

CITY OF SAN DIMAS PLANNING COMMISSION MINUTES

Regularly Scheduled Meeting
Wednesday, September 17, 2003 at 7:30 p.m.
245 East Bonita Avenue, Council Chambers

Present

Chairman Ash Dhingra
Commissioner Emmett Badar
Commissioner David Bratt
Commissioner Howard Levreau
Commissioner James Schoonover
City Manager Blaine Michaelis
Director of Community Development Larry Stevens
Planning Manager Craig Hensley
Associate Planner Joe Vacca
Assistant Planner Laura Lockett

CALL TO ORDER

Chairman Dhingra called the regular meeting of the Planning Commission to order at 7:36 p.m. and Commissioner Levreau led the flag salute.

ADMINISTRATION OF OATH OF OFFICE

The Oath of Office was administered to incoming Commissioner David Bratt and reappointed Commissioners Ashok Dhingra and Howard Levreau.

REORGANIZATION

Community Development Director Larry Stevens stated that it is the practice when Commission terms expire, at the next meeting the positions of Chairman and Vice-Chair are selected and opened the floor for nominations for the position of Chairman.

Commissioner Badar nominated Ash Dhingra for the position of Chairman, seconded by Commissioner Schoonover.

No other nominations were submitted.

MOTION: Moved by Levreau, seconded by Schoonover to appoint Ash Dhingra as Chairman for the upcoming year. Motion carried unanimously, 4-0-1 (Dhingra abstained).

Chairman Dhingra then opened the floor for nominations for the position of Vice Chair.

Commission Schoonover nominated Emmett Badar for the position of Vice-Chair, seconded by Commissioner Bratt.

No other nominations were submitted.

MOTION: Moved by Levreau, seconded by Schoonover to appoint Commissioner Badar as Vice-Chair for the upcoming year. Motion carried unanimously, 4-0-1 (Badar abstained).

CONSENT CALENDAR

1. Approval of Minutes for August 20, 2003
2. Recommendation to waive further reading and adopt Resolution Number PC-1289 recommending approval of General Plan Amendment 03-02, changing the designation from Industrial to Commercial.

RESOLUTION PC-1289

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIMAS RECOMMENDING APPROVAL OF GENERAL PLAN AMENDMENT 03-02, A CHANGE FROM INDUSTRIAL DESIGNATION TO COMMERCIAL DESIGNATION ON THE PROPERTY LOCATED ON THE NORTHEAST CORNER OF ARROW HIGHWAY AND EUCLA AVENUE

3. Recommendation to waive further reading and adopt Resolution Number PC-1290 recommending approval of Zone Change 03-02, changing zoning from M-1 to Creative Growth – Area 1.

RESOLUTION PC-1290

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIMAS RECOMMENDING APPROVAL OF ZONE CHANGE 03-02, A REQUEST TO CHANGE ZONING FROM M-1 TO CREATIVE GROWTH – AREA 1 AND AMENDING EXHIBIT A OF CHAPTER 18.140 OF THE SAN DIMAS MUNICIPAL CODE ON THE PROPERTY LOCATED ON THE NORTHEAST CORNER OF ARROW HIGHWAY AND EUCLA AVENUE

4. Recommendation to waive further reading and adopt Resolution Number PC-1291 approving Conditional Use Permit 03-03, a request by Keith Porchia to construct a 68-room suites hotel.

RESOLUTION PC-1291

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIMAS APPROVING CONDITIONAL USE PERMIT 03-03, A REQUEST BY KEITH PORCHIA TO CONSTRUCT A 68-ROOM SUITES HOTEL ON THE PROPERTY LOCATED ON THE NORTHEAST CORNER OF ARROW HIGHWAY AND EUCLA AVENUE

MOTION: Moved by Levreau, seconded by Badar to approve the Consent Calendar. Motion carried unanimously, 5-0.

