rail spur (Ninth Street) only serves two businesses; opposed to the project because she wants no more industrial uses in this area.

Ian McMillan, AQMD: Responses to his agency's EIR comments are inadequate and submitted an additional set of comments to Staff. Since the project is larger than most projects, there will be major regional impacts as well as local emissions associated with dirt moving within the site, impacts by wind, and use of diesel equipment onsite. He requested that the number of trucks on the site be clarified since documents states average of 30 to 60 truck trips per day while applicant stated 150 a day in presentation. He emphasized that since AQMD is a responsible agency for the EIR, a permit from AQMD will be required for the project but the permit cannot be approved with the EIR as currently prepared. He stated the applicant has met with AQMD and shown progress towards meeting remaining issues but the Final EIR needs changes in order to be certified.

John Anaya, resident: Flow of traffic on Mt Vernon will be impacted by additional trucks and this may impact the two public transit (OMNI) routes on Mt Vernon.

Richard Carreon, resident: M Street pavement is in bad condition (alligator); number of trucks are greater than what was previously presented (no more than 50 trucks); there are accidents currently on Mt Vernon freeway ramps without the project's added traffic, the intersection of Sperry & Valley floods and back up traffic on the I-10 westbound off ramp for Mt Vernon; impacts are greater for the project since 18-wheelers wear and tear road, concerns about who will pay for pavement wear and maintenance; and whether revenue generated by project will be significantly less than the cost of City for services.

Michael Griffin, property owner of subject lot and adjacent (Pico Rivera Pallet): Other agencies (Regional Water Board) want the site cleaned up as soon as possible; that the project has a short-term impact outweighed by long-term gain; will improve issues with drinking water in the City; emphasized that no City funds are spent on the project.

With the conclusion of public comments, the Planning Commission stated that a continuance to March 22 may not provide enough time to adequately prepare responses to the two sets of additional comments received. The Planning Commission requested information on who was notified of public hearings and past meetings. Staff stated that this information would be provided at the next meeting.

Motion and second by Commissioner Archuleta/Commissioner Navarro; Vote 6 to 0, with one Commissioner absent (Prieto) to continue the public hearing to the regular meeting scheduled on April 12, 2011.

H. COMMISSION CONSIDERATION

None

I. DIRECTOR REMARKS/REVIEW OF CITY COUNCIL AGENDAS

Update on the Colton Crossing Project. Environmental Document has been released for 30-day review. Disposition of historic structures (Southern Pacific Depot and American Railway Express) will be discussed at the March 9, 2011 Historic Preservation Commission meeting. Two public workshops will be held the following week: March 16, 2011 at the Luque Center and March 17, 2011 at the Hutton Center. Both meetings will start at 6:00 p.m.

J. COMMISSION COMMENT

- There have been great improvements in City services regarding street/gutter repair, graffiti abatement, and other Public Works Department functions.

- Requested clarification on marijuana dispensaries operating in the City without approval.
- Enough time should be allowed for staff and the City Attorney’s Office to perform duties and asked about the upcoming Sign Code Workshop.
- Cited projects upgrading gas stations located at Food 4 Less on Pepper Avenue and on Iowa Avenue as examples of new construction.
- Businesses providing on-site lighting may help to deter graffiti and cited La Veranda on Mt Vernon & Laurel as an example.
- Staff asked to review the sign at 1345 N. Mt Vernon Avenue.
- Requested that Alan Sork, Fire Marshal, attend a future Planning Commission meeting to discuss programs on weed abatement.

K. ADJOURNMENT

At 8:57 p.m., the Planning Commission Regular Meeting adjourned the meeting.

Approved by: _____
Mark R. Tomich, AICP
Development Services Director