



Planning Commission Staff Report

**City of Colton
Development Services Department**

MEETING DATE: November 23, 2021

FILE INDEX NUMBER: DAP-001-602

APPLICANT: EBS Realty Partners, LLC

PROPERTY OWNER: Hagar Pacific Properties

REQUEST: An **Architectural and Site Plan Review** to allow the construction of two new warehouse buildings, totaling 960,040 square feet (building one = 540,920 sq. ft., bldg. two = 419,920 sq. ft.); a **Conditional Use Permit** for truck and trailer storage where trailers and/or trucks would be stored on-site in designated parking spaces, for 24-hour operation, and for warehouse buildings of 50 feet in height; and **Tentative Parcel Map No. 20146** to consolidate multiple legal lots (12) into two separate legal parcels, one north and one south of Barton Road, located within the Light Industrial (M-1) Zone.

ACTIONS:

APPLICATION FILED: 04/20/2019

CONSIDERATION OF APPLICATION REVIEW COMMITTEE: 7/16/19;

Staff Recommendation: Recommend approval to the Planning Commission, with conditions;

SCOPING MEETING: 2/26/2020

PLANNING COMMISSION/PUBLIC WORKSHOP: 1/26/21

PLANNING COMMISSION SITE TOUR: 6/7/21

CONSIDERATION BY THE PLANNING COMMISSION: 8/24/2021, 9/14/21, and 10/26/21

ENVIRONMENTAL DETERMINATION: An Environmental Impact Report is proposed for certification and adoption of a Mitigation Monitoring Program pursuant to Sections 15070 and 15074 of the Guidelines for the California Environmental Quality Act (CEQA).

DISCUSSION:

On August 24, 2021, the Planning Commission continued the public hearing to September 14, 2021, in order for the applicant and staff to continue negotiating the Development Agreement, particularly the item pertaining to a new bridge over the BNSF railroad right-of-way near the intersection of Barton Road and S. La Cadena Drive, and to respond to a comment letter received at the August 24th meeting.

On September 14, 2021, the Planning Commission continued to take public comments on the project and to ask additional questions regarding the BNSF bridge, community benefits, and community outreach, and to allow staff and the EIR consultant to respond to a lengthy set of comments provided to the Planning Commission immediately prior to the public hearing.

On October 26, 2021, the Planning Commission continued to take public comments on the project and to ask additional questions regarding the BNSF bridge, the timing of the completion of the UPRR bridge replacement and reconstruction of Barton Road, community benefits, and the contents of the Development Agreement. In addition, Staff and the Applicant have continued to work with the Elsinore Valley Municipal Water District (EVMWD) on issues regarding access to its well site, and potential impacts to its water line. The following responses are to those issues raised by Planning Commissioners that required further review by staff before providing a complete response.

Planning Commissioner Comments

1. *How will the public access the charging stations available for public use? Shouldn't these charging stations be placed at a more public location such as the Luque Center?*

Under the existing proposal, access to the parking lots (north and south of Barton Road) where the future charging stations are to be placed will be open to the public. There are no gates proposed at Driveway #2 (Barton Road access). However, staff believes that the intent of the City's Climate Action Plan (CAP) is that project proponents would provide electric vehicle charging stations to the public as part of their project; but the CAP is silent on their location. The Applicant has committed to the development of 4 new electric vehicle charging stations that are open and accessible to the public to meet CAP requirements for the reduction of air emissions, including emission of GHG. Two off-site locations would be determined in consultation with the Planning Division, with input from the Sustainability Division. This is included as a Public Benefit in the Development Agreement. In addition, a condition of approval (No. 30) has been added to the project's resolution that requires the Applicant to construct two charging stations onsite and at two additional locations to be determined by the City.

2. *The Applicant should identify benefits for local residents in a Community Benefits Agreement with the City.*

As one of the Public Benefits included in the draft Development Agreement, the Applicant has committed a sum of \$10 million to be used for the design, application processing, and construction of a replacement bridge over the BNSF tracks and the realignment of the intersection of Barton Road and S. La Cadena Drive. The Applicant has agreed to this payment and has indicated that it is non-refundable, such that any funds not used for the bridge/intersection improvements would revert to the City's general fund, for use by the City for other projects, as yet undetermined.

3. *The bridge over the BNSF railroad tracks is too narrow and traffic often stops to allow on-coming trucks to cross the bridge. The bridge should be widened as a part of the project.*

Modern trucks/trailer rigs can be a maximum of 102 inches (8.5 feet) wide according to the California Vehicle Code (Div. 15, Chap. 2). The roadway on the bridge over the BNSF tracks has a curb-to-curb dimension of 24 feet. With two trucks passing on the bridge there is adequate space for both trucks to be on the bridge at the same time. Exhibit 1 has been provided to show how these trucks can pass each other on the bridge under existing conditions. Exhibit 2 is a summary of the findings of the Federal Highway Administration's National Bridge Inventory Database for the bridge over the BNSF tracks.