PUBLIC HEARINGS

5. **Draft Environmental Impact Report (DEIR), General Plan Amendment 03-03, Municipal Code Text Amendment 03-04** – A request to construct a 148,000 Costco warehouse/retail facility with a tire center and gasoline service station and approximately 71,500 square feet of additional commercial uses including restaurants and retail shops/stores on 22.83 acres; to amend the General Plan land use designation from Industrial to Commercial and to amend various goals, objectives and policies set forth in the General Plan; and to revise Specific Plan No. 24 including development plan, development standards, plan review and disposition and related Sections to allow the proposed project.

Community Development Director Larry Stevens stated there are three items before the Commission for consideration. The Draft EIR is intended to analyze potential impacts associated with the proposed project, consisting of an approximately 148,000 sq. ft. Costco warehouse and retail facility, which includes a tire center and gas station, and in addition approximately 71,000 sq. ft. for ancillary restaurants and shops. A presentation will be made on the Draft EIR by Wendy Lockwood of ESA, the consulting firm hired by the City to prepare the report.

He stated there are currently two associated applications with this project. The first is to amend the General Plan Land Use designation from industrial to commercial, and to make some minor modifications in the Goals, Objectives and Policies set forth in the General Plan. The actual text will be presented at a continued hearing in mid-October. A Municipal Code Text Amendment will be prepared to change SP-24, which is the current zoning on the property, to accommodate a development consistent with the Costco proposal. This will also be available in mid-October.

The Planning Commission has historically conducted a public hearing during the public review period and the purpose of tonight's hearing is to discuss the Draft EIR and to hear comments on it. These comments will be treated as written comments and made a part of the Response to Comments contained in the Final EIR. The comment period started on August 26th, and the City did a mailing announcing this to a much larger radius than the required minimum of 300 feet, advertised it in the newspaper, and posted the property.

Representatives from Costco were available to present a few details about the project for basic understanding only, as consideration of those details is not part of tonight's proceedings. He stated that the Commission might have noticed there were two different site planes in the Draft EIR. The site plan is still under discussion as to the location of the gas station and placement of pads; however, the EIR covers the general impacts of the project. At the conclusion of tonight's public testimony the recommendation is to remind anyone that they can submit written comments up to the deadline of October 10th, and the hearing on the Specific Plan and General Plan Amendment should be continued to October 15, 2003. Then tentatively on November 5th would be the hearing on the Final EIR, along with General Plan and Specific Plan amendments.

Wendy Lockwood, Director of the Los Angeles office of Environmental Science Associates (ESA), stated they prepared the environmental document for this project. Tonight she would speak on the potential issue areas in the EIR. She stated the project area is approximately 22.83 acres and that the site plan was consistent for the type of project proposed. The majority of the site is undeveloped, with approximately 20 single-family residences located in the project

area bounded by Gladstone on the north, the railroad tracks on the east, 5th Street on the south and Lone Hill on the west. Adjacent uses include single-family residential, business park, a Chevron gas station, etc.

The project Goals and Objectives are consistent with the City's Goals and Objectives to create an urban form which efficiently uses urban infrastructure and provides well-planned commercial center nodes. They held a scoping meeting several months ago and heard comments on potential impacts of the project on traffic, construction noise, compatibility with the General Plan and Specific Plan, potential security and police issues, as well as the relocation of the 20 single-family residences on the site. She also mentioned all of the approvals and permits needed to process this project.

Ms. Lockwood then covered the key impacts for this project:

- **Aesthetics** – No major impacts. There were no scenic vistas impacted, and they were not anticipating any substantial light or glare from the project. There will be high-pressure sodium lighting in the parking lot that generally produces less glare.
- **Air Quality** – This is the one area they anticipate a significant adverse impact, which cannot be mitigated, and that this is very common with development projects. There will be both construction and operational impacts. The project is consistent with the AQMD Management Plan, but construction will result in PM-10 and nitrogen oxide (NOx) levels above SCAQMD suggested threshold of significance. The SCAQMD identifies a very detailed list of mitigation measures shown in the EIR. These will include things like watering the site, sweeping paved areas, hydroseeding construction areas, limiting speed of traffic on unpaved roads, etc. The maintenance of construction equipment can help reduce NOx levels, along with staging activities so that they occur sequentially to reduce peaks in emissions.

Operation of the project would generate sufficient trips of sufficient length to exceed AQMD suggested threshold of significance. A trip reduction program could be required of the applicant but would have a minor impact, so this would be considered an impact that cannot be mitigated.

The restaurants would be required to comply with AQMD rules, and they do not expect odors from them to have a significant impact. They do anticipate that both the construction and operation of the project would contribute to the cumulative emissions basin-wide, which would have significant adverse impact. In the entire document, these three areas are the only ones that have significant adverse impacts that cannot be mitigated.

- **Biological Resources** – No endangered species are identified on the site. There are approximately 120 non-native ornamental trees that will need to be replaced per City ordinance. Some bird nests may be disturbed, and any that need to be removed will be done per accepted protocols. They do not anticipate any significant impact on biological resources.
- **Cultural Resources** – There are two single-family residences on site that represent contributing structures to the community. The mitigation measure for this would be to either relocate them or photo document them prior to demolition. They do not anticipate any significant impact on cultural resources.
- **Archaeological Resources** – The site is rated moderate as to archaeological resources, and an archeologist and Native American monitor could be on-site during construction to monitor that no artifacts or remains are disturbed.

- **Geology and Soils** – Being located in Southern California, there is a potential for earthquakes, but a low potential for liquefaction. The facilities will need to comply with building regulations for ground shaking. Potential wind and soil erosion is a possibility during construction but can be controlled by containing run-off. They are not anticipating any cumulative impacts in this area.
- **Hazards and Hazardous Materials** – This site was formerly occupied by a facility that had a leaking underground storage tank but the site was cleared in 1996. If any contaminated soils are found during construction, they would be mitigated by containment and transportation off-site for proper disposal.

The on-site gas station will require underground storage tanks but they are so highly regulated in the state of California that they do not anticipate any significant adverse impacts. The site is not in proximity of an airport and would not interfere with any emergency response plan. The EIR does not anticipate any loss to wildfire and overall there would be no significant adverse impacts in this area.

- **Water Quality** – The project has the potential to exceed water quality standards, and during construction the applicant must use best management practices to limit contamination of water bodies by containing run-off. A drainage plan will need to be prepared to mitigate the increase in impervious surfaces on the project site but overall there are no significant cumulative impacts.
- **Land Use and Recreation** – The project will not divide an established community and would not conflict with the City's Land Use plans and policies, so there are no significant adverse impacts.
- **Public Services and Utilities** – The EIR does not anticipate an increase in demand for fire or police personnel, or the need for school and recreational facilities. No new water supply or electrical facilities are needed for this project, and there are no significant adverse impacts.
- **Noise** – The main impact will be associated with the loading facilities, which will be located approximately 700 ft. from Gladstone. They also recommend that parking lot sweeping be allowed only during the hours of 7:00 a.m. and 9:00 p.m. Some ground vibration may occur during construction but would not be significant. The operational noise wouldn't combine with any other noise so there would be no cumulative significant adverse impact.
- **Population and Housing** – The project will not increase the population of the community and it is expected that the jobs created will mostly be filled by local residents, not commuters. The project will not create substantial displacement, as only 22 residential units will be impacted; therefore, they do not see any significant adverse impact.
- **Transportation and Traffic** – While they anticipate some impact on local roads, with mitigation measures they can be reduced to a level of insignificance. These mitigation measures would be having the applicant pay their fair share to construct a traffic signal at the intersection of Valley Center and Gladstone and widening and re-striping Gladstone near the elementary school. A traffic signal will be located at the intersection of Lone Hill Avenue and the south access of the project site, and some re-striping of Lone Hill Avenue approximately 300 feet north and south of Gladstone to provide dual north-south left turn lanes with a protected signal. The project would also require the developer to pay a fair share contribution to construct needed turn lanes at the nearby freeway off-ramps.