4. *The Economic Impact Analysis Summary provided with the Staff Report described two new warehouses- an industrial warehouse and a last-mile distribution center. A last-mile or fulfillment center was not identified in any previous staff reports.*

Both the EIR and the Traffic Impact Analysis prepared for the Barton Road Logistics Center evaluated two new high-cube transload short-term storage warehouses. SCAG defines a high-cube warehouse as a building with over 200,000 square feet of floor area and with a ceiling height of 24 feet or higher. The primary use of high-cube warehouses is storage, consolidation, and distribution of manufactured goods. In a previous public hearing, the applicant indicated that a 24-hour operation was required at the site because trucks would be delivering goods from the ports of Los Angeles or Long Beach and could be leaving the ports at any hour. This indicates that the proposed warehouses would be more of a break of bulk operation than a last mile/fulfillment center operation. A break-of-bulk point is a location where cargo transported in bulk must be broken into smaller units so the cargo may be moved further and generally distributed over a larger space; from ship to rail or truck for delivery to a warehouse.

A last-mile or fulfillment center is the next step in warehousing and has grown out of consumer demand for next day or same day delivery of packages. Regarding traffic in particular, high-cube transload use is the lowest generating high-cube land use whereas last/mile/fulfillment is the highest. ITE classifies two types of fulfillment centers, sort and non-sort. Non-sort facilities handle larger packaged goods, while sort facilities handle largely smaller packaged goods. Because of the packages and the size of those packages that fulfillment centers handle, there is not a lot of automation and a lot of manual labor (employees) is required. For that reason, the trip generation for the last-mile/fulfillment centers is largely based on the greater need for employees to support that type of use and fewer large trucks. The overall trip generation is higher for fulfillment but it is associated with an increase in passenger car (including small truck/delivery van) trips and a small reduction in large truck trips for the same square footage. The passenger car trip would be broken down between employee vehicles, small trucks and delivery vans.

Because of the difference in trip generation between the proposed project – two high cube warehouses and the project identified in the Economic Impact Analysis – one high cube warehouse and one last/mile/fulfillment center, Staff is recommending that prior to the issuance of a building permit, the applicant shall clarify the intended use of each warehouse, and if a fulfillment center is proposed the applicant shall submit a subsequent Traffic Impact Analysis and related studies (e.g., Air Quality, GHG, Noise). Upon review of these subsequent studies, the Development Services Director or his/her designee shall determine if a subsequent or supplemental EIR should be prepared. This requirement is set forth in Planning Condition of Approval No. 31.

Other comments received at the October 26th Planning Commission public hearing.

Other comments made at the October 26th Planning Commission public hearing were similar to those provided at either the August 24th or September 14th public hearings and were addressed in the September 14th and October 26th staff reports. No new issues were raised by the public.

Development Agreement

In order to benefit the City of Colton by committing the applicant to certain public benefits, and the applicant by vesting the project entitlements and impact fees for a period of 25 years, City staff and the applicant have negotiated a Development Agreement in accordance with California Government Code Section 65864 and Colton Municipal Code Section 18.58.102. In exchange for vesting certain rights, the applicant has agreed to provide public benefits in the form of:

- a. A capital contribution of \$10.0 million (increased from \$8.50 million) toward the design, application processing and construction of a westbound Barton Road bridge and associated roadway improvements over the BNSF Railroad right-of-way, connecting to S. La Cadena Drive (see Exhibit 3).
- b. Four public access electric vehicle charging stalls, two onsite and two to be provided at locations of the City's choosing; and
- c. Rooftop solar system on both new buildings.

Responses to Comments Received Prior to the September 14, 2021 Public Hearing

On the afternoon of September 14th, a comment letter was received in the Development Services Department providing additional comments on the Draft EIR. The comment letter was authored by a group that had provided an earlier comment letter prior to the close of the public comment period. The latter letter consisted of comments on the Response to Comments document prepared as part of the Final EIR.

Staff and their consultants have reviewed the letter and provided responses to this latest set of comments. No new issues were raised in the comment letter and no revisions to the Draft EIR or Mitigation Monitoring and Reporting Program were made that would require the recirculation of the Draft EIR. Responses to these comments were provided to the commenter in advance of this Planning Commission public hearing.

RECOMMENDATION

- A. Staff recommends that the Planning Commission adopt Environmental Findings and a Statement of Overriding Considerations, certify the Final Environmental Impact Report, and adopt the Mitigation Monitoring and Reporting Program by adopting the attached **Resolution R-27-21**:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COLTON, CALIFORNIA ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (SCH #202029049), AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM FOR THE BARTON ROAD LOGISTICS CENTER. (FILE CASE NO. DAP-001-602)

- B. Staff recommends that the Planning Commission approve Architectural and Site Plan Review. Conditional Use permit (CUP) and Tentative Parcel Map 20146 by adopting the attached **Resolution R-25-21**:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COLTON APPROVING AN ARCHITECTURAL & SITE PLAN REVIEW FOR A NEW 540,920 SQUARE FOOT LOGISTICS WAREHOUSE BUILDING, INCLUDING ANCILLARY OFFICE SPACE, ON PROPERTY LOCATED AT 21700 BARTON ROAD AND A NEW 419,920 SQUARE FOOT LOGISTICS WAREHOUSE BUILDING ON PROPERTY LOCATED AT 275 AND 375 DE BERRY STREET AND OTHER PARCELS; CONDITIONAL USE PERMIT FOR TRUCK/TRAILER STORAGE AND FOR 24-HOUR OPERATION, AND FOR WAREHOUSE BUILDINGS OF 50 FEET IN HEIGHT, AND TENTATIVE PARCEL MAP 20146 TO CONSOLIDATE 12 LEGAL PARCELS INTO 2 PARCELS (FILE INDEX NO: DAP-001-602).