There will be some impact on the residences on the west side of Lone Hill Avenue regarding ingress and egress due to the increase in traffic, and several options for mitigating that were prepared. While this is not considered a significant impact per CEQA, the City and the applicant will be working together to see how to address the impacts.

The project provides sufficient on-site parking and there are no line-of-site issues. The median fronting the project will limit access to right turns only, and a fence will be erected between the project and the railroad tracks. The applicant will also provide truck routes within the project area.

Director Stevens stated that in regards to the houses on the west side of Lone Hill, there has been discussion about the possible impact increased traffic would have on those residences. While the EIR considers this not to be a significant impact, the City is committed to working with those residents to see if there are potential solutions. A letter will be going out inviting them to attend a meeting to discuss the identified alternatives and other possible concerns. Staff will report the results of that meeting back to the Commission.

Commissioner Leveau asked if a definition of what an EIR is supposed to accomplish could be given to the audience so that they would have a better understanding of tonight's proceedings.

Director Stevens stated the purpose of an EIR is to inform the public of impacts from a project, whether good, bad or indifferent and allow people to comment on whether they agree with the analysis or not. Responses will be made to all comments received and made part of the Final EIR so that the decision makers can have a complete understanding of those impacts in order to make their decisions. As was stated, no large project can meet air quality standards because of the condition of the basin, but we are doing what we can to mitigate the impacts. The public review is to see if the impacts were analyzed correctly and thoroughly. If all that was done, the EIR can be certified but the project could still be denied or approved in a different fashion than presented. The EIR is just the disclosure portion of the process, not the decision making portion.

Wendy Lockwood, ESA, stated the document is circulated to the State Clearinghouse so that all applicable state agencies will review the document to be sure that all impacts are disclosed in the document. The whole CEQA process is to disclose environmental impacts and to guarantee that regulatory agencies agree with the analysis.

Chairman Dhingra asked the applicant to come forward.

Peter Clement, Development Manager for Costco Wholesale, 17300 Red Hill Avenue, Irvine, stated that the entire development team was available to answer any questions if needed. He wanted to clarify that in regards to the homes on the west side of Lone Hill, the EIR points out that there is an existing problem in regards to traffic impacts and that their project does not add significantly to that problem. However, they want to be good neighbors and are extending their efforts to help mitigate the existing problem.

He then showed a draft site plan of the 22-acre development. He stated this project would be similar to the stores that have been built in Rancho Cucamonga and Montclair, with the same amenities. In addition to the warehouse, they are proposing a gas station for members only, but the location of that gas station hasn't been determined yet. The rest of the development consists of two major tenants in the 20,000 sq. ft. range along the back of the site, a fast food

facility, a 7,000 sq. ft. restaurant pad and various retail buildings. He felt the parking lot was fairly well landscaped, and they are conducting a tree survey to see if some of the existing mature trees can be incorporated into the plan.

He indicated that the major entries would be two driveways along Lone Hill, including a signalized driveway and a subordinate, right-turn-only driveway. There will also be two driveways along Gladstone. Their traffic studies have indicated that the majority of members will be accessing the site from the 210 Freeway on Lone Hill Avenue.

Commissioner Badar asked for an example of a 7,000 sq. ft. restaurant tenant.

Peter Clement stated restaurants such as Claim Jumper, Mimi's Café or Chili's.

John Boleen, designer with MulvannyG2 Architecture, 1110 112th Avenue NE, Bellevue, WA, wanted to go over three important design characteristics even though they wouldn't be discussed tonight. He stated the theme is a traditional regional center concept similar to other developments in the area. They are trying to create a cohesive concept on the site, and utilizing pedestrian elements to bring down the scale in the design. There will be two primary users of the site, the automobile users, and pedestrians using connections between the secondary retail tenants. They are also integrating different materials, such as block and metal elements, on the exteriors to help break up the mass.

Commissioner Levreau stated San Dimas has encouraged a western theme in building design and asked if there was any flexibility in Costco's corporate policy to allow elements that would blend their building in with the rest of the community.

John Boleen, MulvannyG2, stated Costco tries to develop with a "good neighbor" policy and would entertain using materials and design elements to reflect a western theme.

Mike Clear, Landscape Architect, Weisman Design Group, 2329 East Madison, Seattle, WA, stated their overall intention with landscaping the center was an emphasis on using native plants and designing a low maintenance, drought tolerant environment with only small lawn areas. On the perimeters of the site they are proposing a 15-foot landscape buffer and a 20-foot landscape buffer along Lone Hill. There will be berming and enhanced landscaping to screen the gas station. They are working with an arborist in regards to the existing trees to see which can be saved during construction. They are also proposing well above the minimum 5% parking lot landscape to create more shade and a better environment for people who are visiting the store.

Peter Clement, Costco, wanted to point out that this will be a phased development. The first phase will be Costco, the entry nodes and the gas station. This would allow them to find developers for the balance of the project. They are constructing several projects like this in the southland and have been able to work with the other developers in getting the balance of the site built almost simultaneously with their project. They will have a set of design guidelines on site that the other builder would have to strictly follow so it will remain a cohesive development.

Commissioner Badar asked about the information in the news recently that Costco may stop developing in California because of the high cost of doing business here.

Peter Clement, Costco, stated he wasn't aware of what had been in the press lately but they have over 40 stores in California and it is the highest grossing region in the entire chain. He was not aware of any plans to stop building in California.

Commissioner Levreau asked that based on their experience, what was the anticipated date for having buyers for the other sites.

Peter Clement, Costco, stated there are requirements in the DDA in regards to that which he couldn't recall off-hand, but in their recent experience, the residual parcels were under contract shortly after they started grading.

Director Stevens stated they have identified a range of pad uses but those may change as they find interested developers. Since a portion of the site is owned by the Redevelopment Agency, there is a strong interest to see the property developed in a timely manner. There are both incentives and penalties in the DDA as it relates to pad development, so Costco actually gets the maximum benefit by developing the pad sites quickly.

Commissioner Levreau asked where the redevelopment project is located on the site.

Director Stevens stated they own the five acres on the corner and then several parcels along 5th Street. He could provide a map to the Commission for the next meeting.

Chairman Dhingra asked if Costco builds the warehouse and gas station facilities and hydroseeds the pads until they find developers, what will happen to that landscaping if it takes longer than expected to find the other developers.

Peter Clement, Costco, stated the pads would be fully irrigated so the landscaping will be maintained until they find someone.

Chairman Dhingra called a recess at 8:47 p.m. The Commission reconvened at 9:02 p.m. with all members present.

Chairman Dhingra opened the meeting for public hearing. Addressing the Commission were:

Jeff Belleville, owner of the business at 1002 W. Gladstone, Unit D, located in the industrial complex on the site, stated he didn't see anything mentioned in the EIR on the relocation of businesses in that area. He felt that needed to be addressed. He was also concerned that the report stated there will be no significant impact on traffic because there was a significant impact when the Home Depot project opened. He did not see how it was possible there wouldn't be an impact when this project was completed.

Director Stevens stated issues related to traffic will be addressed more specifically in the Response to Comments. The issue of business relocation is not discussed in the EIR because it is not an environmental issue. There are laws that regulate how property can be purchased by the Redevelopment Agency. The property that has been purchased thus far has been through voluntary sales by property owners that have approached the City. Purchase of the remaining parcels and relocation of existing businesses and homeowners will be discussed when the acquisition phase of the project occurs.