- C. Staff recommends that the Planning Commission recommend to the City Council approval of a Development Agreement between the City of Colton and the applicant by adopting attached **Resolution R-29-21:**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COLTON RECOMMENDING APPROVAL OF THE BARTON ROAD LOGISTICS CENTER DEVELOPMENT AGREEMENT FOR PROPERTY GENERALLY LOCATED AT 21700 BARTON ROAD AND 275M 280, AND 375 DE BERRY STREET IN THE CITY OF COLTON.

Prepared by:
Nancy M. Ferguson, Contract Planner



Reviewed by:
Mark Tomich, AICP, Development Service Director

Attachments:

1. Additional Comment Letter on Draft EIR and Responses
2. Resolution R-27-21 (Environmental Impact Report)
3. Resolution R-25-21 (Project Entitlements)
4. Resolution R-29-21 (Development Agreement - Exhibit A to Resolution)

Exhibits:

1. Existing Barton Road Bridge over the BNSF tracks
2. Bridge Report for Barton Road over BNSF Tracks
3. Conceptual Barton Road Bridge over BNSF Tracks



Exhibit 1 Existing Barton Road Across the Bridge Over the BNSF tracks

BridgeReports.com National Bridge Inventory data

BARTON RD over BNSF RY, AMTRAK, METROLINK

San Bernardino County, California

Coordinates:

+34.03338, -117.33293

34°02'00" N, 117°19'59" W

Facts

Source: National Bridge Inventory. Information not verified; use at your own risk.

Name: BARTON RD over BNSF RY,AMTRAK,METROLINK

Structure number: 54C0001

Location: 0.1 MI E LA CADENA DR

Purpose: Carries highway and pedestrian walkway over railroad

Route classification: Minor Arterial (Urban) [16]

Length of largest span: 39.0 ft. [11.9 m]

Total length: 166.0 ft. [50.6 m]

Roadway width between curbs: 24.0 ft. [7.3 m]

Deck width edge-to-edge: 32.2 ft. [9.8 m]

Vertical clearance above deck: 19.0 ft. [5.8 m]

Vertical clearance below bridge: 23.0 ft. [7.0 m]

Skew angle: 45°

Owner: City or Municipal Highway Agency [04]

Year built: 1936

Historic significance: Bridge is not eligible for the National Register of Historic Places [5]

Number of main spans: 6

Main spans material: Concrete continuous [2]

Main spans design: Slab [01]

Deck type: Concrete Cast-in-Place [1]

Latest Available Inspection: October 2018

Good/Fair/Poor Condition: Good

Status: Open, no restriction [A]

Average daily traffic: 9,847 [as of 2009]

Truck traffic: 4% of total traffic

Deck condition: Good [7 out of 9]

Superstructure condition: Good [7 out of 9]

Exhibit 2 Bridge Report for Barton Road Over BNSF Tracks

Substructure condition: Good [7 out of 9]

Structural appraisal: Somewhat better than minimum adequacy to tolerate being left in place as is [5]

Deck geometry appraisal: Basically, intolerable requiring high priority of replacement [2]

Underclearances appraisal: Meets minimum tolerable limits to be left in place as is [4]

Roadway alignment appraisal: Meets minimum tolerable limits to be left in place as is [4]

Scour condition: Bridge not over waterway. [N]

Sufficiency rating: 60.9

Previous Inspections

Date	Condition	Deck	Superstructure	Substructure	ADT	Suff. Rating
October 2018	Good	Good	Good	Good	9847	60.9
August 2016	Good	Good	Good	Good	9847	46.4
December 2014	Good	Good	Good	Very Good	9847	46.4
December 2012	Good	Good	Good	Good	9847	70.0
December 2010	Good	Good	Good	Good	9847	70.0
December 2008	Good	Good	Good	Good	9847	70.0
January 2007	Good	Good	Good	Good	9125	70.1
March 2005	Good	Good	Good	Good	9125	70.1
May 2003	Good	Good	Good	Good	9125	68.1
May 2001	Good	Good	Good	Good	9125	70.1
February 1999	Good	Good	Good	Good	7000	70.6
June 1996	Good	Good	Good	Good	7000	70.3
April 1994	Good	Good	Good	Good	7000	70.3
March 1992	Good	Good	Good	Good	7000	70.3

BridgeReports.com: National Bridge Inventory data

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Exhibit 3 Conceptual Barton Road Bridge over BNSF Tracks