Anita Tunstall, 433 N. Lone Hill, stated she was 100% against the project and did not want it in her front yard. She had three points she wanted addressed. First, the parking on Lone Hill is extremely limited and somewhat dangerous with the increase in traffic from the Home Depot center. She would like to see some type of provision for guest parking where they wouldn't be run over when exiting their cars. She was also concerned about the change in the median because currently the trees in the center help to block the traffic noise. The new landscaping added around the perimeter of the project would not accomplish the same thing. She also felt the gas station should be located near the railroad tracks and not near the corner. She stated that she has lived in her house for 30 years and her neighbors have been there even longer and wanted to know what they were going to do in respect to them.

Director Stevens reminded the audience that they would not be able to respond to every question received tonight but that answers would be in the Response to Comments contained in the Final EIR. He also reiterated that the City would be hosting a meeting with the residents on the west side of Lone Hill so that they could express their concerns and see if they could come up with any possible solutions to make the situation as best as it can be.

Gil Gonzalez, 2193 Terrebonne, stated he wanted to focus on the validity of the EIR. First, he didn't think the notice was proper because it stated the City of San Dimas was a co-applicant. It was his understanding that the City doesn't have the right to develop property, only the Redevelopment Agency does. In addition, in ES-4 it is stated one of the reasons for the project was that it would increase the presence and supply of affordable housing and he didn't see how this could be possible. He felt the sole purpose of this project was to generate revenue. The EIR also stated that there were no alternative locations for this project because they needed a minimum of 15 acres and there were no other sites in the City that met that criteria. He felt that was untrue and was a flaw in the EIR. He was also disturbed that nothing could be done to meet air quality standards. He also felt the document was flawed because there were multiple site plans contained in the document and there were inconsistencies in the amount of square footage they were talking about.

David Chantarangsu, City of Glendora, 116 E. Foothill Blvd., stated they would be providing written comments to the City prior to the expiration of the public comment period. They have concerns with respect to the adequacy of the traffic report that was prepared. They had provided some preliminary input to the City with respect to intersections they believed the EIR should address, but only the intersection at Lone Hill and Auto Center Drive was reviewed. They are in the process of preparing their own EIR for another project that addresses many of the intersections they have concerns with. Also, at the intersection of Lone Hill and Auto Center Drive they have identified the Level of Service at D, while the EIR states it's at Level C. He stated the nature of traffic on Lone Hill has changed since the opening of the Marketplace and the 210 Freeway extension, with Service Levels D and F at the freeway on-ramps, as well as increased impact on Lone Hill and Route 66. They felt the project would have an impact on Lone Hill as Glendora residents travel that street to access the Costco project.

Commissioner Schoonover asked if Glendora's information comes in after the close of the comment period, is it still considered a comment.

Director Stevens stated it would not be considered an official comment.

Terry Coony, 429 N. Lone Hill, stated he has lived at that address since 1957. He was wondering if the EIR addressed previous uses of the land that may have contaminated the soil because he recalled there being two chicken ranches located on the project site, one on Lone

Hill and one on 5th Street. These ranches had underground storage tanks that the dead chickens would be thrown into with chemicals to decompose the bodies.

Director Stevens stated they have not uncovered anything like that at this time but the EIR does include mitigation measures for any contaminated soil that is found. It would be addressed by exporting the soil off-site or making other modifications to contain it.

Terry Cooney stated as to the traffic on Lone Hill, they were negatively impacted when the Home Depot center opened. It is very difficult to get in and out of their homes because of the traffic. They have had problems over the years with accidents at Lone Hill and 5th because of the curve of the road. He stated he and his neighbors are opposed to this project.

Brian Harmon, 237 N. Rennell, stated he lives on the street that runs along where the new Kaiser building is being constructed. In the 15 years that he has lived there Kaiser, Arco, Jack-in-the-Box, an ambulance service and Hometown Rentals have been built. Now they are proposing a Costco. He stated Rennell has been a cut-through for people coming from all of these business and now having a Costco will just increase that traffic. They have complained to the Police Department about the problem and would ask that the City monitor the problem. It is a street with many families and he is concerned about the safety of the children living there.

Director Stevens stated he appreciated all the comments received tonight and that they would treat all oral comments as written comments for inclusion in the Response to Comments. Also, anyone in attendance was welcome to submit additional written comments up to 5:00 p.m. on October 10th. Once the comment period closes, they will work on preparing the responses and have those available approximately two weeks prior to the November 5th hearing. The hearing tonight will be continued to October 15, 2003 at 7:30 p.m. in the Council Chambers to discuss the site details and the Zoning and General Plan amendments. He expected that this item will be ready to go to the City Council at the end of November, and notices will be sent out to surrounding property owners at that time.

He also wanted to advise that copies of the Draft EIR are available for purchase at the City Hall in the Planning Department, and for review at the San Dimas Library, the City Hall and on the City's website.

There being no further comments, the public hearing was closed.

Commissioner Leveau had questions and comments on the following items:

1. In regards to Impact 3B3 and pollutants emitted by the operation of the project, will the three mitigation measures meet the requirements of SCAQMD.
2. On page ES-9, Item 3C2, it states to see Chapter 3A. Aesthetics, Impact 3A1. He felt it should refer to 3A4 since 3A1 has to do with utilities and 3A4 has to do with trees.
3. On page ES-10, Item 3D1 and the two identified houses that may be saved by purchase and relocation, he asked what makes these houses special and is that a practical mitigation measure.
4. On page ES-16, Item 3H2 states that no mitigation measure is required but shouldn't the Zone Change and Specific Plan Amendment be noted as a mitigation measure.
5. On page ES-18, Item 3J2, wouldn't the removal of 22 houses be considered significant.
6. On page ES-19, Item 3K5 stated the proposed project would not increase demand for wastewater facilities and asked for clarification on what was meant by wastewater facilities. He also thought that a comment should be placed under Mitigation Measures that this has been addressed by the sewer and wastewater people at the City.

7. On page ES-21, Mitigation Measure M-3K.8 stated the applicant shall consult with Waste Management, do we need to require that they reach an agreement.
8. On page ES-21, Items 3K11 and 3K12 regarding electricity and natural gas requirement, he thought there could be a cross-comment that the City will review construction plans for the adequacy of the electrical and gas.
9. On page ES-23, Item 3L5, the proposed project would provide adequate emergency access, he asked if that was presuming subject to review by the Sheriff and Fire Departments, and thought a comment should be added that this was subject to review by those agencies.
10. On page ES-24, Item 3L7, he did not agree with the statement the proposed project and other area projects together would not have cumulatively significant impacts to area traffic, and that no mitigation was required. He felt they should refer to the fact that they have a traffic study and will further investigate that study for completeness.

Wendy Lockwood, ESA, and Director Stevens provided the following input on Commissioner Levreau's comments:

1. These are all the mitigation measures that SCAQMD can recommend but they will not mitigate the impacts.
2. This will be double-checked.
3. These structures are considered historical but are categorized as contributing, which is the least important of the historical designations. The structures can be offered for sale, and if someone wants to pay to relocate them, then they can be saved. Otherwise, the most common mitigation is to photo document the structures prior to demolition.
4. The Zone Change and Specific Plan Amendment would be identified as part of the project so it is not really a mitigation.
5. That might be correct if this project didn't involve the Redevelopment Agency and they did not own property. Since the Agency does own property then they are required by law to provide a replacement housing program to address those houses, it's not considered a mitigation measure because of the legal obligation.
6. Wastewater facilities would be sewer line and wastewater treatment facilities. Based on the wastewater provider, which is the County of Los Angeles, the existing facilities are adequate for this project so no mitigation is required. There is also adequate capacity at this time to handle storm water run-off with the current system.
7. That item will be reviewed for possible rewording.
8. Based on consultation with Southern California Gas and Southern California Edison, they can adequately serve this project with existing facilities.
9. CEQA regulations do not allow them to list a future analysis. An analysis has been undertaken and maybe that could be referenced.
10. It is understood that there will be impacts as it relates to traffic. The EIR is required to analyze and reach conclusions on whether those impacts require mitigation. The standard the City of San Dimas uses is Level of Service D and it is the intention of the mitigation measures to ensure that the impacted intersections, after the project is completed, remain at Level of Service D. When it states that no mitigation measure is required based on cumulative impacts, it's based on the fact that they've done the analysis and identified a series of nine or ten mitigation measures related to traffic, and once they are put in place, the threshold standard Level of Service will be met.

Chairman Dhingra stated it appeared that all of the impacts and mitigation measures are addressed without mention of any temporary impacts. An example is on page ES-19, Item 3K6. This is identified as a construction mitigation and back on page ES-7, Item 3B2 it gives a mitigation to address the short-term, four month impact of dust, but doesn't address the impact

of NOx listed in the Impact column. He would like someone to go through the document and review if the construction impacts are stated as such and that they are only temporary in nature. He also wanted to know who will be monitoring that the mitigations are being met.

Director Stevens stated the distinction between construction and operation are done slightly differently for some of the impacts. Using the example presented by Chairman Dhingra, the impact on NOx will occur but there are mitigation measures for both construction and operation. They will review the document to try to clarify those items. Also, a mitigation monitoring plan will be part of the adoption of the Final EIR. That is typically prepared near the end of the process because there could be changes between the draft and final documents. It is a detailed plan that outlines who will be responsible for monitoring each item.

Chairman Dhingra stated that in Figure 2-9 the comment is relative to the location of the gas station. In the earlier discussion it was indicated the gas station would be on the corner, but since sales are to members only, he didn't see why it had to be so visible on the site. He stated he would like to see it moved closer to the railroad right-of-way as depicted in the alternative site plan.

Director Stevens stated he didn't know what the final recommendation will be but that he has some of the same concerns, and staff will be continuing discussions with the applicant on the site plan.

Commissioner Schoonover stated he thought it was Figure 4.4 that had the alternative design with the station located further south on Lone Hill. He also had concerns about locating the gas station on the corner because of access in and out of the site.

MOTION: Moved by Levreau, seconded by Badar to continue the public hearing to October 15, 2003. Motion carried unanimously, 5-0.

ORAL COMMUNICATIONS

6. Director of Community Development

Director Stevens updated the Commission on the ongoing litigation with NJD relative to the Northern Foothills Specific Plan. The City was successful in the Court of Appeals, but NJD filed for the matter to be re-heard. The Appeals Court rejected that request, and now NJD has filed for a hearing before the California Supreme Court. The City is preparing a response to their petition, and then they wait to see if the Court will consider the item.

Director Stevens also updated the Commission on the variance request by the Secreto's for a swimming pool. They filed a lawsuit against the Council decision to deny the request. The City is continuing to respond to that lawsuit and a settlement discussion is scheduled to try and resolve the issues. Staff will keep the Commission informed on the outcome.

7. Members of the Audience

No communications were made.

8. Planning Commission

Commissioner Schoonover extended congratulations to Chairman Dhingra and Commissioner Levreau on their reappointment and welcomed Commissioner Bratt to the Commission.

Commissioner Levreau asked for an update on the Lowe's sign.

Director Stevens stated the permits have been issued and the underground portion of the sign has been constructed. It is 30 feet deep and will take 30 days to cure. After that they will install the new sign, remove the Levitz sign and the applicable names off the Foothill Village sign.

ADJOURNMENT

There being no further business, Chairman Dhingra adjourned the meeting at 10:25 p.m. to the regular meeting scheduled for October 15, 2003 at 7:30 p.m.

Ash Dhingra, Chairman
San Dimas Planning Commission

ATTEST:

Craig Hensley
Planning Manager

Approved: