CITY OF GRAND TERRACE

PLANNING COMMISSION/SITE AND ARCHITECTURAL REVIEW BOARD

AGENDA ● JULY 18, 2024

Council Chambers | **Regular Meeting** | **6:30 PM**

Grand Terrace Civic Center ● 22795 Barton Road

COMMENTS FROM THE PUBLIC

The public is encouraged to address the Planning Commission/Site & Architectural Review Board on any matter posted on the agenda or on any other matter within its jurisdiction. If you wish to address the Planning Commission/Site & Architectural Review Board, please complete a Request to Speak Card and hand it to the Planning Secretary. Speakers will be called upon by the Chair at the appropriate time and each person is allowed three (3) minutes speaking time.

If you would like to participate telephonically and speak on an agenda item, you can access the meeting by dialing the following telephone number and you will be placed in the waiting room, muted until it is your turn to speak:

1-669-900-9128
Enter Meeting ID: 847 1479 2203
Password: 864986

The City wants you to know that you can also submit your comments by email to ccpubliccomment@grandterrace-ca.gov. To give the Planning Secretary adequate time to print out your comments for consideration at the meeting, please submit your written comments prior to 5:00 p.m.; or if you are unable to email, please call the Planning Secretary's office at (909) 954-5206 by 5:00 p.m.

If you wish to have your comments read to the Planning Commission/Site & Architectural Review Board during the appropriate Public Comment period, please indicate in the Subject Line "FOR PUBLIC COMMENT" and list the item number you wish to comment on. Comments that you want read to the Planning Commission/Site & Architectural Review Board will be subject to the three (3) minute time limitation (approximately 350 words).

Pursuant to the provisions of the Brown Act, no action may be taken on a matter unless it is listed on the agenda, or unless certain emergency or special circumstances exist. The Planning Commission/Site & Architectural Review Board may direct staff to investigate and/or schedule certain matters for consideration at a future Planning Commission/Site & Architectural Review Board meeting.

PLEASE NOTE: Copies of staff reports and supporting documentation pertaining to each item on this agenda are available for public viewing and inspection at City Hall, 1st Floor Lobby Area and 2nd Floor Reception Area during regular business hours and on the City's website www.grandterrace-ca.gov. For further information regarding agenda items, please contact the office of the Planning Secretary at (909) 954-5206, or via e-mail at dalcocer@grandterrace-ca.gov.

Any documents provided to a majority of the Planning Commission/Site & Architectural Review Board regarding any item on this agenda will be made available for public inspection in the City Clerk's office at City Hall located at 22795 Barton Road during normal business hours. In addition, such documents will be posted on the City's website at www.grandterrace-ca.gov.

AMERICANS WITH DISABILITIES ACT

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office, (909) 954-5207 at least 48 hours prior to the advertised starting time of the meeting. This will enable the City to make reasonable arrangements to ensure accessibility to this meeting. Later requests will be accommodated to the extent feasible.

CALL TO ORDER

Convene the Meeting of the Planning Commission/Site and Architectural Review Board.

Pledge of Allegiance

AB 2449 Disclosures

Remote participation by a member of the legislative body for just cause or emergency circumstances.

Roll Call

Attendee Name	Present	Absent	Late	Arrived
Chair Edward A. Giroux	☐	☐	☐	
Vice-Chair Tara Cesena	☐	☐	☐	
Commissioner David Alaniz	☐	☐	☐	
Commissioner Aron Burian	☐	☐	☐	
Commissioner Scot Mathis	☐	☐	☐	

APPROVAL OF AGENDA

PRESENTATIONS

None.

PUBLIC ADDRESS

Public address to the Commission shall be limited to three minutes unless extended by the Chairman. Should you desire to make a longer presentation, please make written request to be agendized to the Director of Planning and Development Services.

This is the opportunity for members of the public to comment on any items not appearing on the regular agenda. Because of restrictions contained in California Law, the Planning Commission may not discuss or act on any item not on the agenda but may briefly respond to statements made or ask a question for clarification. The Chairman may also request a brief response from staff to questions raised during public comment or may request a matter be agendized for a future meeting.

A. CONSENT CALENDAR

1. Approval of Minutes – Regular Meeting – 06/20/2024

DEPARTMENT: CITY CLERK

B. ACTION ITEMS

None.

C. PUBLIC HEARINGS

CONTINUANCE OF THE PUBLIC HEARING ITEM

1. Public Hearing to Consider Revocation of Conditional Use Permit (CUP) 19-01 (Authorizing Construction of Trailer/Container Storage Facility at 11731 Terrace Avenue, Grand Terrace / APNs 0275-191-06 and 0275-191-30).

RECOMMENDATION:
It is recommended that the Planning Commission/Site and Architectural Review Board take the following actions:

1) Re-open the adjourned Public Hearing; and,

2) Adopt a RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GRAND TERRACE, CALIFORNIA, RECOMMENDING, IN ACCORDANCE WITH GRAND TERRACE MUNICIPAL CODE SECTION 18.83.030, REVOCATION OF CONDITIONAL USE PERMIT 19-01 [THAT AUTHORIZED CONSTRUCTION OF TRAILER/CONTAINER STORAGE FACILITY ON A 21.92 ACRE SITE [APNs 0275-191-06 and 0275-191-30] DUE TO NON-COMPLIANCE WITH CONDITIONS OF APPROVAL OF CUP 19-01.

DEPARTMENT: PLANNING & DEVELOPMENT SERVICES

D. INFORMATION TO COMMISSIONERS

E. INFORMATION FROM COMMISSIONERS

ADJOURN

Adjourn to the next scheduled meeting of the Planning Commission/Site and Architectural Review Board to be held on August 1, 2024, at 6:30 p.m.

CITY OF GRAND TERRACE

PLANNING COMMISSION/SITE AND ARCHITECTURAL REVIEW BOARD

MINUTES ● JUNE 20, 2024

Council Chambers | **Regular Meeting** | **6:30 PM**

Grand Terrace Civic Center ● 22795 Barton Road

CALL TO ORDER

Chairman Edward Giroux convened the Regular Meeting of the Planning Commission/Site and Architectural Review Board for Thursday, June 20, 2024, at 6:30 p.m.

Pledge of Allegiance

The Pledge of Allegiance was led by Commissioner Burian.

AB 2449 Disclosures

None.

Attendee Name	Title	Status	Arrived
Edward A. Giroux	Chair	Present	
Tara Ceseña	Vice-Chair	Present	
David Alaniz	Commissioner	Present	
Aron Burian	Commissioner	Present	
Scot Mathis	Commissioner	Present	
Scott Hutter	Planning & Development Services Director	Present	
Jamie Traxler	Assistant City Attorney	Absent	
Daysi Alcocer	Planning Secretary	Present	

APPROVAL OF AGENDA

1. **Motion:** APPROVAL OF THE JUNE 20, 2024, AGENDA

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Aron Burian, Commissioner
SECONDER:	Scot Mathis, Commissioner
AYES:	Giroux, Ceseña, Alaniz, Mathis, Burian

PRESENTATIONS

None.

PUBLIC ADDRESS

None.

A. CONSENT CALENDAR

1. Approval of Minutes – Regular Meeting – 06/06/2024

RESULT:	**ACCEPTED [4 to 0]**
MOVER:	Tara Ceseña, Vice-Chair
SECONDER:	David Alaniz, Commissioner
AYES:	Tara Ceseña, David Alaniz, Aron Burian, Scot Mathis
ABSTAIN:	Edward A. Giroux

B. ACTION ITEMS

None.

C. PUBLIC HEARINGS

REOPENING OF THE CONTINUED PUBLIC HEARING ITEM TO CONSIDER ADOPTION OF:

1. The Development Agreement Between the City of Grand Terrace and Lewis Land Developers, LLC for the Gateway at Grand Terrace Specific Plan.

   Scott Hutter, Planning & Development Services Director gave an oral report on this item.

   Adam Collier, Vice President at Lewis Group of Companies gave a PowerPoint presentation.

   Chair Giroux opened the public hearing at 6:53 p.m.

   PUBLIC COMMENT

   None.

   Chair Giroux closed the public hearing at 6:53 p.m.

Adopt a RESOLUTION OF THE PLANNING COMMISSION/SITE ARCHITECTURAL REVIEW BOARD OF THE CITY OF GRAND TERRACE RECOMMENDING THE CITY COUNCIL ADOPT AN ORDINANCE APPROVING THE DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF GRAND TERRACE AND LEWIS LAND DEVELOPERS, LLC A DELAWARE LIMITED LIABILITY COMPANY PURSUANT TO ARTICLE 2.5 OF CHAPTER 4 OF DIVISION 1 OF TITLE 7, SECTIONS 65864 THROUGH 65869.5 OF THE GOVERNMENT CODE AND ARTICLE XI, SECTION 2 OF THE CALIFORNIA CONSTITUTION.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Tara Ceseña, Vice-Chair
SECONDER:	David Alaniz, Commissioner
AYES:	Giroux, Ceseña, Alaniz, Burian, Mathis

2. Review of Conditional Use Permit (CUP) 19-01 (Authorizing Construction of Trailer/Container Storage Facility At 11731 Terrace Avenue, Grand Terrace / APNs 0275-191-06 and 0275-191-30) to Determine Whether Sufficient Evidence Exists to Schedule a Public Hearing to Consider Revocation of Conditional Use Permit 19-01.

Chair Giroux recused himself from the dais at 6:56 p.m.

Scott Hutter, Planning & Development Services Director gave a brief oral overview and is in support of the continuance of this item to the date of July 18, 2024.

Vice-Chair Ceseña opened the public hearing at 7:11 p.m.

Continuing the public hearing for a date certain of July 18, 2024.

PUBLIC COMMENT

The City received two letters dated June 19, 2024, one from Rutan & Tucker on behalf of the property ownership Grand T1 and the other is from Watts Law representing as legal counsel for the tenant, TSG Fleet Services, LLC. Both are requesting a formal continuance of this public hearing item to a future Planning Commission Meeting date of July 18, 2024.

Bobbie Forbes expressed her concerns regarding CUP violations at or near the Trailer/Container storage facility.

Gina Slocum expressed her concerns regarding CUP violations at or near the Trailer/Container storage facility.

Harry Roussos expressed his concerns regarding CUP violations at or near the Trailer/Container storage facility.

Michael Simon expressed his concerns regarding CUP violations at or near the Trailer/Container storage facility.

Commissioner Alaniz moved, with a second by Commissioner Mathis to continue the public hearing item to a date certain of July 18, 2024, and to include the following recommendation:

REQUIRE STAFF TO SUBMIT A FORMAL COMPLAINT TO THE REGIONAL WATER CONTROL BOARD, DEPARTMENT OF TOXIC SUBSTANCE, CALIFORNIA AIR RESOURCES BOARD, THE AIR QUALITY MANAGEMENT DISTRICT AND THE FIRE MARSHALL.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	David Alaniz, Commissioner
SECONDER:	Scot Mathis, Commissioner
AYES:	Tara Ceseña, David Alaniz, Aron Burian, Scot Mathis
RECUSED:	Edward Giroux

Chair Giroux returned to the dais at 8:00 p.m.

3. Review and Consideration of Zone Change Amendment (ZCA) 24-03, a Proposal to Amend the Grand Terrace Municipal Code Title 18 Zoning by Adding a New Chapter 18.27 – Nonresidential Districts to Title 18 Zoning and Making Modifications to Section 18.10.030 (Use Regulations) of Chapter 18.10 (Residential Districts), Section 18.30.020 (Permitted Uses) and Section 18.30.030 (Conditionally Permitted Uses) of Chapter 18.30 (AP Administrative Professional District), Section 18.33.020 (Permitted Uses) and Section 18.33.030 (Conditionally Permitted Uses) of Chapter 18.33 (C2 General Business District), Section 18.36.020 (Permitted Uses) and Section 18.36.030 (Conditionally Permitted Uses) of Chapter 18.36 (CM Commercial Manufacturing District), Section 18.39.020 (Permitted Uses) and Section 18.39.030 (Conditionally Permitted Uses) of Chapter 18.39 (MR Restricted Manufacturing District), Section 18.40.020 (Permitted Uses) and Section 18.40.030 (Conditionally Permitted Uses) of Chapter 18.40 (M2 Industrial District), Section 18.43.020 (Permitted Uses) and Section 18.43.030 (Conditionally Permitted Uses) of Chapter 18.43 (PUB Public Facilities District) California Environmental Quality Act (CEQA) Exempt Pursuant to Section §15061(B)(3) – Common Sense Exemption.

Scott Hutter, Planning & Development Services Director gave the PowerPoint presentation on this item.

Chair Giroux opened the public hearing at 8:03 p.m.

PUBLIC COMMENT

None.

Chair Giroux closed the public hearing at 8:03 p.m.

Adopt a RESOLUTION OF THE PLANNING COMMISSION/SITE AND ARCHITECTURAL REVIEW BOARD OF THE CITY OF GRAND TERRACE RECOMMENDING THAT THE CITY COUNCIL ADOPT AN AMENDMENT TO TITLE 18 (ZONING) OF THE GRAND TERRACE MUNICIPAL CODE ADDING A NEW CHAPTER 18.27 - NONRESIDENTIAL DISTRICTS TO TITLE 18 ZONING AND MAKING ADDENDUMS TO SECTION 18.10.030 (USE REGULATIONS) OF CHAPTER 18.10 (RESIDENTIAL DISTRICTS), SECTION 18.30.020 (PERMITTED USES) AND SECTION 18.30.030 (CONDITIONALLY PERMITTED USES) OF CHAPTER 18.30 (AP ADMINISTRATIVE PROFESSIONAL DISTRICT), SECTION 18.33.020 (PERMITTED USES) AND SECTION 18.33.030 (CONDITIONALLY PERMITTED USES) OF CHAPTER 18.33 (C2 GENERAL BUSINESS DISTRICT), SECTION 18.36.020 (PERMITTED USES) AND SECTION 18.36.030 (CONDITIONALLY PERMITTED USES) OF CHAPTER 18.36 (CM COMMERCIAL MANUFACTURING DISTRICT), SECTION 18.39.020 (PERMITTED USES) AND SECTION 18.39.030 (CONDITIONALLY PERMITTED USES) OF CHAPTER 18.39 (MR RESTRICTED MANUFACTURING DISTRICT), SECTION 18.40.020 (PERMITTED USES) AND SECTION 18.40.030 (CONDITIONALLY PERMITTED USES) OF CHAPTER 18.40 (M2 INDUSTRIAL DISTRICT), SECTION 18.43.020 (PERMITTED USES) AND SECTION 18.43.030 (CONDITIONALLY PERMITTED USES) OF CHAPTER 18.43 (PUB PUBLIC FACILITIES DISTRICT), TO TITLE 18 ZONING IN THE GRAND TERRACE MUNICIPAL CODE (ZONE CHANGE AMENDMENT 24-03) AND FIND AN ENVIRONMENTAL EXEMPTION PURSUANT TO SECTION 15061(B)(3) OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES

WITH THE FOLLOWING AMENDMENTS:

- **FIRST SENTENCE UNDER CHAPTER 18.27.010 NONRESIDENTIAL USE REGULATIONS TO READ "NONRESIDENTIAL DISTRICTS"**
- **ALPHABETIZE TABLE 18.27.010 NONRESIDENTIAL LAND USE REGULATIONS**
- **ORGANIZE HEADERS ON CHAPTER 18.10.030 TO BE SPACED OUT FOR CLARITY**
- **INCLUDE WORDING THAT STATES THAT BOATS, TRAILERS AND CAMPERS ARE NOT VEHICLES**
- **ELECTRIC VEHICLE CHARGING STATIONS TO BE ADDED TO THE TABLE AND TO INCLUDE THE ZONE AND PROCESS**

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Scot Mathis, Commissioner
SECONDER:	Aron Burian, Commissioner
AYES:	Giroux, Ceseña, Alaniz, Burian, Mathis

Minutes Acceptance: Minutes of Jun 20, 2024 6:30 PM (CONSENT CALENDAR)

D. INFORMATION TO COMMISSIONERS

None.

E. INFORMATION FROM COMMISSIONERS

None.

ADJOURN

Adjourn to the next scheduled meeting of the Planning Commission/Site and Architectural Review Board to be held on July 4, 2024, at 6:30 p.m.

Minutes Acceptance: Minutes of Jun 20, 2024 6:30 PM (CONSENT CALENDAR)

AGENDA REPORT

MEETING DATE: July 18, 2024

TITLE: Public Hearing to Consider Revocation of Conditional Use Permit (CUP) 19-01 (Authorizing Construction of Trailer/Container Storage Facility at 11731 Terrace Avenue, Grand Terrace / APNs 0275-191-06 and 0275-191-30).

PRESENTED BY: Scott Hutter, Planning & Development Services Director

RECOMMENDATION: It is recommended that the Planning Commission/Site and Architectural Review Board take the following actions:

1) Re-open the adjourned Public Hearing; and,

2) Adopt a RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GRAND TERRACE, CALIFORNIA, RECOMMENDING, IN ACCORDANCE WITH GRAND TERRACE MUNICIPAL CODE SECTION 18.83.030, REVOCATION OF CONDITIONAL USE PERMIT 19-01 [THAT AUTHORIZED CONSTRUCTION OF TRAILER/CONTAINER STORAGE FACILITY ON A 21.92 ACRE SITE [APNs 0275-191-06 and 0275-191-30] DUE TO NON-COMPLIANCE WITH CONDITIONS OF APPROVAL OF CUP 19-01.

PROPOSAL:

Revocation of Conditional Use Permit 19-01: A City-initiated public hearing to consider the revocation of Conditional Use Permit 19-01 in accordance with Grand Terrace Municipal Code Section 19.83.080. CUP 19-01 was initially approved by the Grand Terrace City Council on August 25, 2020, and authorized the construction of a trailer/container storage facility at 11731 Terrace Avenue, Grand Terrace [APNs 0275-191-06 and 0275-191-30] (hereinafter, the “Site” or “Project”). Resolution No. 2020-32 approving CUP 19-01 is provided as *Attachment 2* to this agenda staff report. Acceptance to the Conditions of Approval for CUP 19-01 is provided as *Attachment 3* to this agenda staff report.

BACKGROUND:

Site And Surrounding Area: The Site consists of two parcels of property identified by Assessor Parcel Numbers 0275-191-06 and 0275-191-30, and is located within an M-2 (“Industrial”) Zoning District, with portions of the site within the AG (“Agricultural”) Overlay District and FP (“Floodplain”) Overlay District.

Procedural Background: On May 21, 2020, the Planning Commission of the City of Grand Terrace commenced a public hearing to consider the adoption of Resolution 2020-03 adopting

Mitigated Negative Declaration (Environmental 19-05), Conditional Use Permit 19-01, and Site and Architectural Review 19-03 to develop a trailer/container storage facility for empty semi-trailers, shipping and storage containers, and cassis use at the Site. Minutes from Planning Commission meeting on May 21, 2020, are provided as *Attachment 4* to this agenda staff report. The public hearing was continued to June 18, 2020 - however, the hearing was reset to July 16, 2024, as the Planning Commission lacked a quorum for the June 18th meeting. Minutes from the Planning Commission meeting on June 18, 2020, are provided as *Attachment 5* to this agenda staff report.

On July 16, 2020, the Planning Commission concluded the public hearing. After extensive discussion related to the potential negative impacts of the Project upon the community and upon conclusion of the public hearing, the Planning Commission, with a 2-1 adopted Resolution 2020-03 subject to numerous conditions - including that the hours of operation would be limited to 7am to 8 pm, and there would be “zero tolerance” for truck traffic into the neighborhood areas related to the Project. Minutes from the Planning Commission meeting on July 16, 2020, are provided as *Attachment 6* to this agenda staff report.

On July 24, 2020, Janese Makshanoff, timely filed an appeal of the Planning Commission’s adoption of Resolution 2020-03 [adopting Mitigated Negative Declaration (Environmental 19-05), Conditional Use Permit 19-01, and Site and Architectural Review 19-03], and a public hearing was scheduled before the City Council of Grand Terrace on August 25, 2020.

On August 25, 2020, after conducting a duly-noticed public hearing - at which the City Council considered 16 written comments opposing the Project submitted by members of the public, 1 written comments expressing a personal view regarding the Project submitted by a member of the public, testimony from the appellant and the applicant’s representative, and in-person public comment from the appellant, applicant’s representative, and 7 members of the public, the City Council of Grand Terrace, on a 3-2 vote, upheld the Planning Commission’s determination to approve the Project - thereby adopting Resolution 2020-03 [adopting Mitigated Negative Declaration (Environmental 19-05), Conditional Use Permit 19-01, and Site and Architectural Review 19-03], inclusive of all conditions imposed by the Planning Commission. Minutes from the City Council meeting on August 25, 2020, are provided as *Attachment 7* to this agenda staff report.

Amongst other requirements, the Conditions of Approval included the following pertinent obligations:

> 3. The proposed business hours will be Monday thru Friday from 7:00 a.m. to 8:00 p.m. and a total of twelve employees. No business activities shall be conducted after 10:00 p.m., except for emergency purposes only.
>
> 12. The Applicant shall comply with all applicable Federal, State, County and Local Codes, at all times.
>
> 16. The Applicant shall comply with all requirements of the Building and Safety Division, including conditions of approval contained in the Building Official’s Memorandum dated March 24, 2020.

23. The Applicant or assignee shall provide a Project delivery staging and operating schedule to the City for the purpose of avoiding stacking of trucks and trailers at major City intersections. The schedule shall be submitted for review and approval by the Planning and Development Services Department on a quarterly basis for the first three calendar years of operations commencing on the date that the Project use beings operating.

24. The Applicant shall avoid truck or trailer movement during Grand Terrace traffic peak hours between 6:30 a.m. to 8:30 a.m. and 4:30 p.m. and 6:30 p.m.

38. Any future changes in on-site activities shall require submittal, review, and approval of a modified conditional use permit.

39. Any future development on the site, including alterations, conversions, remodels, and new structures shall require compliance with the Municipal Code and the Floodplain Ordinance.

41. The Applicant shall be responsive for regular and ongoing upkeep and maintenance of the site.

46. The applicant or assignee shall submit a security camera plan that demonstrates onsite and offsite monitoring. Plan shall be reviewed and approved by the Planning and Development Director prior to the issuance of a certificate of use and occupancy.

Although the original project did not propose any structures at the time CUP 19-01, Site and Architectural Review 19-03, and Environmental 19-05 were approved, Staff had noted in the corresponding Agenda Report that there might be future consideration of a 900-square foot modular office on the western edge of the site and a 4800-square foot maintenance building/shed along the eastern edge of the site - pursuant to an Administrative Conditional Use Permit.

On September 30, 2020, Patrick O'Brien (on behalf of Applicant Grand T-1, LLC, executed the Acceptance of Conditions of Approval, thereby accepting all forty-six (46) Conditions of Approval.

On June 20, 2024, the Planning Commission / Site and Architectural Review Board opened a Public Hearing. At the public hearing staff entered into the record two letters (*Attachments 24 and 25*) from legal counsel for the property owner and tenant requesting a continuance. Staff agreed and asked the Planning Commission to continue the public hearing to July 18th, 2024, to provide time for the legal counsel to prepare. Additionally, the Planning Commission allowed those in attendance to provide public input. The Planning Commission adjourned the Public Hearing to the July 18, 2024, Planning Commission date.

<u>Current Occupant/Business Operator</u>: The current owner of the site is Grand T-1, LLC - with a mailing address of 1040 South Mount Vernon Avenue, Suite G285, Colton, CA 92324. The Statement of Information filed with the Secretary of State on March 28, 2023, is provided as

Attachment 8 to this agenda staff report, and lists the following managers or members:

1. Perry Storage, LLC [No filing with California Secretary of State]

2. O'Brien Land & Livestock, LLC

   - Patrick O'Brien, Manager/Member
     (1040 S. Mt. Vernon Ave., #G285, Colton, CA 92324)
   - George Q. McNeil, Manager/Member
     (11864 Columbia Court, Loma Linda, CA 92354)

- Graterra, LLC [No filing with California Secretary of State]

The current operator at the site is TSG Fleet Services, LLC - with a mailing address of 10787 B Mulberry Avenue, Fontana, CA 92337. The Statement of Information filed with the Secretary of State on December 8, 2022, is provided as *Attachment 9* to this agenda staff report, and lists Trace Haggard as the manager or member of TSG Fleet Services, LLC, and Aaron C. Watts as the Agent for Service of Process (9900 Research Drive, Irvine, CA 92618).

ANALYSIS:

Review and Revocation Authority:

Pursuant to Condition of Approval #26,

> The Planning and Development Services Director shall periodically review the Project use to ensure it is operating in a manner consistent with the conditions of approval, including the mitigation measures included in the initial study dated March 2020.

Moreover, Section 18.83.080 of the Grand Terrace Municipal Code is provided at *Attachment 10* to this agenda staff report and provides as follows:

> Any conditional use permit granted in accordance with [Title 18 of the Grand Terrace Municipal Code] may be revoked if any of the following actions occur:
>
> A. Any violation of a conditional use permit's required condition of approval;
>
> B. Any Federal, State or local law or ordinance is violated in connection with a conditionally permitted use.
>
> The Planning Commission shall hold a public hearing to consider the proposed revocation. Said hearing shall be noticed in accordance with Section 65091 of the California Government Code and with Section 18.73.010 (Public hearing notice) of Chapter 18.03 (General Provisions). After conducting the public

hearing, the Planning Commission shall make a recommendation to the City Council regarding revocation of the conditionally permitted use. After receiving the Planning Commission's recommendation, the City Council shall conduct its own hearing and make a final determination to revoke, amend or leave unchanged the subject conditional use permit.

Grounds for Revocation: In accordance with Condition of Approval #26, the Planning and Development Services Director has reviewed the Project (including complaints lodged by neighboring tenants and/or property owners and the results of City inspections) and has determined that the operation of the activities at the site is inconsistent with the Conditions of Approval - as well as in violation of other applicable laws.

Specifically, the Planning and Development Services Director has determined that CUP 19-01 is subject to revocation on the following grounds:

1. ***Business operations outside of approved business hours***
   The Conditions of Approval limit the business hours to "Monday thru Friday from 7:00 a.m. to 8:00 p.m." - and further explicitly provides that "No business activities shall be conducted after 10:00 p.m. except for emergency purposes only." Notwithstanding these limitations, business activities have been confirmed to be occurring (either by TSG Fleet Services, customers of TSG Fleet Services, or some other business entity) between the hours of 8:00 p.m. and 7:00 a.m., as well as on weekends.

   - Violation of Conditions of Approval #s 3, 12, 24, and 38

2. ***Unpermitted truck storage at Site***
   The Site has been approved (by means of Resolution 2020-03 adopting Mitigated Negative Declaration (Environmental 19-05), Conditional Use Permit 19-01, and Site and Architectural Review 19-03) for the development of a trailer/container storage facility that would provide parking spaces for "semi-trailers, shipping and storage containers, and chassis".

   On April 24, 2024, City inspectors confirmed that commercial box-type trucks and other tractor trucks were observed to be parked and/or stored at the Site. Truck storage is not an explicitly permitted use of the Site pursuant to GTMC Section 18.40.020, nor is it a approved use pursuant to Conditional Use Permit 19-01 (or any other approved CUP). Photographs of truck storage are provided as *Attachment 11* to this agenda staff report. GTMC Sections 18.40.010 through 18.40.030 are provided as Attachment 12 to this agenda staff report.

   - Violation of Conditions of Approval #s 1, 12, and 38, and Grand Terrace Municipal Code §18.40.020 ("M2 Industrial District: Permitted Uses")

3. ***Lack of Required Certificate of Occupancy***
   On October 6, 2021, the Planning and Development Services Department granted Administrative Conditional Use Permit 21-05, Administrative Site and Architectural Review 21-07, and Environment 21-04 - approving a 640 square-foot modular office.

On October 7, 2021, Patrick O'Brien (on behalf of Grand T-1 accepted the Conditions of Approval for ACUP 21-05.

Thereafter, On July 28, 2022, Permit B00-004-382 was issued to place a new 16'x40' prefabricated office building at the Site - and this permit received final approval on July 28, 2022. Building Permit No. B00-004-382 ("Prefabricated Office Building") and Inspection Record are provided as *Attachment 13* to this agenda staff report.

On July 28, 2022, the Grand Terrace Department of Planning and Development Services issued a Temporary Certificate of Occupancy for the prefabricated office building - explicitly providing that "THIS TCO SHALL BE VALID ONLY FOR 45 DAYS AFTER DATE OF ISSUANCE". The Temporary Certificate of Occupancy (Prefabricated Office Building") is provided as *Attachment 14* to this agenda staff report. On the same date, the Grand Terrace Building Official e-mailed Mr. O'Brien alerting him to the fact that the Temporary Certificate of Occupancy was valid only for 45 days - and that Mr. O'Brien (or TSG Fleet Services) needed to "complete all and any outstanding project conditions in order to obtain a permanent C of O before the TCO expiration date."

The Temporary Certificate of Occupancy expired on or about September 11, 2022 - and, to date, no permanent Certificate of Occupancy has been issued.

- Violation of Conditions of Approval #s 12, 16, 38, and 39, and Grand Terrace Building Code §111.1 ("Change of Occupancy")

4. Unapproved re-fueling activities
(including storage of fuel and re-fueling of vehicles and/or equipment).

In or around August 2022, City Staff were made aware that above-ground fuel pumps had been installed at the Site without required approval from the City, San Bernardino County Fire, and South Coast Air Quality Management District, as well as without required building permits issued by the Grand Terrace Planning and Development Services Department.

City Staff had ongoing communications with the property owner's representative (David Mylnarski of TransTech) regarding the need to obtain all required approvals for the fuel pumps, including a modification of CUP 19-01.

At some point thereafter, the fuel pumps were apparently removed without required approvals, permits, or inspections - and TSG Fleet Services commenced utilizing fuel storage containers/pumps located inside of truck trailer. Communications with TSG Fleet Services representatives confirmed that these fuel storage containers were being utilized re-fuel TSG vehicles (e.g., forklifts) and/or equipment.

On October 18, 2023, the San Bernardino County Fire Protection District issued a Notice of Violation of TSG Fleet Services being out of compliance with the Aboveground Petroleum Storage Act - and TSG Fleet Services commenced utilizing

fuel storage containers/pumps located inside of truck trailer. Communications with TSG Fleet Services representatives confirmed that these fuel storage containers were being utilized to re-fuel TSG vehicles (e.g., forklifts) and/or equipment.

TSG Fleet Services subsequently obtained a San Bernardino Certified Unified Program Agency ("CUPA") permit for the above-ground fuel storage container that is valid from January 1, 2024, through December 31, 2024.

Upon obtaining a copy of the CUPA permit from TSG's attorney, Grand Terrace Special Legal Counsel advised TSG's attorney that the CUPA permit did not negate the need to obtain a modification of CUP 19-01 to authorize the use and would also need to undergo an environmental review.

A code modification would also likely be required as GTMC Section 18.40.040 explicitly provides that "Uses that include the storage of hazardous and/or flammable material is prohibited." GTMC Section 18.83.040 is provided as *Attachment 17* to this agenda staff report.

To date, neither the owner of the Site nor TSG Fleet Services have sought a modification of CUP 19-01, nor any other approvals from the Grand Terrace Planning and Development Services Department, Planning Commission, or City Council authorizing the storage of fuel on Site or re-fueling operations. Photographs of the fuel pumps are provided as *Attachment 15,* and photographs of fuel tank are provided as *Attachment 16* to this agenda staff report.

- Violation of Conditions of Approval #s 12, 16, 38, and 39; GTBC §105.1 ("Permit Required"); GTMC §18.40.040 ("M2 Industrial District: Prohibited Uses")

5. ***Failure to submit "Project Deliver Staging and Operating Schedule"***

Pursuant to Condition of Approval #23 of CUP 19-01 requires the applicant or assignee to provide to the City for review and approval by the Planning and Development Services Department a "Project Delivery Staging and Operating Schedule" for the purpose of avoiding stacking of trucks and trailers at major City intersections. The Schedule was to be submitted on a quarterly basis for the first three calendar years of operation commencing on the date that the Project use begins operating.To date, neither the applicant nor TSG Fleet Services has submitted the required Staging and Operating Schedule on the required quarterly basis.

- Violation of Conditions of Approval # 23

6. **Failure to submit "Security Camera Plan"**.

Pursuant to Condition of Approval #46, the applicant or assignee was required to submit to the City for review and approval by the Planning and Development Services Department a security camera plan that demonstrates onsite and offsite monitoring. [Compliance with this is also a requirement prior to the issuance of a Certificate of Use and Occupancy.]

Ø Violation of Conditions of Approval # 46

City's Attempts to Obtain Voluntary Compliance: The City has had numerous communications with representatives of the applicant (property owner), the applicant's representatives, and TSG Fleet Services regarding compliance with the Conditions of Approval.

Additionally, since April 2023, Special Legal Counsel James Eckart had multiple verbal and written communications with legal counsel for Grand t-1, LLC and for TSG Fleet Services - during which Mr. Eckart discussed the violations of Conditional Use Permit 19-01 and applicable provisions of the Grand Terrace Municipal Code. Correspondence from Grand Terrace Special Legal Counsel to Attorney for GrandT-1, LLC (dated April 24, 2023) is provided as *Attachment 18* to this agenda staff report.

To date, the unauthorized, unapproved, or prohibited activities have not ceased, nor has either the property owner/applicant or TSG Fleet Services obtained the required permits or approvals that are lacking (as discussed hereinabove).

PUBLIC NOTICE:

Public notice has been made in accordance with California Government Code Sections 65090 and 65091, and in accordance with Grand Terrace Municipal Code Section 18.03.070.

Public notice was published in the *Grand Terrace City News* and mailed to property owners within 1500 feet of the site. In addition, a copy of the notice was posted in three public places.

Public Comments were received by the City and are provided as attachments to this agenda staff report as follows:

- John Odenbaugh email dated 6.20.2024 is provided as *Attachment 19*.
- Juanita Odenbaugh official statement dated 6.14.2024 is provided as *Attachment 20*.
- A resident petition with 43 signatures supporting revocation of CUP is provided as *Attachment 21*.
- Juanita Odenbaugh digital image/video files are provided as *Attachment 22*.
- Bobbie Forbes digital image/video files are provided as *Attachment 23*.

At the Public Hearing on July 18, 2024, the City will share the digital image/video files provided in the above attachments on the screen during Public Comments.

CONCLUSION:

The Planning Commission only serves as a "recommendation body" for revocation hearings. That is, all the Planning Commission can do is recommend to the City Council whether to revoke. For the reasons set forth hereinabove, and any evidence presented at the Public Hearing, Staff recommends that the Planning Commission make a recommendation to the City Council, via the attached draft resolution provided as *Attachment 1*, to revoke Conditional Use Permit 19-01.

Alternative Remedy: The Planning Commission may make a recommendation to City Council to amend or leave unchanged Conditional Use Permit 19-01.

ATTACHMENTS:

- Attachment 1 - Planning Commission Resolution 2024 - Final (DOCX)
- Attachment 2 - Resolution 2020-32 (PDF)
- Attachment 3 - CUP 19-01_Signed Approval Letter (PDF)
- Attachment 4 - 2020-05-21 Planning Commission_Minutes (PDF)
- Attachment 5 -2020-06-18 Planning Commission_Minutes (PDF)
- Attachment 6 - 2020-07-16 Planning Commission_Minutes (PDF)
- Attachment 7 - 2020-08-25 City Council_Minutes (PDF)
- Attachment 8 - GrandT-1, LLC - Statement of Information 2023 (PDF)
- Attachment 9 - TSG Fleet - B1304-8948 (PDF)
- Attachment 10 - GTMC 18.83.080 (PDF)
- Attachment 11 - Truck Storage Photos (PDF)
- Attachment 12 - GTMC 18.40 - Permitted and Conditionally Permitted Uses (PDF)
- Attachment 13 - B00-004-382_permit (PDF)
- Attachment 14 - 11731 Terrace Ave. (TSG Fleet Services Temporary) (PDF)
- Attachment 15 - Fuel Pumps (PDF)
- Attachment 16 - Fuel Tank (PDF)
- Attachment 17 - GTMC 18.40.040 - Prohibited Uses (PDF)
- Attachment 18 - Correspondence to GrandT-1 Attorney (PDF)
- Attachment 19 - Mrs. John Odenbaugh Email (PDF)
- Attachment 20 - Juanita Odenbaugh Statement (PDF)
- Attachment 21 - Petition (PDF)
- Attachment 24 - Rutan Letter (PDF)
- Attachment 25 - Watts Letter (PDF)

APPROVALS:

Scott Hutter	Pending	
Finance	Pending	
Planning Commission/Site And Architectural Review Board	Pending	07/18/2024 6:30 PM
City Manager	Pending	

RESOLUTION NO. 2024-06

A RESOLUTION OF THE PLANNING COMMISSION/SITE AND ARCHITECTURAL REVIEW BOARD OF THE CITY OF GRAND TERRACE, CALIFORNIA, TO RECOMMEND TO THE CITY COUNCIL OF GRAND TERRACE TO REVOKE CONDITIONAL USE PERMIT 19-01 (WHICH AUTHORIZED THE DEVELOPMENT AND USE OF REAL PROPERTIES IDNETIFIED BY ASSESSOR'S PARCEL NUMBERS 0275-191-06 AND 0275-191-30 FOR THE PARKING OF EMPTY SEMI-TRAILERS, SHIPPING AND STORAGE CONTAINERS, AND CHASSIS

WHEREAS, after duly noticed public hearings, on July 16, 2020, the Planning Commission of the City of Grand Terrace voted 2-1 (with two commissioners recused) to approve the development and use of the real properties identified by Assessor's Parcel Numbers 0275-191-06 and 0275-191-30 ("Subject Property" or "Premises") for the parking of empty semi-trailers, shipping and storage containers, and chassis ("Project"); and,

WHEREAS, a member of the public timely filed an appeal of the Planning Commission's granting of Conditional Use Permit 19-01 and Site and Architectural Review 19-03 authorizing the Project; and,

WHEREAS, on August 25, 2020, the City Council conducted a duly-noticed public hearing on the appeal of the Planning Commission's approval of the Project; and,

WHEREAS, at the conclusion of the public hearing – at which representatives of the City and of the Project applicant, as well as members of the public, provided testimony in favor of and objecting to the Project, the City Council, on a 3-2 vote, passed, approved, and adopted Resolution No. 2020-32 – which upheld the Planning Commission's approval of the Project [and adopted Negative Declaration (Environmental 19-05) and approved Conditional Use Permit 19-01 and Site and Architectural Review 19-03]; and,

WHEREAS, Condition #26 of the Conditions of Approval of Conditional Use Permit 19-01 provides, in pertinent part:

> The Planning and Development Services Director shall periodically evaluate the Project use to ensure it is operated in a manner consistent with the conditions of approval, including the mitigation measures included in the initial study dated March 2020.

WHEREAS, Section 18.83.080 of the Grand Terrace Municipal Code provides, in pertinent part:

Attachment: Attachment 1 - Planning Commission Resolution 2024 - Final (GrandT-1 CUP 19-01 Revoke (Continued))

Any conditional use permit granted in accordance with [Title 18 ("Zoning") of the Grand Terrace Municipal Code] may be revoked if any of the following actions occur:

A. Any violation of a conditional use permit's required condition of approval;

B. Any Federal, State or local law or ordinance is violated in connection with a conditionally permitted use.

WHEREAS, SECTION 18.83.080 further provides, in pertinent part:

The Planning Commission shall hold a public hearing to consider the revocation. …After conducting the public hearing the Planning Commission shall make a recommendation to the City Council regarding revocation of the conditionally permitted use. After receiving the Planning Commission's recommendation, the City Council shall conduct its own public hearing and make a final determination to revoke, amend or leave unchanged the subject conditional use permit.

WHEREAS, the Planning and Development Services Director has evaluated the Project and determined that the Project is being operated in a manner that is inconsistent with the Conditions of Approval, and that violations of Federal, State or local law or ordinance have been violated in connection with the Project operation, and, therefore, scheduled a public hearing before this Planning Commission to seek the revocation of Conditional Use Permit 19-01; and,

WHEREAS, all requisite notice of public hearing were duly given, issued, mailed, published, and/or posted in the time, form, and manner as required by law; and,

WHEREAS, on June 20, 2024, the Planning Commission held the duly noticed public hearing to consider the revocation of Conditional Use Permit 19-01; and,

WHERAS, during the course of said public hearing, the Planning Commission considered testimony of City Staff, representatives of the owner of the Subject Property, representatives of the business operator at the Premises, and members of the public, as well as documentary evidence submitted to the Planning Commission for purposes of the public hearing; and,

WHEREAS, at the conclusion of the public hearing, the Planning Commission determined, based upon the evidence presented at the public hearing, that the following violations of Conditional Use Permit 19-01 and/or of applicable laws have occurred and/or are continuing to occur at the Subject Property:

a) Business operations outside of the approved business hours – which the Planning Commission has determined are Monday through Friday, from 7 am to 8 pm;

b) Unpermitted truck storage;

c) Lack of required Certificate of Occupancy;

d) Unapproved re-fueling activities (including storage of fuel and re-fueling of vehicles and/or equipment);

e) Failure to submit to the City required "Project Delivery Staging and Operating Schedules"; and,

f) Failure to submit to the City required "Security Camera Plan".

WHEREAS, the Planning Commission has determined, based upon the evidence presented at the public hearing, that the Project is not operating in a manner that is consistent with the Conditions of Approval of Conditional Use Permit 19-01; and,

WHEREAS, the Planning Commission has determined, based upon the evidence presented at the public hearing, that the Project is being operated in a manner that is detrimental to the public health, safety, or welfare; and,

WHEREAS, the Planning Commission has determined, based upon the evidence presented at the public hearing, that there is sufficient evidence to merit the revocation of Conditional Use Permit 19-01.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission finds that the above recitals are true and correct and incorporated herein by reference as if set forth in full; and,

BE IT FURTHER RESOLVED that the Planning Commission recommends the City Council conduct a public hearing pursuant to Grand Terrace Municipal Code Section 18.83.080 and make a final determination to revoke Conditional Use Permit 19-01; and,

APPROVED AND ADOPTED by the Planning Commission/Site and Architectural Review Board of the City of Grand Terrace, California, at a regular Public Hearing held on the 18th day of July 2024.

ATTEST:

Debra L. Thomas City Clerk	Tara Ceseña Vice-Chair

Attachment: Attachment 1 - Planning Commission Resolution 2024 - Final (GrandT-1 CUP 19-01 Revoke (Continued))

RESOLUTION NO. 2020-32

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAND TERRACE TO UPHOLD THE PLANNING COMMISSION'S APPROVAL TO ADOPT A MITIGATED NEGATIVE DECLARATION (ENVIRONMENTAL 19-05) PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND APPROVING CONDITIONAL USE PERMIT 19-01 AND SITE AND ARCHITECTURAL REVIEW 19-03 TO DEVELOP A TRAILER/CONTAINER STORAGE FACILITY FOR A MAXIMUM OF 650 PARKING SPACES FOR EMPTY SEMI-TRAILERS, SHIPPING AND STORAGE CONTAINERS, AND CHASSIS USE ON A 21.92-ACRE SITE (ASSESSOR'S PARCEL NUMBERS [APNs] 0275-191-06 AND 0275-191-30 IS CURRENTLY UNDEVELOPED AND IS LOCATED APPROXIMATELY 520 FEET NORTH OF VIVIENDA AVENUE AND SOUTH OF THE SANTA ANA RIVER TRAIL IN THE NORTHWESTERN PORTION OF THE CITY

WHEREAS, Grand T-1, Inc. (Patrick O'Brian), submitted Conditional Use Permit 19-01, Site and Architectural Review 19-03 and Environmental 19-05 requesting approval to develop a trailer/container storage facility (Project). The Project will provide a maximum of 650 parking spaces for semi-trailers, shipping and storage containers, and chassis The site is zoned M-2, Industrial within the AG-2 Overlay District, and the FP-Floodplain Overlay District; and

WHEREAS, the Project Site is proposed on a lot with overhead utility lines measuring 21.92 acres; and

WHEREAS, on July 16, 2020, the Planning Commission voted 2-1 with two commissioners recused to approve the Project at a duly noticed public hearing on the Project at the Grand Terrace City Council Chambers located at 22795 Barton Road, Grand Terrace, California, 92313; and

WHEREAS, pursuant to Section 18.63.070 of the Grand Terrace Municipal Code, the action of the Planning Commission may be appealed by a member of the City Council; and

WHEREAS, a citizen of Grand Terrace, Ms. Janese Makshanoff, appealed the Project to the City Council; and

WHEREAS, Pursuant to the California Environmental Quality Act (CEQA), an Initial Study has been prepared for the above-described Project. Based on the Initial Study and supporting information, a Mitigated Negative Declaration (Environmental 19-05) has been prepared. The Project will not have a significant effect on the environment

Attachment: Attachment 2 - Resolution 2020-32 (GrandT-1 CUP 19-01 Revoke (Continued))

due to the incorporation of standard conditions and mitigation measure(s) under Mitigated Negative Declaration (Environmental 19-05) related to: Biological, Cultural, and Tribal Cultural Resources, and Geology/Soils.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Grand Terrace:

1. The City Council hereby finds that a Final Mitigated Negative Declaration (Environmental 19-05) satisfies the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15073. The Notice of Determination prepared in connection with the Project (19-05) has been reviewed and considered and reflects the independent judgment of the City Council and is hereby adopted.

2. The City Council upholds the Planning Commission's approval and finds as follows with respect to Conditional Use Permit Review 19-01:

   a. The proposed use will not be detrimental to the health, safety, morals, comfort, or general welfare of the persons residing or working within the neighborhood of the proposed Project or within the city. The proposed truck trailer storage facility is consistent with the M2-Industrial zoning, the Agricultural-2 Overlay, and the Floodplain Overlay District Requirements. The proposed development plan meets applicable development standards of the Agricultural-2 Overlay District, including the setbacks required for a truck storage facility are complementary to surrounding uses. The Applicant is required to comply with San Bernardino County standards related to the California Restricted Materials Requirements by the State of California Department for Ground Water Protection Area to ensure ground water is not impacted.

   b. The proposed use will not be injurious to property or improvements in the neighborhood or within the city. The proposal does not include any site improvements at this time; however, the proposed use will be compliant with applicable Grand Terrace Municipal Codes and standards established by the underlying zoning and overlay districts. The Project has been conditioned to obtain a legal access easements from adjacent property owners including the site improvements required by the San Bernardino County Fire, Riverside Highland Water improvements, and prior to obtaining a Certificate of Occupancy, and initiating any activities on site. Conditions of Approval have been established regulating activities and use will not be injurious to the property or the neighborhood. The proposed use will be consistent with the latest adopted General Plan. The Project is consistent with the intended land uses of the City and the Municipal Code. The proposed site is zoned M2-

Attachment: Attachment 2 - Resolution 2020-32 (GrandT-1 CUP 19-01 Revoke (Continued))

industrial with and AG-2 Agricultural-2 Overlay District and FP-Flooding Overlay District. The proposed truck storage facility is consistent with the latest adopted General Plan and Zoning Code, which conditionally allows a trailer storage facility. The proposed trailer storage facility will be consistent with the Land Use Element because it promotes economic development and reduces trailers from parking in unauthorized neighborhoods. As provided below, the Applicant has voluntarily agreed to carry out and pay for certain community benefits outside the scope of a standard development plan with amenities such as a Community Garden with a grove of fruit trees; a trail connection to the Santa Ana River Trail with an ornate sign, access road improvements and a teaching amphitheater at Fitness Park. The Applicant has also voluntarily committed to making a monetary donation for future City street maintenance.

c. The use is consistent with the Industrial zoning designation and compatible with other surrounding uses.

d. Conditions necessary to secure the purposes of the Grand Terrace Municipal Code and General Plan have been applied to the Project.

f. Conditions of approval for this project necessary to secure the purposes of the Grand Terrace Municipal Code and General Plan are made a part of this approval as set forth in the accompanying Resolution of Approval.

The City Council upholds the Planning Commission's approval and finds as follows with respect to Site and Architectural Review 19-03:

a. a. The Project is consistent with the intent of the Grand Terrace Municipal Code and General Plan. The proposed truck trailer storage facility is consistent with the General Plan Floodplain Industrial designation which supports storage and distribution facilities. Regulations allow uses to operate free of overly excessive noise, dust, odor, or other nuisances. The Project is consistent with the Land Use Element to provide for a mix of industrial land uses designed to generate employment opportunities while promoting non-polluting industry within the present land use pattern. The Project is consistent with the Circulation Element which provides for the current and long-term efficient movement of people and goods within and through the City, including a well-maintained roadway system within the ultimate right-of-way along the street frontage. Terrace Avenue will provide main access to the Project site and a no truck access sign will be place at Vivienda Avenue and Walnut Avenue to keep traffic away from the residential neighborhoods. The Project will comply with the Noise Element which goal is to protect the residents from excessive noise. The site will be utilized for storage and light maintenance and inspections; therefore, the Project will not cause significant noise impacts to adjacent neighborhoods. In compliance with the Open Space

and Conservation Element, the Applicant has prepared a Water Quality Management Plan and a Preliminary Soils Engineering Investigation Report.

The Project complies with the Municipal Code, M2-Industrial Zoning which supports various manufacturing and industrial uses to operate free of overly excessive noise, dust, odor, or other nuisances and can be made compatible to other (nonindustrial) district. The proposed truck storage facility is consistent with the zoning designation and will not create significant impacts to the adjacent uses. The site will be developed in compliance with the Municipal Code, Floodplain requirements and subject to the regulation of the review and approval of the Federal emergency Management Agency (FEMA).

b. The location and configuration of the development plan associated with this Project are visually harmonious with this site and surrounding sites and structures, that they do not interfere with the neighbors' privacy, that they do not unnecessarily block scenic views from other structures and/or public areas and are in scale with the townscape and natural landscape of the area.

c. The architectural design of structures, their materials, and colors are visually harmonious with the surrounding development, natural landforms, are functional for the Project and are consistent with the Grand Terrace Municipal Code. The proposed structures for future development will be reviewed with an Administrative Conditional Use Review Application and will be compliant with the general architectural guidelines for all development established by the M2-Industrial and Flooding Zoning.

d. The plan for landscaping and open spaces provides a functional and visually pleasing setting for the structures on this site and is harmonious with the natural landscape of the area and nearby developments. The Applicant is proposing landscape on the west side of the property, along Vivienda Avenue and perimeter fencing covered with vines. The streetscape will include drought tolerant planting and trees compliant with the Municipal Code requirements and with the most recent Model Water Efficient Landscape Ordinance by the State of California. Overall, the landscaping and open spaces will be visually pleasing, harmonious within the Agricultural-2 Overlay zoning and provide functionality for the community. The Project also includes improvements outside the scope of a standard development plan with amenities such as a Community Garden with a grove of fruit trees; a trail connection to the Santa Ana River Trail with an ornate sign, access road improvements and a teaching amphitheater at Fitness Park.

e. There is no indiscriminate clearing of property, destruction of trees or natural vegetation or the excessive and unsightly grading of hillsides, thus the natural beauty of the City, its setting and natural landforms are preserved.

f. The design and location of all signs associated with this Project are consistent with the scale and character of the building to which they are attached or otherwise associated with and are consistent with the Grand Terrace Municipal Code.

g. Conditions of approval for this Project necessary to secure the purposes of the Grand Terrace Municipal Code and General Plan have been applied to the Project.

BE IT FURTHER RESOLVED that, based on the forgoing, upon all oral and written comments and reports and presentations made by City staff and members of the public, including any, attachments and exhibits, Environmental 19-05, Conditional Use Permit 19-01, and Site and Architectural Review 19-03 are hereby approved subject to the following conditions:

1. Conditional Use Permit 19-01 is approved to conduct truck trailer storage of empty trailers on a 21-acre property located approximately 520 feet north of Vivienda Avenue and south of the Santa Ana River trail in the northwestern portion of the city. This approval is granted based on the application materials submitted by GT-1, Inc. (Patrick O'Brian) on January 2, 2019, including revised Project plans received March 3, 2020. This approval includes development of a trailer/container storage facility. The Project will provide a maximum of 650 parking spaces for semi-trailers, shipping and storage containers, and chassis. The application materials are approved as submitted and conditioned herein and shall not be further altered except as modified by these conditions of approval and mitigation measures, and unless reviewed and approved by the affected departments.

2. Prior to issuance of a certificate of use and occupancy, the Applicant has voluntarily agreed to and shall enter into a Community Benefit Agreement (CBA) with the City, subject to City Attorney approval as to form, in which the Applicant will pay for and provide certain community amenities to the City. For the purposes of the CBA, such community amenities shall include, but not be limited to, a Community Garden located on a portion of the property with raised community garden beds and a grove of fruit trees and related improvements, including, but not limited to, the provision of water to such garden and access road improvements; a pedestrian trail connection to the Santa Ana River Trail with an ornate sign and related improvements, including, but not limited to, access road improvements; a teaching amphitheater at the Grand Terrace Fitness Park (located at 21937 Grand Terrace Road, Grand Terrace, CA 92313) and related improvements; and a monetary donation for future City streets maintenance in an amount to be provided in a Community Benefit Agreement for City Council consideration and approval.

3. The proposed business hours will be Monday thru Friday from 7:00 a.m. to 8:00 p.m. and a total of twelve employees. No business activities shall be conducted after 10:00 p.m. except for emergency purposes only.

4. Minor modifications to this approval which are determined by the Planning and Development Services Director to be in substantial conformance with the approved site plan, and which do not intensify or change the use or require any deviations from adopted standards, may be approved by the Planning and Development Services Director upon submittal of an application and the required fee consistent with the Grand Terrace Municipal Code.

5. The Applicant shall defend, indemnify, and hold harmless the City of Grand Terrace and its officers, employees, and agents from and against any claim, action, or proceeding against the City of Grand Terrace, its officers, employees, or agents to attack, set aside, void, or annul any approval or condition of approval of the City of Grand Terrace concerning this Project, including but not limited to any approval or condition of approval of the Planning Commission, or Planning and Development Services Director. The City shall promptly notify the Applicant of any claim, action, or proceeding concerning the Project and the City shall cooperate fully in the defense of the matter. The City reserves the right, at its own option, to choose its own attorney to represent the City, its officers, employees, and agents in the defense of the matter.

6. Upon approval of these conditions and prior to becoming final and binding, the Applicant must sign and return an "Acceptance of Conditions" form. The form and content shall be prepared by the Planning and Development Services Department.

7. Under no condition shall there be stockpiling of material prior to the issuance of the first grading permit and related conditions of approval for the grading permit.

8. If exhibits, and written conditions are inconsistent, the written conditions shall prevail.

9. The Applicant or authorized agent shall apply to the United States Occupational Safety and Health Administration (OSHA) to permit an alternative to back up alarms on "yard goats" and forklifts for the purpose of lessening the noise and frequency of standard back up apparatus. Said apparatus shall be reviewed and approved by OSHA and the Director of Planning and Development Services prior to the issuance of the first certificate of use and occupancy.

10. Heavy maintenance of trailers shall be strictly prohibited.

11. Operational activities associated with the Project shall comply with the regulations of the City's Noise Ordinance, Chapter 8.108 of the Grand Terrace Municipal Code.

12. The Applicant shall comply with all applicable Federal, State, County and Local Codes, at all times.

13. The Applicant shall obtain legal and physical access across adjacent properties to the public roadway, which may include Railroad Access Road or utilize the property's legal access at Vivienda Avenue, and shall include access rights for the City for the purpose of allowing access for all City vehicles, including police, fire, and other emergency vehicles. The document(s) recording the road access easement shall be prepared by the Applicant for review and approval by the City Engineer prior to recordation. The Vivienda Avenue legal access improvements shall be determined and reviewed by the City Engineer.

14. Access rights shall be granted to the City for the purpose of allowing access over private drives within the development for all City vehicles, including police, fire, and other emergency vehicles. The document(s) recording this access shall be prepared by the Applicant for review and approval by the City Engineer, prior to recordation.

15. The Applicant shall obtain a City's Business License from the Finance Division and shall be renewed annually for as long as the business remains in operation.

16. The Applicant shall comply with all requirements of the City of Grand Terrace Building and Safety Division, including the conditions of approval contained in the Building Official's Memorandum dated March 23, 2020, attached hereto as Exhibit 1.

17. The Applicant shall comply with all requirements of the City of Grand Terrace Public Works Director, including the conditions of approval contained in the Director's Memorandum dated March 13, 2020, attached hereto as Exhibit 2.

18. The Applicant shall comply with all requirements of the San Bernardino County Fire Department, Office of the Fire Marshal Community Safety Division, including the conditions of approval contained in their Permit Number: FPLN-2019-00163. The Applicant shall resubmit plans to SBCF as indicated on the Fire Comment dated October 07, 2019, attached hereto as Exhibit 3.

19. Prior to the issuance of a Certificate of Occupancy by the Building and Safety Division, the Applicant shall provide a will service letter and obtain all requisite permits and clearances from Riverside Highland Water Company (RHWCO).

20. Prior to obtaining clearances form the San Bernardino County Fire Department, Office of the Fire Marshal Community Safety Division, and clearances from the Riverside Highland Water Company (RHWCO) shall be completed.

21. Prior to the issuance of building permits, the Applicant shall obtain all clearances from Burrtec for trash collection services.

22. Prior to the issuance of building permits, the Applicant shall comply with all the requirements of the City of Colton Water and Wastewater Department, relating to sewer service requirements.

23. The Applicant or assignee shall provide a Project delivery staging and operating schedule to the City for the purpose of avoiding stacking of trucks and trailers at major City intersections. The schedule shall be submitted for review and approval by the Planning and Development Services Department on a quarterly basis for the first three calendar years of operation commencing on the date that the Project use begins operating.

24. The Applicant shall avoid truck or trailer movement during Grand Terrace traffic peak hours between 6:30 a.m. to 8:30 a.m. and 4:30 p.m. and 6:30 p.m. Truck stacking from Terrace Avenue to Barton Road shall be prohibited.

25. Project truck traffic shall continue exclusively on Terrace Avenue and shall not enter residential streets at Vivienda Avenue and Walnut Avenue. There shall be zero tolerance for any truck traffic

26. The Planning and Development Services Director shall periodically evaluate the Project use to ensure it is operated in a manner consistent with the conditions of approval, including the mitigation measures included in the initial study dated March 2020. If adverse traffic impacts are identified, the Conditional Use Permit shall be reviewed, pursuant to Section 18.83.032 (Revisions or modifications).

27. The trash enclosure shall be no less than six feet in height, constructed of decorative block walls, with solid metal gates attached to posts, embedded in concrete.

28. The Applicant shall comply with the Mitigation Measures included on the Mitigation Monitoring and Reporting Program Checklist of the Initial Study dated March 2020, attached hereto as Exhibit 4.

    a. Biological Resources, BIO-1
    b. Cultural Resources, CUL-1
    c. Geology and Soils, GEO-1
    d. Hydrology and Water Quality, SC HYD-1, 2, & 3
    e. Tribal Cultural Resources, TRC-1

29. The Applicant shall comply with the following Hydrology and Water Quality Conditions included on the Initial Study:

SC HYD-1: Prior to the issuance of a grading permit, the Project Applicant shall file and obtain a Notice of Intent (NOI) with the Regional Water Quality Control Board (RWQCB) in order to be in compliance with the State National Pollutant Discharge Elimination System (NPDES) General Construction Storm Water Permit for discharge of surface runoff associated with construction activities. Evidence that this has been obtained (i.e., a copy of the Waste Discharger's Identification Number) shall be submitted to the City of Grand Terrace for coverage under the NPDES General Construction Permit. The NOI shall address the potential for an extended and discontinuous construction period based on funding availability. This measure shall be implemented to the satisfaction of the Director of the City Engineering Division of the Public Works Department or designee.

SC HYD-2: Prior to the issuance of a grading permit, the Project Applicant shall submit to the City of Grand Terrace a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall include a surface water control plan and erosion control plan citing specific measures to control on-site and off-site erosion during the entire grading and construction period. In addition, the SWPPP shall emphasize structural and nonstructural Best Management Practices (BMPs) to control sediment and non-visible discharges from the site. The SWPPP shall include inspection forms for routine monitoring of the site during both the grading and construction phases to ensure National Pollutant Discharge Elimination System (NPDES) compliance and that additional BMPs and erosion control measures will be documented in the SWPPP and utilized if necessary. The SWPPP shall address the potential for an extended and discontinuous construction period based on funding availability. The SWPPP shall be kept on site for the entire duration of Project construction and shall be available to the local RWQCB for inspection at any time. BMPs to be implemented may include the following:

- Sediment discharges from the site may be controlled by the following: sandbags, silt fences, straw wattles, and temporary basins (if deemed necessary), and other discharge control devices. The construction and condition of the BMPs shall be periodically inspected during construction, and repairs shall be made when necessary as required by the SWPPP.
- Materials that have the potential to contribute to non-visible pollutants to storm water must not be placed in drainage ways and must be contained, elevated, and placed in temporary storage containment areas.
- All loose piles of soil, silt, clay, sand, debris, and other earthen material shall be protected in a reasonable manner to eliminate any discharge from the site. Stockpiles shall be surrounded by silt fences and covered with plastic tarps.

- In addition, the construction contractor shall be responsible for performing and documenting the application of BMPs identified in the SWPPP. Weekly inspections shall be performed on sandbag barriers and other sediment control measures called for in the SWPPP. Monthly reports and inspection logs shall be maintained by the contractor and reviewed by the City of Grand Terrace and the representatives of the State Water Resources Control Board. In the event that it is not feasible to implement specific BMPs, the City of Grand Terrace can make a determination that other BMPs will provide equivalent or superior treatment either on or off site.

This measure shall be implemented to the satisfaction of the Director of the City of Grand Terrace Engineering Division of the Public Works Department or his/her designee.

SC HYD-3: Prior to issuance of a grading permit, the Project Applicant shall submit evidence to the City that the Low Impact Development (LID) Best Management Practices (BMPs) specified in the Final Water Quality Management Plan (Preliminary WQMP) approved by the City of Grand Terrace shall be written into the grading and development plans submitted to the City for review and approval to manage water quality and hydrologic effects of the proposed Project. Specifically, the LID BMPs shall be implemented to ensure the Project meets or exceeds the minimum design capture volume of the site.

Periodic maintenance of LID BMPs during Project occupancy and operation shall be in accordance with the schedule outlined in the Final WQMP. This measure shall be implemented to the satisfaction of the Director of the City Engineering Division of the Public Works Department or designee.

30. Prior to the issuance of a certificate of Use and Occupancy, the Applicant shall submit three (3) copies of landscape and irrigation plan to the Planning and Development Services Department for review and approval. The landscape and irrigation plans shall be prepared in accordance with the City's Water Efficient Landscape Ordinance (Chapter 15.56) Landscaping Standards contained in Chapter 18.60 of the Zoning Code, in compliance with the most recent version of the State Model Ordinance, and the Landscape Enhancement Exhibit, which is attached hereto as Exhibit 5. The plans shall demonstrate the following:

    a. The proposed parkway trees shall comply with the list of approved trees contained on Chapter 12.28 – Street and Parkway Trees of the Municipal Code.

    b. Ensure that proposed plant material, at maturity, will maintain clear line visibility at all intersections as determined by the City's Traffic Engineer.

Attachment: Attachment 2 - Resolution 2020-32 (GrandT-1 CUP 19-01 Revoke (Continued))

c. Plant material adheres to spacing recommendations based on plant and shrub species.

d. Note the material that will placed in planter areas, i.e. mulch, decorative rock, etc.

e. Irrigation shall be located along the vines fencing along the north, west, and south perimeter of the property. Vines planting material shall be a minimum 15-gallon.

f. The south privacy fence located between the future Community Garden and the business parking area shall be planted with vines and irrigated.

g. The proposed landscape shall incorporate a drip irrigation system.

h. Irrigation shall be included in the raised Community Garden beds and the community fruit tree grove.

i. A water spigot shall be located at the future Community Garden area.

j. Include a legend: type of species, including common and scientific name of the planting, size, landscape percentage.

k. All trees shall be a minimum size of 15-gallon, having a minimum height of eight feet at the time of planting.

l. Shrubs shall be a minimum of 1-gallon size at the time of planting.

m. Ground cover shall be healthy, dense foliage, and well routed cuttings, or one-gallon container plants.

n. The spacing of trees and shrubs shall be appropriate for the species used.

o. Twenty percent of planting material shall be pollinating plants.

p. Approval must be obtained for removal of all trees having a trunk diameter of 10 inches or more measured 48 inches above existing grade.

q. Submit an initial deposit of $2,000 deposit for landscape plan check review.

31. The proposed storage shed, and shade shelters, size, style, and location shall be reviewed and approved by the Planning and Development Services Department prior to construction.

Attachment: Attachment 2 - Resolution 2020-32 (GrandT-1 CUP 19-01 Revoke (Continued))

32. Proposed lighting shall not produce any glare onto adjoining properties and shall be shielded as may be required. Lighting shall not exceed eighteen feet in height from the finished grade and shall be designed to reflect away from residential district and public roadways. A photometric plan shall be included in the construction plans for review.

33. Prior to the construction of perimeter fencing on shared property lines, the Applicant shall submit a Fence/Wall Agreement signed by the adjacent property owners.

34. The Applicant shall comply with the California Restricted Materials Requirements by the State of California Department of Pesticide Regulation for Ground Water Protection Area. Prior to initiating trailer storage and prior to obtaining a Certificate of Occupancy by the Building and Safety Division. Copies of such clearances shall be provided to the Planning and Development Services Department and the Building and Safety Division.

35. The Applicant shall comply with the National Pollutant Discharge Elimination System (NPDES).

36. The proposed 900 square foot office trailer and 4,800 square foot maintenance building for future development, shall be reviewed and approved through an Administrative Conditional Use Permit. The Applicant shall obtain easement holder clearances prior to the construction of any structures located within any easement.

37. Any future water well shall be reviewed and approved by City Departments and agencies, including obtaining applications and clearances by San Bernardino County Environmental Health Services Department. A copy of such certificates shall be provided to the Planning and Development Services Division and the Building and Safety Division.

38. Any future changes in on-site activities shall require submittal, review, and approval of a modified conditional use permit.

39. Any future development on the site, including alterations, conversions, remodels, and new structures shall require compliance with the Municipal Code and the Floodplain Ordinance.

40. All ground mounted equipment, including backflow devices, shall be screened in a manner that does not impede traffic visibility.

41. The Applicant shall be responsible for regular and ongoing upkeep and maintenance of the site.

42. All contractors shall acquire a valid City business license and be in compliance with all City codes.

43. The Santa Ana River Trailhead entry structure and monument sign size, style, and location shall be reviewed and approved as identified in the Community Benefit Agreement.

44. The Applicant shall complete and carry out, as applicable, all community amenities identified in the Community Benefit Agreement (CBA) and as provided in Condition 2 within the timeframes identified in the CBA.

45. The Applicant shall obtain a sign permit prior to the installation of any business signs.

46. The applicant or assignee shall submit a security camera plan that demonstrates onsite and offsite monitoring. Plan shall be reviewed and approved by the Planning and Development Director prior to the issuance of a certificate of use and occupancy.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Grand Terrace, California, at a regular meeting held on the 25th day of August 2020.

Darcy McNaboe, Mayor

ATTEST:

Debra L. Thomas
City Clerk

APPROVED AS TO FORM:

Adrian R. Guerra
City Attorney

Attachment: Attachment 2 - Resolution 2020-32 (GrandT-1 CUP 19-01 Revoke (Continued))

Planning and Development Services Department

Delivered by Via E-mail and Mail

September 25, 2020

Patrick O'Brien
Grand T-1 LLC
1040 S. Mount Vernon Avenue, Suite G-285
Colton, CA 92324

Re: Conditional Use Permit 19-01, Site and Architectural Review 19-03, and Environmental 19-05 to construct a Trailer/Container Storage Facility (APN: 0275-191-06 and 0275-191-30)

Dear Mr. O'Brien:

We are pleased to inform you that at their meeting of August 25, 2020, the City Council of the City of Grand Terrace held a Public Hearing and upheld the Planning Commission determination by adopting Resolution 2020-32 (enclosed) approving (3 to 2) the above-referenced applications to construct a trailer/container storage facility on a 21.92-acre lot. There were no appeals made during the public hearing. The notice of determination was mailed to the Clerk of the Board of Supervisors enclosed is a copy of the filing and receipt for your records.

The approval by the City Council is not effective until the "Acceptance of Conditions of Approval" form, enclosed herein, has been signed by you and returned to the Planning and Development Services Department.

Good luck with your project. If you have any questions, contact me at (909) 824-6621 ext. 225

Sincerely,

STEVEN A. WEISS, AICP
Planning and Development Services Director

Enclosure

\\Cogt-fs2\vol3\USERS\COMDEV\Project Files\CUP 19-01_OBrien\Appeal\CUP 19-01_Approval Letter_9.25.2020.doc

ACCEPTANCE OF CONDITIONS OF APPROVAL

APPROVAL BY CITY COUNCIL OF THE CITY OF GRAND TERRACE TO UPHOLD THE PLANNING COMMISSION'S APPROVAL TO ADOPT A MITIGATED NEGATIVE DECLARATION (ENVIRONMENTAL 19-05) PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND APPROVING CONDITIONAL USE PERMIT 19-01 AND SITE AND ARCHITECTURAL REVIEW 19-03 TO DEVELOP A TRAILER/CONTAINER STORAGE FACILITY FOR A MAXIMUM OF 650 PARKING SPACES FOR EMPTY SEMI-TRAILERS, SHIPPING AND STORAGE CONTAINERS, AND CHASSIS USE ON A 21.92-ACRE SITE (ASSESSOR'S PARCEL NUMBERS [APNs] 0275-191-06 AND 0275-191-30 WHICH IS CURRENTLY UNDEVELOPED AND LOCATED APPROXIMATELY 520 FEET NORTH OF VIVIENDA AVENUE AND SOUTH OF THE SANTA ANA RIVER TRAIL IN THE NORTHWESTERN PORTION OF THE CITY

1. Conditional Use Permit 19-01 is approved to conduct truck trailer storage of empty trailers on a 21-acre property located approximately 520 feet north of Vivienda Avenue and south of the Santa Ana River trail in the northwestern portion of the city. This approval is granted based on the application materials submitted by GT-1, Inc. (Patrick O'Brian) on January 2, 2019, including revised Project plans received March 3, 2020. This approval includes development of a trailer/container storage facility. The Project will provide a maximum of 650 parking spaces for semi-trailers, shipping and storage containers, and chassis. The application materials are approved as submitted and conditioned herein and shall not be further altered except as modified by these conditions of approval and mitigation measures, and unless reviewed and approved by the affected departments.

2. Prior to issuance of a certificate of use and occupancy, the Applicant has voluntarily agreed to and shall enter into a Community Benefit Agreement (CBA) with the City, subject to City Attorney approval as to form, in which the Applicant will pay for and provide certain community amenities to the City. For the purposes of the CBA, such community amenities shall include, but not be limited to, a Community Garden located on a portion of the property with raised community garden beds and a grove of fruit trees and related improvements, including, but not limited to, the provision of water to such garden and access road improvements; a pedestrian trail connection to the Santa Ana River Trail with an ornate sign and related improvements, including, but not limited to, access road improvements; a teaching amphitheater at the Grand Terrace Fitness Park (located at 21937 Grand Terrace Road, Grand Terrace, CA 92313) and related improvements; and a monetary donation for future City street

Attachment: Attachment 3 - CUP 19-01_Signed Approval Letter (GrandT-1 CUP 19-01 Revoke (Continued))

ACCEPTANCE OF CONDITIONS OF APPROVAL

maintenance in an amount to be provided in a Community Benefit Agreement for City Council consideration and approval.

3. The proposed business hours will be Monday thru Friday from 7:00 a.m. to 8:00 p.m. and a total of twelve employees. No business activities shall be conducted after 10:00 p.m. except for emergency purposes only.

4. Minor modifications to this approval which are determined by the Planning and Development Services Director to be in substantial conformance with the approved site plan, and which do not intensify or change the use or require any deviations from adopted standards, may be approved by the Planning and Development Services Director upon submittal of an application and the required fee consistent with the Grand Terrace Municipal Code.

5. The Applicant shall defend, indemnify, and hold harmless the City of Grand Terrace and its officers, employees, and agents from and against any claim, action, or proceeding against the City of Grand Terrace, its officers, employees, or agents to attack, set aside, void, or annul any approval or condition of approval of the City of Grand Terrace concerning this Project, including but not limited to any approval or condition of approval of the Planning Commission, or Planning and Development Services Director. The City shall promptly notify the Applicant of any claim, action, or proceeding concerning the Project and the City shall cooperate fully in the defense of the matter. The City reserves the right, at its own option, to choose its own attorney to represent the City, its officers, employees, and agents in the defense of the matter.

6. Upon approval of these conditions and prior to becoming final and binding, the Applicant must sign and return an "Acceptance of Conditions" form. The form and content shall be prepared by the Planning and Development Services Department.

7. Under no condition shall there be stockpiling of material prior to the issuance of the first grading permit and related conditions of approval for the grading permit.

8. If exhibits, and written conditions are inconsistent, the written conditions shall prevail.

9. The Applicant or authorized agent shall apply to the United States Occupational Safety and Health Administration (OSHA) to permit an alternative to back up alarms on "yard goats" and forklifts for the purpose of lessening the noise and

Attachment: Attachment 3 - CUP 19-01_Signed Approval Letter (GrandT-1 CUP 19-01 Revoke (Continued))

ACCEPTANCE OF CONDITIONS OF APPROVAL

frequency of standard back up apparatus. Said apparatus shall be reviewed and approved by OSHA and the Director of Planning and Development Services prior to the issuance of the first certificate of use and occupancy.

10. Heavy maintenance of trailers shall be strictly prohibited.

11. Operational activities associated with the Project shall comply with the regulations of the City's Noise Ordinance, Chapter 8.108 of the Grand Terrace Municipal Code.

12. The Applicant shall comply with all applicable Federal, State, County and Local Codes, at all times.

13. The Applicant shall obtain legal and physical access across adjacent properties to the public roadway, which may include Railroad Access Road or utilize the property's legal access at Vivienda Avenue, and shall include access rights for the City for the purpose of allowing access for all City vehicles, including police, fire, and other emergency vehicles. The document(s) recording the road access easement shall be prepared by the Applicant for review and approval by the City Engineer prior to recordation. The Vivienda Avenue legal access improvements shall be determined and reviewed by the City Engineer.

14. Access rights shall be granted to the City for the purpose of allowing access over private drives within the development for all City vehicles, including police, fire, and other emergency vehicles. The document(s) recording this access shall be prepared by the Applicant for review and approval by the City Engineer, prior to recordation.

15. The Applicant shall obtain a City's Business License from the Finance Division and shall be renewed annually for as long as the business remains in operation.

16. The Applicant shall comply with all requirements of the City of Grand Terrace Building and Safety Division, including the conditions of approval contained in the Building Official's Memorandum dated March 23, 2020, attached hereto as Exhibit 1.

17. The Applicant shall comply with all requirements of the City of Grand Terrace Public Works Director, including the conditions of approval contained in the Director's Memorandum dated March 13, 2020, attached hereto as Exhibit 2.

Attachment: Attachment 3 - CUP 19-01_Signed Approval Letter (GrandT-1 CUP 19-01 Revoke (Continued))

ACCEPTANCE OF CONDITIONS OF APPROVAL

18. The Applicant shall comply with all requirements of the San Bernardino County Fire Department, Office of the Fire Marshal Community Safety Division, including the conditions of approval contained in their Permit Number: FPLN-2019-00163. The Applicant shall resubmit plans to SBCF as indicated on the Fire Comment dated October 07, 2019, attached hereto as Exhibit 3.

19. Prior to the issuance of a Certificate of Occupancy by the Building and Safety Division, the Applicant shall provide a will service letter and obtain all requisite permits and clearances from Riverside Highland Water Company (RHWCO).

20. Prior to obtaining clearances form the San Bernardino County Fire Department, Office of the Fire Marshal Community Safety Division and clearances from the Riverside Highland Water Company (RHWCO) shall be completed.

21. Prior to the issuance of grading permits, the Applicant shall obtain all clearances from Burrtec for trash collection services.

22. Prior to the issuance of grading permits, the Applicant shall comply with all the requirements of the City of Colton Water and Wastewater Department, relating to sewer service requirements.

23. The Applicant or assignee shall provide a Project delivery staging and operating schedule to the City for the purpose of avoiding stacking of trucks and trailers at major City intersections. The schedule shall be submitted for review and approval by the Planning and Development Services Department on a quarterly basis for the first three calendar years of operation commencing on the date that the Project use begins operating.

24. The Applicant shall avoid truck or trailer movement during Grand Terrace traffic peak hours between 6:30 a.m. to 8:30 a.m. and 4:30 p.m. and 6:30 p.m. Truck stacking from Terrace Avenue to Barton Road shall be prohibited.

25. Project truck traffic shall continue exclusively on Terrace Avenue and shall not enter residential streets at Vivienda Avenue and Walnut Avenue. There shall be zero tolerance for any truck traffic

26. The Planning and Development Services Director shall periodically evaluate the Project use to ensure it is operated in a manner consistent with the conditions of approval, including the mitigation measures included in the initial study dated March 2020. If adverse traffic impacts are identified, the Conditional Use Permit shall be reviewed, pursuant to Section 18.83.032 (Revisions or modifications).

ACCEPTANCE OF CONDITIONS OF APPROVAL

27. The trash enclosure shall be no less than six feet in height, constructed of decorative block walls, with solid metal gates attached to posts, embedded in concrete.

28. The Applicant shall comply with the Mitigation Measures included on the Mitigation Monitoring and Reporting Program Checklist of the Initial Study dated March 2020, attached hereto as Exhibit 4.
    a. Biological Resources, BIO-1
    b. Cultural Resources, CUL-1
    c. Geology and Soils, GEO-1
    d. Hydrology and Water Quality, SC HYD-1, 2, & 3
    e. Tribal Cultural Resources, TRC-1

29. The Applicant shall comply with the following Hydrology and Water Quality Conditions included on the Initial Study:

    SC HYD-1: Prior to the issuance of a grading permit, the Project Applicant shall file and obtain a Notice of Intent (NOI) with the Regional Water Quality Control Board (RWQCB) in order to be in compliance with the State National Pollutant Discharge Elimination System (NPDES) General Construction Storm Water Permit for discharge of surface runoff associated with construction activities. Evidence that this has been obtained (i.e., a copy of the Waste Discharger's Identification Number) shall be submitted to the City of Grand Terrace for coverage under the NPDES General Construction Permit. The NOI shall address the potential for an extended and discontinuous construction period based on funding availability. This measure shall be implemented to the satisfaction of the Director of the City Engineering Division of the Public Works Department or designee.

    SC HYD-2: Prior to the issuance of a grading permit, the Project Applicant shall submit to the City of Grand Terrace a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall include a surface water control plan and erosion control plan citing specific measures to control on-site and off-site erosion during the entire grading and construction period. In addition, the SWPPP shall emphasize structural and nonstructural Best Management Practices (BMPs) to control sediment and non-visible discharges from the site. The SWPPP shall include inspection forms for routine monitoring of the site during both the grading and construction phases to ensure National Pollutant Discharge Elimination System (NPDES) compliance and that additional BMPs and erosion control measures will be documented in the SWPPP and utilized if necessary. The SWPPP shall address the potential for an extended and discontinuous construction period based on funding availability. The SWPPP shall be kept on

Attachment: Attachment 3 - CUP 19-01_Signed Approval Letter (GrandT-1 CUP 19-01 Revoke (Continued))

ACCEPTANCE OF CONDITIONS OF APPROVAL

site for the entire duration of Project construction and shall be available to the local RWQCB for inspection at any time. BMPs to be implemented may include the following:

- Sediment discharges from the site may be controlled by the following: sandbags, silt fences, straw wattles and temporary basins (if deemed necessary), and other discharge control devices. The construction and condition of the BMPs shall be periodically inspected during construction, and repairs shall be made when necessary as required by the SWPPP.
- Materials that have the potential to contribute to non-visible pollutants to storm water must not be placed in drainage ways and must be contained, elevated, and placed in temporary storage containment areas.
- All loose piles of soil, silt, clay, sand, debris, and other earthen material shall be protected in a reasonable manner to eliminate any discharge from the site. Stockpiles shall be surrounded by silt fences and covered with plastic tarps.
- In addition, the construction contractor shall be responsible for performing and documenting the application of BMPs identified in the SWPPP. Weekly inspections shall be performed on sandbag barriers and other sediment control measures called for in the SWPPP. Monthly reports and inspection logs shall be maintained by the contractor and reviewed by the City of Grand Terrace and the representatives of the State Water Resources Control Board. In the event that it is not feasible to implement specific BMPs, the City of Grand Terrace can make a determination that other BMPs will provide equivalent or superior treatment either on or off site.

This measure shall be implemented to the satisfaction of the Director of the City of Grand Terrace Engineering Division of the Public Works Department or his/her designee.

SC HYD-3: Prior to issuance of a grading permit, the Project Applicant shall submit evidence to the City that the Low Impact Development (LID) Best Management Practices (BMPs) specified in the Final Water Quality Management Plan (Preliminary WQMP) approved by the City of Grand Terrace shall be written into the grading and development plans submitted to the City for review and approval to manage water quality and hydrologic effects of the proposed Project. Specifically, the LID BMPs shall be implemented to ensure the Project meets or exceeds the minimum design capture volume of the site.

Periodic maintenance of LID BMPs during Project occupancy and operation shall be in accordance with the schedule outlined in the Final WQMP. This measure

Attachment: Attachment 3 - CUP 19-01_Signed Approval Letter (GrandT-1 CUP 19-01 Revoke (Continued))

ACCEPTANCE OF CONDITIONS OF APPROVAL

shall be implemented to the satisfaction of the Director of the City Engineering Division of the Public Works Department or designee.

30. Prior to the issuance of a grading permit, the Applicant shall submit three (3) copies of landscape and irrigation plan to the Planning and Development Services Department for review and approval. The landscape and irrigation plans shall be prepared in accordance with the City's Water Efficient Landscape Ordinance (Chapter 15.56) Landscaping Standards contained in Chapter 18.60 of the Zoning Code, in compliance with the most recent version of the State Model Ordinance, and the Landscape Enhancement Exhibit, which is attached hereto as Exhibit 5. The plans shall demonstrate the following:

    a. The proposed parkway trees shall comply with the list of approved trees contained on Chapter 12.28 – Street and Parkway Trees of the Municipal Code.
    b. Ensure that proposed plant material, at maturity, will maintain clear line visibility at all intersections as determined by the City's Traffic Engineer.
    c. Plant material adheres to spacing recommendations based on plant and shrub species.
    d. Note the material that will placed in planter areas, i.e. mulch, decorative rock, etc.
    e. Irrigation shall be located along the vines fencing along the north, west, and south perimeter of the property. Vines planting material shall be a minimum 15-gallon.
    f. The south privacy fence located between the future Community Garden and the business parking area shall be planted with vines and irrigated.
    g. The proposed landscape shall incorporate a drip irrigation system.
    h. Irrigation shall be included in the raised Community Garden beds and the community fruit tree grove.
    i. A water spigot shall be located at the future Community Garden area.
    j. Include a legend: type of species, including common and scientific name of the planting, size, landscape percentage.
    k. All trees shall be a minimum size of 15-gallon, having a minimum height of eight feet at the time of planting.
    l. Shrubs shall be a minimum of 1-gallon size at the time of planting.

Attachment: Attachment 3 - CUP 19-01_Signed Approval Letter (GrandT-1 CUP 19-01 Revoke (Continued))

ACCEPTANCE OF CONDITIONS OF APPROVAL

m. Ground cover shall be healthy, dense foliage, and well routed cuttings, or one-gallon container plants.

n. The spacing of trees and shrubs shall be appropriate for the species used.

o. Twenty percent of planting material shall be pollinating plants.

p. Approval must be obtained for removal of all trees having a trunk diameter of 10 inches or more measured 48 inches above existing grade.

q. Submit an initial deposit of $2,000 deposit for landscape plan check review.

31. The proposed storage shed, and shade shelters, size, style, and location shall be reviewed and approved by the Planning and Development Services Department prior to construction.

32. Proposed lighting shall not produce any glare onto adjoining properties and shall be shielded as may be required. Lighting shall not exceed eighteen feet in height from the finished grade and shall be designed to reflect away from residential district and public roadways. A photometric plan shall be included in the construction plans for review.

33. Prior to the construction of perimeter fencing on shared property lines, the Applicant shall submit a Fence/Wall Agreement signed by the adjacent property owners.

34. The Applicant shall comply with the California Restricted Materials Requirements by the State of California Department of Pesticide Regulation for Ground Water Protection Area. Prior to initiating trailer storage and prior to obtaining a Certificate of Occupancy by the Building and Safety Division. Copies of such clearances shall be provided to the Planning and Development Services Department and the Building and Safety Division.

35. The Applicant shall comply with the National Pollutant Discharge Elimination System (NPDES).

36. The proposed 900 square foot office trailer and 4,800 square foot maintenance building for future development, shall be reviewed and approved through an Administrative Conditional Use Permit. The Applicant shall obtain easement holder clearances prior to the construction of any structures located within any easement.

ACCEPTANCE OF CONDITIONS OF APPROVAL

37. Any future or abandoned water well shall be reviewed and approved by City Departments and agencies, including obtaining applications and clearances by San Bernardino County Environmental Health Services Department. A copy of such certificates shall be provided to the Planning and Development Services Division and the Building and Safety Division.

38. Any future changes in on-site activities shall require submittal, review, and approval of a modified conditional use permit.

39. Any future development on the site, including alterations, conversions, remodels, and new structures shall require compliance with the Municipal Code and the Floodplain Ordinance.

40. All ground mounted equipment, including backflow devices, shall be screened in a manner that does not impede traffic visibility.

41. The Applicant shall be responsible for regular and ongoing upkeep and maintenance of the site.

42. All contractors shall acquire a valid City business license and be in compliance with all City codes.

43. The Santa Ana River Trailhead entry structure and monument sign size, style, and location shall be reviewed and approved as identified in the Community Benefit Agreement.

44. The Applicant shall complete and carry out, as applicable, all community amenities identified in the Community Benefit Agreement (CBA) and as provided in Condition 2 within the timeframes identified in the CBA.

45. The Applicant shall obtain a sign permit prior to the installation of any business signs.

46. The applicant or assignee shall submit a security camera plan that demonstrates onsite and offsite monitoring. Plan shall be reviewed and approved by the Planning and Development Director prior to the issuance of a certificate of use and occupancy.

Acceptance of Conditions for Condition of Approval 19-01, Site and Architectural Review 19-03, and Environmental 19-05

Attachment: Attachment 3 - CUP 19-01_Signed Approval Letter (GrandT-1 CUP 19-01 Revoke (Continued))

ACCEPTANCE OF CONDITIONS OF APPROVAL

This approval is not effective until this form is signed and returned to the Planning and Development Services Department of the City of Grand Terrace.

Signatures:

Patrick O'Brien representing
Grand T-1 LLC
Applicant

Steven A. Weiss, AICP
Planning and Development Services
Director

Sept-30-2020
Date

9/30/2020
Date

Enclosed:

Agencies Conditions of Approval
Resolution 2020-32
Notice of Determination Filing Receipt

CC: Building and Safety Division
Public Works Division

EXHIBIT 1

Building and Safety Conditions of Approval

Date:	**March 18, 2020**
File No:	**Conditional Use Permit 19-01**
Applicant:	**GrandT-1 Inc., represented by Patrick O' Brien**
Address of Applicant:	**1040 S. Mt. Vernon Ave., Suite G-285 Colton, CA 92324**
APN:	**0275-191-06 & 30**

Provide four (4) sets of construction plans and documentation for plan review of the proposed project. Below you will find a list of the plans and documents Building and Safety will need for plan review. The initial plan review will take approximately two weeks on most projects.

Provide the following sets of plans and documents.

Building and Safety submittal required at first plan review.

~~(4) Architectural Plans~~
~~(4) Structural Plans~~
~~(2) Structural Calculations~~
(4) Plot/Site Plans
~~(4) Electrical Plans~~
~~(4) Electrical Load Calculations~~
~~(4) Plumbing Plans/Isometrics, Water, Sewer and Gas~~
~~(4) Mechanical Plans~~
~~(4) Mechanical Duct Layout Plans~~
~~(2) Roof and Floor Truss Plans if applicable~~
~~(2) Title 24 Energy Calculations~~
(4) Rough and Precise Grading Plans
(2) Water Quality Management Plan, (WQMP) and Erosion Control Plan.
(2) Stormwater Pollution Prevention Plan (SWPPP)
(2) Best Management Plan (BMP)

Attachment: Attachment 3 - CUP 19-01_Signed Approval Letter (GrandT-1 CUP 19-01 Revoke (Continued))

Building and Safety Conditions of Approval

Building & Safety General Information

All structures shall be designed in accordance with the currently adopted building codes by the State of California and City of Grand Terrace Municipal Code as adopted at time of plan submittal. Note if a new code has been adopted prior to the submittal, then all structures shall be designed to the current model code year.

The Developer/Owner is responsible for the coordination of the final occupancy. The Developer/Owner shall obtain clearances from each department and division prior to requesting a final building inspection from Building & Safety. Each agency shall sign the bottom of the Job Card or Certificate of Occupancy Clearance Form.

Building & Safety inspection requests can be made twenty-four (24) hours in advance for next day inspection. Please contact 909-825-3825. You may also request inspections at the Building & Safety counter.

All construction sites must be protected by a security fence and screening. The fencing and screening shall be maintained at all times to protect pedestrians.

Temporary toilet facilities shall be provided for construction workers. The toilet facilities shall be maintained in a sanitary condition. Construction toilet facilities of the non sewer type shall conform to ANSI ZA.3.

Construction projects which require temporary electrical power shall obtain an Electrical Permit from Building & Safety. No temporary electrical power will be granted to a project unless one of the following items is in place and approved by Building & Safety and the Planning Division.

(A) Installation of a construction trailer, or,
(B) Security fenced area where the electrical power will be located.

Installation of construction/sales trailers must be located on private property. No trailers can be located in the public street right of way.

Separate plan submittals and permits are required for all accessory structures including but not limited to patios, block walls, storage buildings, community playgrounds, etc.

Pursuant to the California Business and Professions Code Section 6735, most projects are required to be designed by a California Licensed Architect or Engineer. The project owner or developer should review the section of the California Codes and comply with the regulation.

Attachment: Attachment 3 - CUP 19-01_Signed Approval Letter (GrandT-1 CUP 19-01 Revoke (Continued))

Building and Safety Conditions of Approval

Building & Safety Conditions

1. Prior to the issuance of a building permit, the applicant shall pay all Development Improvement Fee's to the City; this also includes school fees and outside agency fees including but not limited to Colton Wastewater, Riverside-Highland Water Co. and utilities. Copies of receipts shall be provided to Building & Safety prior to permit issuance.

2. ~~All on site utilities shall be underground to the new proposed structure unless prior approval has been obtained by the utility company or the City~~.

3. Prior to issuance of Building Permits, on site water service shall be installed and approved by the responsible agency. On site fire hydrants shall be approved by the Fire Department. No flammable materials will be allowed on the site until the fire hydrants are installed and approved.

4. ~~Prior to issuance of building permits, site grading certification and pad certifications shall be submitted to Building & Safety. Prior to concrete placement, submit a certification for the finish floor elevation and setbacks of the structures. The certification needs to reflect that the structure is in conformance with the Precise Grading Plans. Compaction reports shall accompany pad certifications. The certifications are required to be signed by the engineer of record~~.

5. Prior to issuance of building permits, provide Building & Safety with a will service letter from Riverside Highland Water District.

6. All construction projects shall comply with the National Pollutant Discharge Elimination Systems (NPDES), and the San Bernardino County MS-4 Storm Water Permit.

7. Provide civil engineering drawings for dedication of 15 foot of right of way and all public right of way improvements including curb, gutter and half street width improvements. Civil engineering drawings and dedication shall be submitted to Public Works to be checked by the City Engineer and recorded with the County Recorder's office before permits are issued.

8. ~~Depending on the location of the curb and gutter, the utilities located in the public right of way in front of the property, along Michigan St., may need to be relocated~~. Please contact Edison and the telephone/cable company to determine the desired location for the utilities.

Building and Safety Conditions of Approval

9. Prior to building permit issuance, the applicant shall establish haul services for construction waste material with Burrtec to facilitate the recycling of all recoverable/recyclable material as mandated under the California Green Code and City of Grand Terrace Municipal Code.

10. The applicant shall submit a completed Construction & Demolition (C&D) Waste Diversion Program / Waste Management Plan (WMP) form along with the required C&D deposit based per square footage of construction and/or demolition prior to building permit issuance.

11. Project with new landscape areas of 500 square feet or more are subject to the 2015 Model Water Efficient Landscape Ordinance (MWELO).

Public Works Conditions

Date: 5-13-20

Applicant: GrantT-1, Inc., represented by Patrick O'Brien

Address of Applicant: 3090 Pullman Street, Costa Mesa, Ca, 92626

Site Location: Terrace Avenue, approx. 385 feet north of Vivienda Ave

Case # CUP 19-01, SAR 19-03, EA 19-05

Provide two (2) construction plans and required documentation for review of the proposed project. Below is a list of the plans and documents Public Works will need for plan review. The initial plan review will take approximately three weeks on most projects. You have received a case number: CUP 19-01for the proposed project, this number will be needed to obtain information regarding your plan review. Plan review fees and permit fees will be charged at the time plans are approved and are ready to issue. Provide the following sets of plans and documents.

Public Works/Engineering submittals required at first plan review.

(1) Grant Deed showing all easements.
(1) Water Plans.
(4) Street improvement plans prepared by a licensed Civil Engineer.
(4) Approved Tentative Plan
(4) Utility Plans
(4) Sewer Plans
(4) Grading Plans and Erosion Control Plan
(2) Drainage Report and Final Water Quality Management Plan, (WQMP)
(2) Stormwater Pollution Prevention Plan

All work performed in the public right of way shall comply with the San Bernardino County Public Works Standards or standards of the latest update of the Greenbook as approved by the Public Works Director or City Engineer.

Public Works inspection requests can be made twenty-four (24) hours in advance for next day inspection. Please contact (909) 825-3825. You may also request inspections at the Building & Safety public counter.

Installation of construction/sales trailers must be located on private property. No trailers, equipment or material can be in the public street right of way.

Attachment: Attachment 3 - CUP 19-01_Signed Approval Letter (GrandT-1 CUP 19-01 Revoke (Continued))

Public Works Conditions

1. All proposed public street improvements shall be designed by persons registered and licensed pursuant to the Business and Professions Code and all street work will require a contactor licensed in the State of California and insured pursuant to the City's insurance requirements.

2. The applicant shall dedicate right of way and/or construct all missing or damaged public improvements. The missing or damaged public improvements shall include, but are not limited to, pavement, curb, gutter, sidewalk, driveway approach, and streetlights as directed by the Public Works Department.

3. Install centrally located concrete ornamental streetlights in the right of way and pay one-year energy cost for streetlights. Coordinate with Southern California Edison and the City of Grand Terrace for cost and locations. Streetlights shall be LED type.

4. Provide half street width paving overlay after utility installations on the entire length of the project. Minimum 2-inch asphalt overlay with an asphalt grind. All grindings shall be recycled.

5. The Applicant shall submit proposed sewer plans to the City of Colton Wastewater Department and Public Works for plan review. Applicant shall pay all plan review fees and permit fees for the sewer review to the City of Colton and Public Works. Please provide a written "Will Serve" letter and sewer plans to the City of Grand Terrace for approval before any permits are issued.

6. The applicant shall submit proposed water plans to the Riverside Highland Water Company and Public Works for plan review. Applicant shall pay all plan review fees and permit fees for the water review to Riverside Highland Water Company and Public Works. Please provide a written "Will Serve" letter and plans to the City of Grand Terrace for approval before any permits are issued.

7. Applicant shall submit proposed water plans for fire hydrants to the County of San Bernardino Fire Department for plan review and approval. Applicant shall pay all plan review fees and permit fees for the fire hydrant system review to the County of San Bernardino Fire Department.

8. Provide additional 20 feet right of way dedication on Terrace Avenue which is classified as a Local Road with 60 feet ultimate width the entire length of the property. Street improvements will be required to extend beyond the frontage of the project to blend and taper the pavement for traffic and address street flows for drainage. Provide full width paving section and curb, gutter, sidewalk, streetlights along project frontage and signage and striping per standard 104.

9. Truck guide signs shall be posted at intersections and in the area around Terrace to keep truck traffic on Terrace and Barton Road as directed by the City Engineer.

10. The exhibit is showing a partial Knuckle, however, the access under the railroad is conditioned to be gated by another project so a full truck turning cul-de-sac will be needed per standard 120 or Riverside County standard 800.

11. Terrace from south property line to Walnut shall have a Paved Road Section per standard 114a and a barrier on the west side at a grade difference of four feet or greater below the existing road grade. Type of barrier to be approved by City of Colton and Grand Terrace.

12. The curb returns and ramps on Terrace Ave shall be constructed per San Bernardino County Standard 110. The radius of these curbs shall be 50 feet.

13. Minimum driveway grades shall be consistent with San Bernardino County Standard 131. Riverside County Standard driveway approach can also be used.

14. A truck haul permit shall be required if more than 50 cubic yards of earth is to be hauled on City Street. Additional conditions, such as truck route approval, traffic controls, bonding, and or street cleaning may be required by the City engineer.

15. The geotechnical report recommendations for on- and off-site excavation, compaction, slope stability and paving sections shall be submitted. The date of the report shall be placed on the title sheets of the street plans.

16. Monumentation: If any activity on this project will disturb any land survey monuments, the disturbed monumnetation shall be located and referenced by or under the direction of a licensed land surveyor or a registered civil engineer authorized to practice land surveying prior to commencement of any activity with the potential to disturb the monumnetation, and a corner record or record of survey of the references shall be filled with the County.

17. All construction projects shall comply with the National Pollutant Discharge Elimination Systems (NPDES) and the current San Bernardino County MS4 permit.

18. The subdivider shall protect downstream properties from damages caused by alteration of the drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities including enlarging existing facilities and/or by securing a drainage easement. The subdivider shall provide mitigation measures to be incorporated into the development to prevent flooding of the site and downstream properties. The retention of the post-development runoff from the 100-year event shall be required as part of the drainage improvements for this project.

19. The subdivider shall accept and properly dispose of all off-site drainage flowing onto or through the site. In the event the Public Works Department permits the use of streets for drainage purposes, the provisions of City/County Ordinance will apply.

EXHIBIT 3

San Bernardino County Fire Department
Community Safety Division

Plan Review Comments

Date Reviewed: 10/07/2019
Reviewed By: Mike Havens
Project Type: Fire Planning/DRC
Permit Number: FPLN-2019-00163
Project Name: GrandT-1 CUP 19-01
Project Description: Conditional Use Permit for an outdoors trailer storage yard.
Location: 0 VIVIENDA AVE
GRAND TERRACE, CA 92313
APN: 0275191060000

Dear Applicant,

San Bernardino County Fire Department has completed review of the proposed project. Please see the **FIRE COMMENTS** attachment below.

Redline Plans can be downloaded from the San Bernardino County EZ Online Permitting (EZOP) system at http://av-ezop.sbcounty.gov. Guidance on how to access and navigate the EZOP portal can be found at http://wp.sbcounty.gov/ezop/faqs/videos/.

If you have any questions please contact County Fire at **(909) 386-8400**.

Sincerely,
The Office of the Fire Marshall
Community Safety Division
San Bernardino County Fire Department

Attachment: Attachment 3 - CUP 19-01_Signed Approval Letter (GrandT-1 CUP 19-01 Revoke (Continued))

Review Date: 10/07/2019
Permit Number: FPLN-2019-00163
Location: 0 VIVIENDA AVE
GRAND TERRACE, CA 92313
APN: 0275191060000

FIRE COMMENTS

Access

The development shall have a minimum of ____2____ points of vehicular access. These are for fire/emergency equipment access and for evacuation routes. a. Single Story Road Access Width. All buildings shall have access provided by approved roads, alleys and private drives with a minimum twenty-six (26) foot unobstructed width and vertically to fourteen (14) feet six (6) inches in height. Other recognized standards may be more restrictive by requiring wider access provisions. b. Multi-Story Road Access Width. Buildings three (3) stories in height or more shall have a minimum access of thirty (30) feet unobstructed width and vertically to fourteen (14) feet six (6) inches in height.

Secondary Access Paved

Prior to building permits being issued to any new structure, the secondary access road shall be paved or an all-weather surface and shall be installed as specified in the General Requirement conditions including width, vertical clearance and turnouts.

Hydrant Marking

Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. In areas where snow removal occurs or non-paved roads exist, the blue reflective hydrant marker shall be posted on an approved post along the side of the road, no more than three (3) feet from the hydrant and at least six (6) feet high above the adjacent road.

Standard W-2 ONSITE FIRE PROTECTION WATER SYSTEMS

This standard establishes minimum requirements for installation and maintenance of all private fire hydrants and appliances related to an onsite fire protection system.

Standard A-2 FIRE APPARATUS ACCESS ROAD DESIGNATION AND MARKING

This standard applies to the marking of all Fire Department access roadways for new construction and development. Existing roadways identified as fire access roadways or otherwise required for emergency access shall also be marked per this standard.

Standard A-1 FIRE APPARATUS ACCESS ROAD DESIGN, CONSTRUCTION AND MAINTENANCE

This standard shall apply to the design, construction and maintenance of all new fire apparatus access roads within the jurisdiction, as well as fire apparatus access roads at existing facilities when applied at the discretion of the fire code official.

Additional Requirements

In addition to the Fire requirements stated herein, other onsite and offsite improvements may be required which cannot be determined from tentative plans at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office.

Fire Inspection will be required during Hydrant installation.

1. Indicate on Plans the Turning radius as required on Standard A-1

2. Fire lane to be 26 ft, indicate on plans on all drive aisles.

3. Resubmit Plans.

Attachment: Attachment 3 - CUP 19-01_Signed Approval Letter (GrandT-1 CUP 19-01 Revoke (Continued))

MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST

Project Name: Grand Terrace Trailer/Container Storage Project **Applicant:** GrandT-1, Inc.

Date: March 2020

Mitigation Measure No. / Implementing Action		Responsible for Monitoring	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
Biological Resources						
BIO-1	If project activities are planned during the bird nesting season (February 1 to August 31), a nesting bird survey shall be conducted within three days (72 hours) prior to any ground-disturbing activities, including, but not limited to demolition, clearing, grubbing, and/or rough grading, to ensure birds protected under the Migratory Bird Treaty Act (MBTA) are not disturbed by on-site activities. Any such survey(s) shall be conducted by a qualified biologist. If no active nests are found, no additional actions related to this measure are required. If active nests are found, the nest locations shall be mapped by the biologist. The nesting bird species shall be documented and, to the degree feasible, the nesting stage (e.g., incubation of eggs, feeding of young, near fledging) determined. Based on the species present and surrounding habitat, a no-disturbance buffer shall be established around each active nest. The buffer shall be identified by a qualified biologist and confirmed by the City; non-raptor bird species nests shall be buffered at least 280 feet, while raptor nests shall be buffered at least 820 feet. No construction or ground disturbance activities shall be conducted within the buffer until the	Planning and Development Services Director or Designee	Prior to issuance of grading, stockpiling or construction permits.	Evidence the required pre-construction survey has been completed, and (as applicable), the establishment and maintenance of appropriate buffers		Withhold grading/ construction permits and/or issuance of a stop work order (if required buffers are not maintained).

Project Name: Grand Terrace Trailer/Container Storage Project **Applicant:** GrandT-1, Inc.

Date: March 2020

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
biologist has determined the nest is no longer active and has informed the City and construction supervisor that activities may resume. This measure shall be implemented to the satisfaction of the Planning and Development Director or designee.					
Cultural Resources					
CUL-1 Prior to issuance of grading permits, the applicant shall provide evidence to the City that the following note is included on the grading plans/documents: "In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the project outside of the buffered area may continue during this assessment period. Additionally, the San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed in **Mitigation Measure TCR-1**, regarding any pre-contact finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regard to significance and treatment. If significant pre-contact cultural resources, as defined by CEQA (as amended, 2019), are	Planning and Development Services Director or Designee	Prior to issuance of grading or stockpiling permits.	Submittal of plans including the required language. Evidence appropriate notification of the SMBMI has been completed (as required). Submittal of evidence that a Monitoring and Treatment Plan has been developed (as required) for any previously undetected on-site cultural resource and evidence that provisions of the plan have been appropriately completed.		Withhold grading/ construction permits and/or issuance of a stop work order (if resources are detected and required plan is not implemented).

Project Name: Grand Terrace Trailer/Container Storage Project **Applicant:** GrandT-1, Inc.

Date: March 2020

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to SMBMI for review and comment, as detailed in **Mitigation Measure TCR-1**. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly. If unanticipated human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project."					
Geology/Soils/Paleontology					
GEO-1 Prior to issuance of grading permits, the City shall verify that the following note is included on the grading plans: "If paleontological resources are encountered during the course of ground disturbance, work within 60 feet of the find shall be halted and an exclusionary buffer shall be established. A paleontologist shall be contacted to assess the find for scientific significance. No ground-disturbing activity within the 60-foot exclusionary buffer may occur without the consent of the	Planning and Development Services Director or Designee	Prior to issuance of grading or stockpiling permits.	Submittal of plans including the required language. As warranted, evidence appropriate notification a qualified paleontologist has been contacted and appropriate buffers have been established. Submittal of evidence that any previously undetected on-site paleontological resource has		Withhold grading/ construction permits and/or issuance of a stop work order (if resources are detected and required process is not implemented).

Project Name: Grand Terrace Trailer/Container Storage Project **Applicant:** GrandT-1, Inc.

Date: March 2020

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
paleontologist and the City of Grand Terrace Planning and Development Director. If determined to be significant, the fossil(s) shall be collected from the field. The paleontologist may also make recommendations regarding additional mitigation measures, such as paleontological monitoring. Scientifically significant resources shall be prepared to the point of identification, identified to the lowest taxonomic level possible, cataloged, and curated into the permanent collections of a museum repository. If scientifically significant paleontological resources are collected, a report of findings shall be prepared to document the collection." This measure shall be implemented to the satisfaction of the City of Grand Terrace Planning Director or his/her designee.			been appropriately recorded, recovered, curated, and reported.		
Tribal Cultural Resources					
TCR-1 Prior to the issuance of grading permits, the applicant shall provide evidence to the City the following language is included on final grading documents: "The San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed in **Mitigation Measure CUL-1**, of any pre-contact cultural resources discovered during project implementation, and be provided information regarding the nature of the find,	Planning and Development Services Director or Designee	Prior to issuance of grading or stockpiling permits.	Submittal of plans including the required language. Evidence appropriate notification of the SMBMI has been completed (as required). Submittal of evidence that a Monitoring and Treatment Plan has been developed (as required) for any previously undetected on-site cultural resource and		Withhold grading/ construction permits and/or issuance of a stop work order (if resources are detected and required plan is not implemented).

Project Name: Grand Terrace Trailer/Container Storage Project **Applicant:** GrandT-1, Inc.

Date: March 2020

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
so as to provide Tribal input with regard to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with SMBMI, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents SMBMI for the remainder of the project, should SMBMI elect to place a monitor on site. Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to SMBMI. The Lead Agency and/or applicant shall, in good faith, consult with SMBMI throughout the life of the project."			evidence that provisions of the plan have been appropriately completed.		

RESOLUTION NO. 2020-32

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAND TERRACE TO UPHOLD THE PLANNING COMMISSION'S APPROVAL TO ADOPT A MITIGATED NEGATIVE DECLARATION (ENVIRONMENTAL 19-05) PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND APPROVING CONDITIONAL USE PERMIT 19-01 AND SITE AND ARCHITECTURAL REVIEW 19-03 TO DEVELOP A TRAILER/CONTAINER STORAGE FACILITY FOR A MAXIMUM OF 650 PARKING SPACES FOR EMPTY SEMI-TRAILERS, SHIPPING AND STORAGE CONTAINERS, AND CHASSIS USE ON A 21.92-ACRE SITE (ASSESSOR'S PARCEL NUMBERS [APNs] 0275-191-06 AND 0275-191-30 IS CURRENTLY UNDEVELOPED AND IS LOCATED APPROXIMATELY 520 FEET NORTH OF VIVIENDA AVENUE AND SOUTH OF THE SANTA ANA RIVER TRAIL IN THE NORTHWESTERN PORTION OF THE CITY

WHEREAS, Grand T-1, Inc. (Patrick O'Brian), submitted Conditional Use Permit 19-01, Site and Architectural Review 19-03 and Environmental 19-05 requesting approval to develop a trailer/container storage facility (Project). The Project will provide a maximum of 650 parking spaces for semi-trailers, shipping and storage containers, and chassis The site is zoned M-2, Industrial within the AG-2 Overlay District, and the FP-Floodplain Overlay District; and

WHEREAS, the Project Site is proposed on a lot with overhead utility lines measuring 21.92 acres; and

WHEREAS, on July 16, 2020, the Planning Commission voted 2-1 with two commissioners recused to approve the Project at a duly noticed public hearing on the Project at the Grand Terrace City Council Chambers located at 22795 Barton Road, Grand Terrace, California, 92313; and

WHEREAS, pursuant to Section 18.63.070 of the Grand Terrace Municipal Code, the action of the Planning Commission may be appealed by a member of the City Council; and

WHEREAS, a citizen of Grand Terrace, Ms. Janese Makshanoff, appealed the Project to the City Council; and

WHEREAS, Pursuant to the California Environmental Quality Act (CEQA), an Initial Study has been prepared for the above-described Project. Based on the Initial Study and supporting information, a Mitigated Negative Declaration (Environmental 19-05) has been prepared. The Project will not have a significant effect on the environment

Attachment: Attachment 3 - CUP 19-01_Signed Approval Letter (GrandT-1 CUP 19-01 Revoke (Continued))

due to the incorporation of standard conditions and mitigation measure(s) under Mitigated Negative Declaration (Environmental 19-05) related to: Biological, Cultural, and Tribal Cultural Resources, and Geology/Soils.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Grand Terrace:

1. The City Council hereby finds that a Final Mitigated Negative Declaration (Environmental 19-05) satisfies the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15073. The Notice of Determination prepared in connection with the Project (19-05) has been reviewed and considered and reflects the independent judgment of the City Council and is hereby adopted.

2. The City Council upholds the Planning Commission's approval and finds as follows with respect to Conditional Use Permit Review 19-01:

   a. The proposed use will not be detrimental to the health, safety, morals, comfort, or general welfare of the persons residing or working within the neighborhood of the proposed Project or within the city. The proposed truck trailer storage facility is consistent with the M2-Industrial zoning, the Agricultural-2 Overlay, and the Floodplain Overlay District Requirements. The proposed development plan meets applicable development standards of the Agricultural-2 Overlay District, including the setbacks required for a truck storage facility are complementary to surrounding uses. The Applicant is required to comply with San Bernardino County standards related to the California Restricted Materials Requirements by the State of California Department for Ground Water Protection Area to ensure ground water is not impacted.

   b. The proposed use will not be injurious to property or improvements in the neighborhood or within the city. The proposal does not include any site improvements at this time; however, the proposed use will be compliant with applicable Grand Terrace Municipal Codes and standards established by the underlying zoning and overlay districts. The Project has been conditioned to obtain a legal access easements from adjacent property owners including the site improvements required by the San Bernardino County Fire, Riverside Highland Water improvements, and prior to obtaining a Certificate of Occupancy, and initiating any activities on site. Conditions of Approval have been established regulating activities and use will not be injurious to the property or the neighborhood. The proposed use will be consistent with the latest adopted General Plan. The Project is consistent with the intended land uses of the City and the Municipal Code. The proposed site is zoned M2-

Attachment: Attachment 3 - CUP 19-01_Signed Approval Letter (GrandT-1 CUP 19-01 Revoke (Continued))

industrial with and AG-2 Agricultural-2 Overlay District and FP-Flooding Overlay District. The proposed truck storage facility is consistent with the latest adopted General Plan and Zoning Code, which conditionally allows a trailer storage facility. The proposed trailer storage facility will be consistent with the Land Use Element because it promotes economic development and reduces trailers from parking in unauthorized neighborhoods. As provided below, the Applicant has voluntarily agreed to carry out and pay for certain community benefits outside the scope of a standard development plan with amenities such as a Community Garden with a grove of fruit trees; a trail connection to the Santa Ana River Trail with an ornate sign, access road improvements and a teaching amphitheater at Fitness Park. The Applicant has also voluntarily committed to making a monetary donation for future City street maintenance.

c. The use is consistent with the Industrial zoning designation and compatible with other surrounding uses.

d. Conditions necessary to secure the purposes of the Grand Terrace Municipal Code and General Plan have been applied to the Project.

f. Conditions of approval for this project necessary to secure the purposes of the Grand Terrace Municipal Code and General Plan are made a part of this approval as set forth in the accompanying Resolution of Approval.

The City Council upholds the Planning Commission's approval and finds as follows with respect to Site and Architectural Review 19-03:

a. a. The Project is consistent with the intent of the Grand Terrace Municipal Code and General Plan. The proposed truck trailer storage facility is consistent with the General Plan Floodplain Industrial designation which supports storage and distribution facilities. Regulations allow uses to operate free of overly excessive noise, dust, odor, or other nuisances. The Project is consistent with the Land Use Element to provide for a mix of industrial land uses designed to generate employment opportunities while promoting non-polluting industry within the present land use pattern. The Project is consistent with the Circulation Element which provides for the current and long-term efficient movement of people and goods within and through the City, including a well-maintained roadway system within the ultimate right-of-way along the street frontage. Terrace Avenue will provide main access to the Project site and a no truck access sign will be place at Vivienda Avenue and Walnut Avenue to keep traffic away from the residential neighborhoods. The Project will comply with the Noise Element which goal is to protect the residents from excessive noise. The site will be utilized for storage and light maintenance and inspections; therefore, the Project will not cause significant noise impacts to adjacent neighborhoods. In compliance with the Open Space

Attachment: Attachment 3 - CUP 19-01_Signed Approval Letter (GrandT-1 CUP 19-01 Revoke (Continued))

and Conservation Element, the Applicant has prepared a Water Quality Management Plan and a Preliminary Soils Engineering Investigation Report.

The Project complies with the Municipal Code, M2-Industrial Zoning which supports various manufacturing and industrial uses to operate free of overly excessive noise, dust, odor, or other nuisances and can be made compatible to other (nonindustrial) district. The proposed truck storage facility is consistent with the zoning designation and will not create significant impacts to the adjacent uses. The site will be developed in compliance with the Municipal Code, Floodplain requirements and subject to the regulation of the review and approval of the Federal emergency Management Agency (FEMA).

b. The location and configuration of the development plan associated with this Project are visually harmonious with this site and surrounding sites and structures, that they do not interfere with the neighbors' privacy, that they do not unnecessarily block scenic views from other structures and/or public areas and are in scale with the townscape and natural landscape of the area.

c. The architectural design of structures, their materials, and colors are visually harmonious with the surrounding development, natural landforms, are functional for the Project and are consistent with the Grand Terrace Municipal Code. The proposed structures for future development will be reviewed with an Administrative Conditional Use Review Application and will be compliant with the general architectural guidelines for all development established by the M2-Industrial and Flooding Zoning.

d. The plan for landscaping and open spaces provides a functional and visually pleasing setting for the structures on this site and is harmonious with the natural landscape of the area and nearby developments. The Applicant is proposing landscape on the west side of the property, along Vivienda Avenue and perimeter fencing covered with vines. The streetscape will include drought tolerant planting and trees compliant with the Municipal Code requirements and with the most recent Model Water Efficient Landscape Ordinance by the State of California. Overall, the landscaping and open spaces will be visually pleasing, harmonious within the Agricultural-2 Overlay zoning and provide functionality for the community. The Project also includes improvements outside the scope of a standard development plan with amenities such as a Community Garden with a grove of fruit trees; a trail connection to the Santa Ana River Trail with an ornate sign, access road improvements and a teaching amphitheater at Fitness Park.

e. There is no indiscriminate clearing of property, destruction of trees or natural vegetation or the excessive and unsightly grading of hillsides, thus the natural beauty of the City, its setting and natural landforms are preserved.

Attachment: Attachment 3 - CUP 19-01_Signed Approval Letter (GrandT-1 CUP 19-01 Revoke (Continued))

f. The design and location of all signs associated with this Project are consistent with the scale and character of the building to which they are attached or otherwise associated with and are consistent with the Grand Terrace Municipal Code.

g. Conditions of approval for this Project necessary to secure the purposes of the Grand Terrace Municipal Code and General Plan have been applied to the Project.

BE IT FURTHER RESOLVED that, based on the forgoing, upon all oral and written comments and reports and presentations made by City staff and members of the public, including any, attachments and exhibits, Environmental 19-05, Conditional Use Permit 19-01, and Site and Architectural Review 19-03 are hereby approved subject to the following conditions:

1. Conditional Use Permit 19-01 is approved to conduct truck trailer storage of empty trailers on a 21-acre property located approximately 520 feet north of Vivienda Avenue and south of the Santa Ana River trail in the northwestern portion of the city. This approval is granted based on the application materials submitted by GT-1, Inc. (Patrick O'Brian) on January 2, 2019, including revised Project plans received March 3, 2020. This approval includes development of a trailer/container storage facility. The Project will provide a maximum of 650 parking spaces for semi-trailers, shipping and storage containers, and chassis. The application materials are approved as submitted and conditioned herein and shall not be further altered except as modified by these conditions of approval and mitigation measures, and unless reviewed and approved by the affected departments.

2. Prior to issuance of a certificate of use and occupancy, the Applicant has voluntarily agreed to and shall enter into a Community Benefit Agreement (CBA) with the City, subject to City Attorney approval as to form, in which the Applicant will pay for and provide certain community amenities to the City. For the purposes of the CBA, such community amenities shall include, but not be limited to, a Community Garden located on a portion of the property with raised community garden beds and a grove of fruit trees and related improvements, including, but not limited to, the provision of water to such garden and access road improvements; a pedestrian trail connection to the Santa Ana River Trail with an ornate sign and related improvements, including, but not limited to, access road improvements; a teaching amphitheater at the Grand Terrace Fitness Park (located at 21937 Grand Terrace Road, Grand Terrace, CA 92313) and related improvements; and a monetary donation for future City streets maintenance in an amount to be provided in a Community Benefit Agreement for City Council consideration and approval.

Attachment: Attachment 3 - CUP 19-01_Signed Approval Letter (GrandT-1 CUP 19-01 Revoke (Continued))

3. The proposed business hours will be Monday thru Friday from 7:00 a.m. to 8:00 p.m. and a total of twelve employees. No business activities shall be conducted after 10:00 p.m. except for emergency purposes only.

4. Minor modifications to this approval which are determined by the Planning and Development Services Director to be in substantial conformance with the approved site plan, and which do not intensify or change the use or require any deviations from adopted standards, may be approved by the Planning and Development Services Director upon submittal of an application and the required fee consistent with the Grand Terrace Municipal Code.

5. The Applicant shall defend, indemnify, and hold harmless the City of Grand Terrace and its officers, employees, and agents from and against any claim, action, or proceeding against the City of Grand Terrace, its officers, employees, or agents to attack, set aside, void, or annul any approval or condition of approval of the City of Grand Terrace concerning this Project, including but not limited to any approval or condition of approval of the Planning Commission, or Planning and Development Services Director. The City shall promptly notify the Applicant of any claim, action, or proceeding concerning the Project and the City shall cooperate fully in the defense of the matter. The City reserves the right, at its own option, to choose its own attorney to represent the City, its officers, employees, and agents in the defense of the matter.

6. Upon approval of these conditions and prior to becoming final and binding, the Applicant must sign and return an "Acceptance of Conditions" form. The form and content shall be prepared by the Planning and Development Services Department.

7. Under no condition shall there be stockpiling of material prior to the issuance of the first grading permit and related conditions of approval for the grading permit.

8. If exhibits, and written conditions are inconsistent, the written conditions shall prevail.

9. The Applicant or authorized agent shall apply to the United States Occupational Safety and Health Administration (OSHA) to permit an alternative to back up alarms on "yard goats" and forklifts for the purpose of lessening the noise and frequency of standard back up apparatus. Said apparatus shall be reviewed and approved by OSHA and the Director of Planning and Development Services prior to the issuance of the first certificate of use and occupancy.

10. Heavy maintenance of trailers shall be strictly prohibited.

11. Operational activities associated with the Project shall comply with the regulations of the City's Noise Ordinance, Chapter 8.108 of the Grand Terrace Municipal Code.

12. The Applicant shall comply with all applicable Federal, State, County and Local Codes, at all times.

13. The Applicant shall obtain legal and physical access across adjacent properties to the public roadway, which may include Railroad Access Road or utilize the property's legal access at Vivienda Avenue, and shall include access rights for the City for the purpose of allowing access for all City vehicles, including police, fire, and other emergency vehicles. The document(s) recording the road access easement shall be prepared by the Applicant for review and approval by the City Engineer prior to recordation. The Vivienda Avenue legal access improvements shall be determined and reviewed by the City Engineer.

14. Access rights shall be granted to the City for the purpose of allowing access over private drives within the development for all City vehicles, including police, fire, and other emergency vehicles. The document(s) recording this access shall be prepared by the Applicant for review and approval by the City Engineer, prior to recordation.

15. The Applicant shall obtain a City's Business License from the Finance Division and shall be renewed annually for as long as the business remains in operation.

16. The Applicant shall comply with all requirements of the City of Grand Terrace Building and Safety Division, including the conditions of approval contained in the Building Official's Memorandum dated March 23, 2020, attached hereto as Exhibit 1.

17. The Applicant shall comply with all requirements of the City of Grand Terrace Public Works Director, including the conditions of approval contained in the Director's Memorandum dated March 13, 2020, attached hereto as Exhibit 2.

18. The Applicant shall comply with all requirements of the San Bernardino County Fire Department, Office of the Fire Marshal Community Safety Division, including the conditions of approval contained in their Permit Number: FPLN-2019-00163. The Applicant shall resubmit plans to SBCF as indicated on the Fire Comment dated October 07, 2019, attached hereto as Exhibit 3.

19. Prior to the issuance of a Certificate of Occupancy by the Building and Safety Division, the Applicant shall provide a will service letter and obtain all requisite permits and clearances from Riverside Highland Water Company (RHWCO).

20. Prior to obtaining clearances form the San Bernardino County Fire Department, Office of the Fire Marshal Community Safety Division, and clearances from the Riverside Highland Water Company (RHWCO) shall be completed.

21. Prior to the issuance of building permits, the Applicant shall obtain all clearances from Burrtec for trash collection services.

22. Prior to the issuance of building permits, the Applicant shall comply with all the requirements of the City of Colton Water and Wastewater Department, relating to sewer service requirements.

23. The Applicant or assignee shall provide a Project delivery staging and operating schedule to the City for the purpose of avoiding stacking of trucks and trailers at major City intersections. The schedule shall be submitted for review and approval by the Planning and Development Services Department on a quarterly basis for the first three calendar years of operation commencing on the date that the Project use begins operating.

24. The Applicant shall avoid truck or trailer movement during Grand Terrace traffic peak hours between 6:30 a.m. to 8:30 a.m. and 4:30 p.m. and 6:30 p.m. Truck stacking from Terrace Avenue to Barton Road shall be prohibited.

25. Project truck traffic shall continue exclusively on Terrace Avenue and shall not enter residential streets at Vivienda Avenue and Walnut Avenue. There shall be zero tolerance for any truck traffic

26. The Planning and Development Services Director shall periodically evaluate the Project use to ensure it is operated in a manner consistent with the conditions of approval, including the mitigation measures included in the initial study dated March 2020. If adverse traffic impacts are identified, the Conditional Use Permit shall be reviewed, pursuant to Section 18.83.032 (Revisions or modifications).

27. The trash enclosure shall be no less than six feet in height, constructed of decorative block walls, with solid metal gates attached to posts, embedded in concrete.

28. The Applicant shall comply with the Mitigation Measures included on the Mitigation Monitoring and Reporting Program Checklist of the Initial Study dated March 2020, attached hereto as Exhibit 4.

    a. Biological Resources, BIO-1
    b. Cultural Resources, CUL-1
    c. Geology and Soils, GEO-1
    d. Hydrology and Water Quality, SC HYD-1, 2, & 3
    e. Tribal Cultural Resources, TRC-1

Attachment: Attachment 3 - CUP 19-01_Signed Approval Letter (GrandT-1 CUP 19-01 Revoke (Continued))

29. The Applicant shall comply with the following Hydrology and Water Quality Conditions included on the Initial Study:

SC HYD-1: Prior to the issuance of a grading permit, the Project Applicant shall file and obtain a Notice of Intent (NOI) with the Regional Water Quality Control Board (RWQCB) in order to be in compliance with the State National Pollutant Discharge Elimination System (NPDES) General Construction Storm Water Permit for discharge of surface runoff associated with construction activities. Evidence that this has been obtained (i.e., a copy of the Waste Discharger's Identification Number) shall be submitted to the City of Grand Terrace for coverage under the NPDES General Construction Permit. The NOI shall address the potential for an extended and discontinuous construction period based on funding availability. This measure shall be implemented to the satisfaction of the Director of the City Engineering Division of the Public Works Department or designee.

SC HYD-2: Prior to the issuance of a grading permit, the Project Applicant shall submit to the City of Grand Terrace a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall include a surface water control plan and erosion control plan citing specific measures to control on-site and off-site erosion during the entire grading and construction period. In addition, the SWPPP shall emphasize structural and nonstructural Best Management Practices (BMPs) to control sediment and non-visible discharges from the site. The SWPPP shall include inspection forms for routine monitoring of the site during both the grading and construction phases to ensure National Pollutant Discharge Elimination System (NPDES) compliance and that additional BMPs and erosion control measures will be documented in the SWPPP and utilized if necessary. The SWPPP shall address the potential for an extended and discontinuous construction period based on funding availability. The SWPPP shall be kept on site for the entire duration of Project construction and shall be available to the local RWQCB for inspection at any time. BMPs to be implemented may include the following:

- Sediment discharges from the site may be controlled by the following: sandbags, silt fences, straw wattles, and temporary basins (if deemed necessary), and other discharge control devices. The construction and condition of the BMPs shall be periodically inspected during construction, and repairs shall be made when necessary as required by the SWPPP.
- Materials that have the potential to contribute to non-visible pollutants to storm water must not be placed in drainage ways and must be contained, elevated, and placed in temporary storage containment areas.
- All loose piles of soil, silt, clay, sand, debris, and other earthen material shall be protected in a reasonable manner to eliminate any discharge from the site. Stockpiles shall be surrounded by silt fences and covered with plastic tarps.

Attachment: Attachment 3 - CUP 19-01_Signed Approval Letter (GrandT-1 CUP 19-01 Revoke (Continued))

- In addition, the construction contractor shall be responsible for performing and documenting the application of BMPs identified in the SWPPP. Weekly inspections shall be performed on sandbag barriers and other sediment control measures called for in the SWPPP. Monthly reports and inspection logs shall be maintained by the contractor and reviewed by the City of Grand Terrace and the representatives of the State Water Resources Control Board. In the event that it is not feasible to implement specific BMPs, the City of Grand Terrace can make a determination that other BMPs will provide equivalent or superior treatment either on or off site.

This measure shall be implemented to the satisfaction of the Director of the City of Grand Terrace Engineering Division of the Public Works Department or his/her designee.

SC HYD-3: Prior to issuance of a grading permit, the Project Applicant shall submit evidence to the City that the Low Impact Development (LID) Best Management Practices (BMPs) specified in the Final Water Quality Management Plan (Preliminary WQMP) approved by the City of Grand Terrace shall be written into the grading and development plans submitted to the City for review and approval to manage water quality and hydrologic effects of the proposed Project. Specifically, the LID BMPs shall be implemented to ensure the Project meets or exceeds the minimum design capture volume of the site.

Periodic maintenance of LID BMPs during Project occupancy and operation shall be in accordance with the schedule outlined in the Final WQMP. This measure shall be implemented to the satisfaction of the Director of the City Engineering Division of the Public Works Department or designee.

30. Prior to the issuance of a certificate of Use and Occupancy, the Applicant shall submit three (3) copies of landscape and irrigation plan to the Planning and Development Services Department for review and approval. The landscape and irrigation plans shall be prepared in accordance with the City's Water Efficient Landscape Ordinance (Chapter 15.56) Landscaping Standards contained in Chapter 18.60 of the Zoning Code, in compliance with the most recent version of the State Model Ordinance, and the Landscape Enhancement Exhibit, which is attached hereto as Exhibit 5. The plans shall demonstrate the following:

    a. The proposed parkway trees shall comply with the list of approved trees contained on Chapter 12.28 – Street and Parkway Trees of the Municipal Code.

    b. Ensure that proposed plant material, at maturity, will maintain clear line visibility at all intersections as determined by the City's Traffic Engineer.

Attachment: Attachment 3 - CUP 19-01_Signed Approval Letter (GrandT-1 CUP 19-01 Revoke (Continued))

c. Plant material adheres to spacing recommendations based on plant and shrub species.

d. Note the material that will placed in planter areas, i.e. mulch, decorative rock, etc.

e. Irrigation shall be located along the vines fencing along the north, west, and south perimeter of the property. Vines planting material shall be a minimum 15-gallon.

f. The south privacy fence located between the future Community Garden and the business parking area shall be planted with vines and irrigated.

g. The proposed landscape shall incorporate a drip irrigation system.

h. Irrigation shall be included in the raised Community Garden beds and the community fruit tree grove.

i. A water spigot shall be located at the future Community Garden area.

j. Include a legend: type of species, including common and scientific name of the planting, size, landscape percentage.

k. All trees shall be a minimum size of 15-gallon, having a minimum height of eight feet at the time of planting.

l. Shrubs shall be a minimum of 1-gallon size at the time of planting.

m. Ground cover shall be healthy, dense foliage, and well routed cuttings, or one-gallon container plants.

n. The spacing of trees and shrubs shall be appropriate for the species used.

o. Twenty percent of planting material shall be pollinating plants.

p. Approval must be obtained for removal of all trees having a trunk diameter of 10 inches or more measured 48 inches above existing grade.

q. Submit an initial deposit of $2,000 deposit for landscape plan check review.

31. The proposed storage shed, and shade shelters, size, style, and location shall be reviewed and approved by the Planning and Development Services Department prior to construction.

Attachment: Attachment 3 - CUP 19-01_Signed Approval Letter (GrandT-1 CUP 19-01 Revoke (Continued))

32. Proposed lighting shall not produce any glare onto adjoining properties and shall be shielded as may be required. Lighting shall not exceed eighteen feet in height from the finished grade and shall be designed to reflect away from residential district and public roadways. A photometric plan shall be included in the construction plans for review.

33. Prior to the construction of perimeter fencing on shared property lines, the Applicant shall submit a Fence/Wall Agreement signed by the adjacent property owners.

34. The Applicant shall comply with the California Restricted Materials Requirements by the State of California Department of Pesticide Regulation for Ground Water Protection Area. Prior to initiating trailer storage and prior to obtaining a Certificate of Occupancy by the Building and Safety Division. Copies of such clearances shall be provided to the Planning and Development Services Department and the Building and Safety Division.

35. The Applicant shall comply with the National Pollutant Discharge Elimination System (NPDES).

36. The proposed 900 square foot office trailer and 4,800 square foot maintenance building for future development, shall be reviewed and approved through an Administrative Conditional Use Permit. The Applicant shall obtain easement holder clearances prior to the construction of any structures located within any easement.

37. Any future water well shall be reviewed and approved by City Departments and agencies, including obtaining applications and clearances by San Bernardino County Environmental Health Services Department. A copy of such certificates shall be provided to the Planning and Development Services Division and the Building and Safety Division.

38. Any future changes in on-site activities shall require submittal, review, and approval of a modified conditional use permit.

39. Any future development on the site, including alterations, conversions, remodels, and new structures shall require compliance with the Municipal Code and the Floodplain Ordinance.

40. All ground mounted equipment, including backflow devices, shall be screened in a manner that does not impede traffic visibility.

41. The Applicant shall be responsible for regular and ongoing upkeep and maintenance of the site.

Attachment: Attachment 3 - CUP 19-01_Signed Approval Letter (GrandT-1 CUP 19-01 Revoke (Continued))

42. All contractors shall acquire a valid City business license and be in compliance with all City codes.

43. The Santa Ana River Trailhead entry structure and monument sign size, style, and location shall be reviewed and approved as identified in the Community Benefit Agreement.

44. The Applicant shall complete and carry out, as applicable, all community amenities identified in the Community Benefit Agreement (CBA) and as provided in Condition 2 within the timeframes identified in the CBA.

45. The Applicant shall obtain a sign permit prior to the installation of any business signs.

46. The applicant or assignee shall submit a security camera plan that demonstrates onsite and offsite monitoring. Plan shall be reviewed and approved by the Planning and Development Director prior to the issuance of a certificate of use and occupancy.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Grand Terrace, California, at a regular meeting held on the 25th day of August 2020.

Darcy McNaboe, Mayor

ATTEST:

Debra L. Thomas
City Clerk

APPROVED AS TO FORM:

Adrian R. Guerra
City Attorney

Attachment: Attachment 3 - CUP 19-01_Signed Approval Letter (GrandT-1 CUP 19-01 Revoke (Continued))

EXHIBIT 1

Building and Safety Conditions of Approval

Date:	**March 18, 2020**
File No:	**Conditional Use Permit 19-01**
Applicant:	**GrandT-1 Inc., represented by Patrick O' Brien**
Address of Applicant:	**1040 S. Mt. Vernon Ave., Suite G-285 Colton, CA 92324**
APN:	**0275-191-06 & 30**

Provide four (4) sets of construction plans and documentation for plan review of the proposed project. Below you will find a list of the plans and documents Building and Safety will need for plan review. The initial plan review will take approximately two weeks on most projects.

Provide the following sets of plans and documents.

Building and Safety submittal required at first plan review.

~~(4) Architectural Plans~~
~~(4) Structural Plans~~
~~(2) Structural Calculations~~
(4) Plot/Site Plans
~~(4) Electrical Plans~~
~~(4) Electrical Load Calculations~~
~~(4) Plumbing Plans/Isometrics, Water, Sewer and Gas~~
~~(4) Mechanical Plans~~
~~(4) Mechanical Duct Layout Plans~~
~~(2) Roof and Floor Truss Plans if applicable~~
~~(2) Title 24 Energy Calculations~~
(4) Rough and Precise Grading Plans
(2) Water Quality Management Plan, (WQMP) and Erosion Control Plan.
(2) Stormwater Pollution Prevention Plan (SWPPP)
(2) Best Management Plan (BMP)

Attachment: Attachment 3 - CUP 19-01_Signed Approval Letter (GrandT-1 CUP 19-01 Revoke (Continued))

Building and Safety Conditions of Approval

Building & Safety General Information

All structures shall be designed in accordance with the currently adopted building codes by the State of California and City of Grand Terrace Municipal Code as adopted at time of plan submittal. Note if a new code has been adopted prior to the submittal, then all structures shall be designed to the current model code year.

The Developer/Owner is responsible for the coordination of the final occupancy. The Developer/Owner shall obtain clearances from each department and division prior to requesting a final building inspection from Building & Safety. Each agency shall sign the bottom of the Job Card or Certificate of Occupancy Clearance Form.

Building & Safety inspection requests can be made twenty-four (24) hours in advance for next day inspection. Please contact 909-825-3825. You may also request inspections at the Building & Safety counter.

All construction sites must be protected by a security fence and screening. The fencing and screening shall be maintained at all times to protect pedestrians.

Temporary toilet facilities shall be provided for construction workers. The toilet facilities shall be maintained in a sanitary condition. Construction toilet facilities of the non sewer type shall conform to ANSI ZA.3.

Construction projects which require temporary electrical power shall obtain an Electrical Permit from Building & Safety. No temporary electrical power will be granted to a project unless one of the following items is in place and approved by Building & Safety and the Planning Division.

(A) Installation of a construction trailer, or,
(B) Security fenced area where the electrical power will be located.

Installation of construction/sales trailers must be located on private property. No trailers can be located in the public street right of way.

Separate plan submittals and permits are required for all accessory structures including but not limited to patios, block walls, storage buildings, community playgrounds, etc.

Pursuant to the California Business and Professions Code Section 6735, most projects are required to be designed by a California Licensed Architect or Engineer. The project owner or developer should review the section of the California Codes and comply with the regulation.

Attachment: Attachment 3 - CUP 19-01_Signed Approval Letter (GrandT-1 CUP 19-01 Revoke (Continued))

Building and Safety Conditions of Approval

Building & Safety Conditions

1. Prior to the issuance of a building permit, the applicant shall pay all Development Improvement Fee's to the City; this also includes school fees and outside agency fees including but not limited to Colton Wastewater, Riverside-Highland Water Co. and utilities. Copies of receipts shall be provided to Building & Safety prior to permit issuance.

2. ~~All on site utilities shall be underground to the new proposed structure unless prior approval has been obtained by the utility company or the City~~.

3. Prior to issuance of Building Permits, on site water service shall be installed and approved by the responsible agency. On site fire hydrants shall be approved by the Fire Department. No flammable materials will be allowed on the site until the fire hydrants are installed and approved.

4. ~~Prior to issuance of building permits, site grading certification and pad certifications shall be submitted to Building & Safety. Prior to concrete placement, submit a certification for the finish floor elevation and setbacks of the structures. The certification needs to reflect that the structure is in conformance with the Precise Grading Plans. Compaction reports shall accompany pad certifications. The certifications are required to be signed by the engineer of record.~~

5. Prior to issuance of building permits, provide Building & Safety with a will service letter from Riverside Highland Water District.

6. All construction projects shall comply with the National Pollutant Discharge Elimination Systems (NPDES), and the San Bernardino County MS-4 Storm Water Permit.

7. Provide civil engineering drawings for dedication of 15 foot of right of way and all public right of way improvements including curb, gutter and half street width improvements. Civil engineering drawings and dedication shall be submitted to Public Works to be checked by the City Engineer and recorded with the County Recorder's office before permits are issued.

8. ~~Depending on the location of the curb and gutter, the utilities located in the public right of way in front of the property, along Michigan St., may need to be relocated~~. Please contact Edison and the telephone/cable company to determine the desired location for the utilities.

Attachment: Attachment 3 - CUP 19-01_Signed Approval Letter (GrandT-1 CUP 19-01 Revoke (Continued))

Building and Safety Conditions of Approval

9. Prior to building permit issuance, the applicant shall establish haul services for construction waste material with Burrtec to facilitate the recycling of all recoverable/recyclable material as mandated under the California Green Code and City of Grand Terrace Municipal Code.

10. The applicant shall submit a completed Construction & Demolition (C&D) Waste Diversion Program / Waste Management Plan (WMP) form along with the required C&D deposit based per square footage of construction and/or demolition prior to building permit issuance.

11. Project with new landscape areas of 500 square feet or more are subject to the 2015 Model Water Efficient Landscape Ordinance (MWELO).

Attachment: Attachment 3 - CUP 19-01_Signed Approval Letter (GrandT-1 CUP 19-01 Revoke (Continued))

EXHIBIT 2

Public Works Conditions

Date: 5-13-20

Applicant: GrantT-1, Inc., represented by Patrick O'Brien

Address of Applicant: 3090 Pullman Street, Costa Mesa, Ca, 92626

Site Location: Terrace Avenue, approx. 385 feet north of Vivienda Ave

Case # CUP 19-01, SAR 19-03, EA 19-05

Provide two (2) construction plans and required documentation for review of the proposed project. Below is a list of the plans and documents Public Works will need for plan review. The initial plan review will take approximately three weeks on most projects. You have received a case number: CUP 19-01for the proposed project, this number will be needed to obtain information regarding your plan review. Plan review fees and permit fees will be charged at the time plans are approved and are ready to issue. Provide the following sets of plans and documents.

Public Works/Engineering submittals required at first plan review.

(1) Grant Deed showing all easements.
(1) Water Plans.
(4) Street improvement plans prepared by a licensed Civil Engineer.
(4) Approved Tentative Plan
(4) Utility Plans
(4) Sewer Plans
(4) Grading Plans and Erosion Control Plan
(2) Drainage Report and Final Water Quality Management Plan, (WQMP)
(2) Stormwater Pollution Prevention Plan

All work performed in the public right of way shall comply with the San Bernardino County Public Works Standards or standards of the latest update of the Greenbook as approved by the Public Works Director or City Engineer.

Public Works inspection requests can be made twenty-four (24) hours in advance for next day inspection. Please contact (909) 825-3825. You may also request inspections at the Building & Safety public counter.

Installation of construction/sales trailers must be located on private property. No trailers, equipment or material can be in the public street right of way.

Attachment: Attachment 3 - CUP 19-01_Signed Approval Letter (GrandT-1 CUP 19-01 Revoke (Continued))

Public Works Conditions

1. All proposed public street improvements shall be designed by persons registered and licensed pursuant to the Business and Professions Code and all street work will require a contactor licensed in the State of California and insured pursuant to the City's insurance requirements.

2. The applicant shall dedicate right of way and/or construct all missing or damaged public improvements. The missing or damaged public improvements shall include, but are not limited to, pavement, curb, gutter, sidewalk, driveway approach, and streetlights as directed by the Public Works Department.

3. Install centrally located concrete ornamental streetlights in the right of way and pay one-year energy cost for streetlights. Coordinate with Southern California Edison and the City of Grand Terrace for cost and locations. Streetlights shall be LED type.

4. Provide half street width paving overlay after utility installations on the entire length of the project. Minimum 2-inch asphalt overlay with an asphalt grind. All grindings shall be recycled.

5. The Applicant shall submit proposed sewer plans to the City of Colton Wastewater Department and Public Works for plan review. Applicant shall pay all plan review fees and permit fees for the sewer review to the City of Colton and Public Works. Please provide a written "Will Serve" letter and sewer plans to the City of Grand Terrace for approval before any permits are issued.

6. The applicant shall submit proposed water plans to the Riverside Highland Water Company and Public Works for plan review. Applicant shall pay all plan review fees and permit fees for the water review to Riverside Highland Water Company and Public Works. Please provide a written "Will Serve" letter and plans to the City of Grand Terrace for approval before any permits are issued.

7. Applicant shall submit proposed water plans for fire hydrants to the County of San Bernardino Fire Department for plan review and approval. Applicant shall pay all plan review fees and permit fees for the fire hydrant system review to the County of San Bernardino Fire Department.

8. Provide additional 20 feet right of way dedication on Terrace Avenue which is classified as a Local Road with 60 feet ultimate width the entire length of the property. Street improvements will be required to extend beyond the frontage of the project to blend and taper the pavement for traffic and address street flows for drainage. Provide full width paving section and curb, gutter, sidewalk, streetlights along project frontage and signage and striping per standard 104.

9. Truck guide signs shall be posted at intersections and in the area around Terrace to keep truck traffic on Terrace and Barton Road as directed by the City Engineer.

10. The exhibit is showing a partial Knuckle, however, the access under the railroad is conditioned to be gated by another project so a full truck turning cul-de-sac will be needed per standard 120 or Riverside County standard 800.

Attachment: Attachment 3 - CUP 19-01_Signed Approval Letter (GrandT-1 CUP 19-01 Revoke (Continued))

11. Terrace from south property line to Walnut shall have a Paved Road Section per standard 114a and a barrier on the west side at a grade difference of four feet or greater below the existing road grade. Type of barrier to be approved by City of Colton and Grand Terrace.

12. The curb returns and ramps on Terrace Ave shall be constructed per San Bernardino County Standard 110. The radius of these curbs shall be 50 feet.

13. Minimum driveway grades shall be consistent with San Bernardino County Standard 131. Riverside County Standard driveway approach can also be used.

14. A truck haul permit shall be required if more than 50 cubic yards of earth is to be hauled on City Street. Additional conditions, such as truck route approval, traffic controls, bonding, and or street cleaning may be required by the City engineer.

15. The geotechnical report recommendations for on- and off-site excavation, compaction, slope stability and paving sections shall be submitted. The date of the report shall be placed on the title sheets of the street plans.

16. Monumentation: If any activity on this project will disturb any land survey monuments, the disturbed monumnetation shall be located and referenced by or under the direction of a licensed land surveyor or a registered civil engineer authorized to practice land surveying prior to commencement of any activity with the potential to disturb the monumnetation, and a corner record or record of survey of the references shall be filled with the County.

17. All construction projects shall comply with the National Pollutant Discharge Elimination Systems (NPDES) and the current San Bernardino County MS4 permit.

18. The subdivider shall protect downstream properties from damages caused by alteration of the drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities including enlarging existing facilities and/or by securing a drainage easement. The subdivider shall provide mitigation measures to be incorporated into the development to prevent flooding of the site and downstream properties. The retention of the post-development runoff from the 100-year event shall be required as part of the drainage improvements for this project.

19. The subdivider shall accept and properly dispose of all off-site drainage flowing onto or through the site. In the event the Public Works Department permits the use of streets for drainage purposes, the provisions of City/County Ordinance will apply.

EXHIBIT 3

San Bernardino County Fire Department
Community Safety Division

Plan Review Comments

Date Reviewed: 10/07/2019
Reviewed By: Mike Havens
Project Type: Fire Planning/DRC
Permit Number: FPLN-2019-00163
Project Name: GrandT-1 CUP 19-01
Project Description: Conditional Use Permit for an outdoors trailer storage yard.
Location: 0 VIVIENDA AVE
GRAND TERRACE, CA 92313
APN: 0275191060000

Dear Applicant,

San Bernardino County Fire Department has completed review of the proposed project. Please see the **FIRE COMMENTS** attachment below.

Redline Plans can be downloaded from the San Bernardino County EZ Online Permitting (EZOP) system at http://av-ezop.sbcounty.gov. Guidance on how to access and navigate the EZOP portal can be found at http://wp.sbcounty.gov/ezop/faqs/videos/.

If you have any questions please contact County Fire at **(909) 386-8400**.

Sincerely,
The Office of the Fire Marshall
Community Safety Division
San Bernardino County Fire Department

Attachment: Attachment 3 - CUP 19-01_Signed Approval Letter (GrandT-1 CUP 19-01 Revoke (Continued))

Review Date: 10/07/2019
Permit Number: FPLN-2019-00163
Location: 0 VIVIENDA AVE
GRAND TERRACE, CA 92313
APN: 0275191060000

FIRE COMMENTS

Access

The development shall have a minimum of ____2____ points of vehicular access. These are for fire/emergency equipment access and for evacuation routes. a. Single Story Road Access Width. All buildings shall have access provided by approved roads, alleys and private drives with a minimum twenty-six (26) foot unobstructed width and vertically to fourteen (14) feet six (6) inches in height. Other recognized standards may be more restrictive by requiring wider access provisions. b. Multi-Story Road Access Width. Buildings three (3) stories in height or more shall have a minimum access of thirty (30) feet unobstructed width and vertically to fourteen (14) feet six (6) inches in height.

Secondary Access Paved

Prior to building permits being issued to any new structure, the secondary access road shall be paved or an all-weather surface and shall be installed as specified in the General Requirement conditions including width, vertical clearance and turnouts.

Hydrant Marking

Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. In areas where snow removal occurs or non-paved roads exist, the blue reflective hydrant marker shall be posted on an approved post along the side of the road, no more than three (3) feet from the hydrant and at least six (6) feet high above the adjacent road.

Standard W-2 ONSITE FIRE PROTECTION WATER SYSTEMS

This standard establishes minimum requirements for installation and maintenance of all private fire hydrants and appliances related to an onsite fire protection system.

Standard A-2 FIRE APPARATUS ACCESS ROAD DESIGNATION AND MARKING

This standard applies to the marking of all Fire Department access roadways for new construction and development. Existing roadways identified as fire access roadways or otherwise required for emergency access shall also be marked per this standard.

Standard A-1 FIRE APPARATUS ACCESS ROAD DESIGN, CONSTRUCTION AND MAINTENANCE

This standard shall apply to the design, construction and maintenance of all new fire apparatus access roads within the jurisdiction, as well as fire apparatus access roads at existing facilities when applied at the discretion of the fire code official.

Additional Requirements

In addition to the Fire requirements stated herein, other onsite and offsite improvements may be required which cannot be determined from tentative plans at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office.

Fire Inspection will be required during Hydrant installation.

1. Indicate on Plans the Turning radius as required on Standard A-1

2. Fire lane to be 26 ft, indicate on plans on all drive aisles.

3. Resubmit Plans.

Attachment: Attachment 3 - CUP 19-01_Signed Approval Letter (GrandT-1 CUP 19-01 Revoke (Continued))

MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST

Project Name: Grand Terrace Trailer/Container Storage Project

Applicant: GrandT-1, Inc.

Date: March 2020

Mitigation Measure No. / Implementing Action		Responsible for Monitoring	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
Biological Resources						
BIO-1	If project activities are planned during the bird nesting season (February 1 to August 31), a nesting bird survey shall be conducted within three days (72 hours) prior to any ground-disturbing activities, including, but not limited to demolition, clearing, grubbing, and/or rough grading, to ensure birds protected under the Migratory Bird Treaty Act (MBTA) are not disturbed by on-site activities. Any such survey(s) shall be conducted by a qualified biologist. If no active nests are found, no additional actions related to this measure are required. If active nests are found, the nest locations shall be mapped by the biologist. The nesting bird species shall be documented and, to the degree feasible, the nesting stage (e.g., incubation of eggs, feeding of young, near fledging) determined. Based on the species present and surrounding habitat, a no-disturbance buffer shall be established around each active nest. The buffer shall be identified by a qualified biologist and confirmed by the City; non-raptor bird species nests shall be buffered at least 280 feet, while raptor nests shall be buffered at least 820 feet. No construction or ground disturbance activities shall be conducted within the buffer until the	Planning and Development Services Director or Designee	Prior to issuance of grading, stockpiling or construction permits.	Evidence the required pre-construction survey has been completed, and (as applicable), the establishment and maintenance of appropriate buffers		Withhold grading/ construction permits and/or issuance of a stop work order (if required buffers are not maintained).

Project Name: Grand Terrace Trailer/Container Storage Project

Applicant: GrandT-1, Inc.

Date: March 2020

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
biologist has determined the nest is no longer active and has informed the City and construction supervisor that activities may resume. This measure shall be implemented to the satisfaction of the Planning and Development Director or designee.					
Cultural Resources					
CUL-1 Prior to issuance of grading permits, the applicant shall provide evidence to the City that the following note is included on the grading plans/documents: "In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the project outside of the buffered area may continue during this assessment period. Additionally, the San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed in **Mitigation Measure TCR-1**, regarding any pre-contact finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regard to significance and treatment. If significant pre-contact cultural resources, as defined by CEQA (as amended, 2019), are	Planning and Development Services Director or Designee	Prior to issuance of grading or stockpiling permits.	Submittal of plans including the required language. Evidence appropriate notification of the SMBMI has been completed (as required). Submittal of evidence that a Monitoring and Treatment Plan has been developed (as required) for any previously undetected on-site cultural resource and evidence that provisions of the plan have been appropriately completed.		Withhold grading/ construction permits and/or issuance of a stop work order (if resources are detected and required plan is not implemented).

Project Name: Grand Terrace Trailer/Container Storage Project **Applicant:** GrandT-1, Inc.
Date: March 2020

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to SMBMI for review and comment, as detailed in **Mitigation Measure TCR-1**. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly. If unanticipated human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project."					
Geology/Soils/Paleontology					
GEO-1 Prior to issuance of grading permits, the City shall verify that the following note is included on the grading plans: "If paleontological resources are encountered during the course of ground disturbance, work within 60 feet of the find shall be halted and an exclusionary buffer shall be established. A paleontologist shall be contacted to assess the find for scientific significance. No ground-disturbing activity within the 60-foot exclusionary buffer may occur without the consent of the	Planning and Development Services Director or Designee	Prior to issuance of grading or stockpiling permits.	Submittal of plans including the required language. As warranted, evidence appropriate notification a qualified paleontologist has been contacted and appropriate buffers have been established. Submittal of evidence that any previously undetected on-site paleontological resource has		Withhold grading/ construction permits and/or issuance of a stop work order (if resources are detected and required process is not implemented).

Project Name: Grand Terrace Trailer/Container Storage Project

Applicant: GrandT-1, Inc.

Date: March 2020

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
paleontologist and the City of Grand Terrace Planning and Development Director. If determined to be significant, the fossil(s) shall be collected from the field. The paleontologist may also make recommendations regarding additional mitigation measures, such as paleontological monitoring. Scientifically significant resources shall be prepared to the point of identification, identified to the lowest taxonomic level possible, cataloged, and curated into the permanent collections of a museum repository. If scientifically significant paleontological resources are collected, a report of findings shall be prepared to document the collection." This measure shall be implemented to the satisfaction of the City of Grand Terrace Planning Director or his/her designee.			been appropriately recorded, recovered, curated, and reported.		
Tribal Cultural Resources					
TCR-1 Prior to the issuance of grading permits, the applicant shall provide evidence to the City the following language is included on final grading documents: "The San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed in **Mitigation Measure CUL-1**, of any pre-contact cultural resources discovered during project implementation, and be provided information regarding the nature of the find,	Planning and Development Services Director or Designee	Prior to issuance of grading or stockpiling permits.	Submittal of plans including the required language. Evidence appropriate notification of the SMBMI has been completed (as required). Submittal of evidence that a Monitoring and Treatment Plan has been developed (as required) for any previously undetected on-site cultural resource and		Withhold grading/ construction permits and/or issuance of a stop work order (if resources are detected and required plan is not implemented).

Project Name: Grand Terrace Trailer/Container Storage Project

Applicant: GrandT-1, Inc.

Date: March 2020

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
so as to provide Tribal input with regard to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with SMBMI, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents SMBMI for the remainder of the project, should SMBMI elect to place a monitor on site. Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to SMBMI. The Lead Agency and/or applicant shall, in good faith, consult with SMBMI throughout the life of the project."			evidence that provisions of the plan have been appropriately completed.		

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF GRAND TERRACE)

I Debra L. Thomas, City Clerk of the CITY OF GRAND TERRACE, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution, being Resolution No. 2020-32 was duly passed, approved and adopted by the City Council, approved and signed by the Mayor, and attested by the City Clerk, at the regular meeting of said City Council held on the 25th day of August 2020, and that the same was passed and adopted by the following vote:

AYES: Council Member Allen; Mayor Pro Tem Wilson; Mayor McNaboe

NOES: Council Members Hussey and Robles

ABSENT: None.

ABSTAIN: None.

Executed this 26th day of August 2020, at Grand Terrace, California.

Debra L. Thomas
City Clerk

Attachment: Attachment 3 - CUP 19-01_Signed Approval Letter (GrandT-1 CUP 19-01 Revoke (Continued))

State of California - Department of Fish and Wildlife

2020 ENVIRONMENTAL FILING FEE CASH RECEIPT

DFW 753.5a (REV. 12/01/19) Previously DFG 753.5a

Print | StartOver | Finalize&Email

RECEIPT NUMBER:
36 — 08272020 — 466

STATE CLEARINGHOUSE NUMBER *(If applicable)*

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY	LEADAGENCY EMAIL	DATE
City of Grand Terrace Planning Department		08272020

COUNTY/STATE AGENCY OF FILING	DOCUMENT NUMBER
San Bernardino	

PROJECT TITLE

Grand Terrace trailer/container in compliance storage project conditional use permit 19-01

PROJECT APPLICANT NAME	PROJECT APPLICANT EMAIL	PHONE NUMBER
City of Grand Terrace Planning Department		( )

PROJECT APPLICANT ADDRESS	CITY	STATE	ZIP CODE
22795 Barton Road	Grand Terrace	CA	92313

PROJECT APPLICANT *(Check appropriate box)*

☑ Local Public Agency ☐ School District ☐ Other Special District ☐ State Agency ☐ Private Entity

CHECK APPLICABLE FEES:

☐ Environmental Impact Report (EIR)	$3,343.25	$	0.00
☐ Mitigated/Negative Declaration (MND)(ND)	$2,406.75	$	0.00
☐ Certified Regulatory Program (CRP) document - payment due directly to CDFW	$1,136.50	$	0.00

☑ Exempt from fee
- ☐ Notice of Exemption (attach)
- ☐ CDFW No Effect Determination (attach)

☑ Fee previously paid (attach previously issued cash receipt copy)

☐ Water Right Application or Petition Fee (State Water Resources Control Board only)	$850.00	$	0.00
☑ County documentary handling fee		$	50.00
☐ Other		$	

PAYMENT METHOD:

☐ Cash ☐ Credit ☑ Check ☐ Other

TOTAL RECEIVED $ 50.00

SIGNATURE	AGENCY OF FILING PRINTED NAME AND TITLE
X	Kari Schram, Deputy Clerk

ORIGINAL - PROJECT APPLICANT COPY - CDFW/ASB COPY - LEAD AGENCY COPY - COUNTY CLERK DFW 753.5a (Rev. 12012019)

Attachment: Attachment 3 - CUP 19-01_Signed Approval Letter (GrandT-1 CUP 19-01 Revoke (Continued))

DATE FILED & POSTED
Posted On: 8/27/2020
Removed On: 10/9/2020
Receipt No: 36-0827 2020-4

CITY OF GRAND TERRACE
NOTICE OF DETERMINATION

TO: __X_ Clerk of the Board of Supervisors
County of San Bernardino
385 N. Arrowhead Avenue, 2nd Floor
San Bernardino, CA 92415-0130

___ Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814
SCH #: 2011061030

FROM: Community and Economic Services Department
City of Grand Terrace
22795 Barton Road
Grand Terrace, CA 92313-5295

Subject: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

Project Title: Grand Terrace Trailer/Container Storage Project; Conditional Use Permit 19-01, Site and Architectural Review 19-03; Determination of Use 18-02 and Environmental 19-05

Project Description: A proposal to develop a trailer/container storage facility, providing up to 650 parking spaces for semi-trailers, shipping and storage containers, and chassis; installation of perimeter fencing; a paved, gated entrance and turn-around area, a 60-foot wide asphalt concrete central access road, perimeter 26-foot wide slag access road, security cameras, on-site security light poles with light-emitting diode (LED) fixtures, landscaping, and an acceptable parking surface (rock base/slag) for the interior areas of the site.

Applicant: GrandT-1, Inc., Patrick O'Brien

Project Location (include county): The 21.92-acre site (Assessor's Parcel Numbers [APNs] 0275-191-06 and 0275-191-30 is currently undeveloped and is located approximately 520 feet north of Vivienda Avenue and south of the Santa Ana River Trail in the northwestern portion of the City.

This is to advise that on August 25, 2020, the City Council of the City of Grand Terrace upheld the Planning Commission's July 16, 2020 adoption of the Mitigated Negative Declaration (MND) for the project and in doing so has made the following determinations:

1. The project **will not** have a significant effect on the environment.
2. An Environmental Impact Report **was not** prepared for this project pursuant to the provisions of CEQA.
   A Negative Declaration **was** prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures **were** made a condition of approval of the project.
4. A Statement of Overriding Considerations **was not** adopted for this project.
5. Findings **were not** made pursuant to the provisions of CEQA

Attachment: Attachment 3 - CUP 19-01_Signed Approval Letter (GrandT-1 CUP 19-01 Revoke (Continued))

This is to certify that Mitigated Negative Declaration and supporting technical studies for the Grand Terrace Trailer/Container Storage Project adopted on July 16, 2020 and record of Project approval are available to the General Public at the City of Grand Terrace Community Development Department 22795 Barton Road, Grand Terrace, California 92313.

Steven A. Weiss

Steven A. Weiss, AICP
Planning and Development Services
Department Director
(909) 824-6621 Ext.225

8/27/2020
Date

Attachment: Attachment 3 - CUP 19-01_Signed Approval Letter (GrandT-1 CUP 19-01 Revoke (Continued))

CITY OF GRAND TERRACE

PLANNING COMMISSION/SITE AND ARCHITECTURAL REVIEW BOARD

MINUTES ● MAY 21, 2020

Council Chambers **Regular Meeting** **6:30 PM**

Grand Terrace Civic Center ● 22795 Barton Road

Attachment: Attachment 4 - 2020-05-21 Planning Commission_Minutes (GrandT-1 CUP 19-01 Revoke (Continued))

CALL TO ORDER

Vice-Chair Edward Giroux convened the Regular Meeting of the Planning and Commission/Site and Architectural Review Board for Thursday, May 21, 2020.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Commissioner Jeffrey McConnell.

Attendee Name	Title	Status	Arrived
Edward A. Giroux	Vice-Chair	Present	
Tara Cesena	Commissioner	Present	
Jeffrey McConnell	Commissioner	Present	
Jeremy Briggs	Commissioner	Present	
David Alaniz	Commissioner	Present	
Steven Weiss	Planning & Development Services Director	Present	
Robert Khuu	Assistant City Attorney	Present	
Haide Aguirre	Assistant Planner	Present	
Debra Thomas	City Clerk	Present	

INSTALLATION OF COMMISSIONER

David Alaniz, newly appointed Planning Commissioner was administered the Oath of Office by Debra Thomas, City Clerk.

SELECTION OF NEW OFFICERS

1. **Motion:** Nomination for Chairperson

   Commissioner Briggs moved, with a second by Jeffrey McConnell, to nominate Vice-Chair Edward Giroux to serve as the Planning Commission Chairman.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Jeremy Briggs, Commissioner
SECONDER:	Jeffrey McConnell, Commissioner
AYES:	Giroux, Cesena, McConnell, Briggs, Alaniz

2. **Motion:** Nomination for Vice-Chair

Commissioner McConnell moved to nominate Commissioner Jeremy Briggs to serve as Vice-Chair.

Commissioner Cesena made a substitute motion to nominate herself to serve as Vice-Chair.

Robert Khuu, Assistant City Attorney explained to the Planning Commission how the process works when a substitute motion is made before a second is received on the original motion and that Commissioner Cesena's substitute motion will be acted upon first.

Commissioner Cesena's substitute motion dies due to lack of a second.

Commissioner McConnell moved, with a second from Commissioner Jeremy Briggs, to nominate Commissioner Jeremy Briggs to serve as Vice-Chair.

RESULT:	**ADOPTED [3 TO 2]**
MOVER:	Jeffrey McConnell, Commissioner
SECONDER:	Jeremy Briggs, Commissioner
AYES:	Edward A. Giroux, Jeffrey McConnell, Jeremy Briggs
NAYS:	Tara Cesena, David Alaniz

RECESS FOR REORGANIZATION

Chairman Giroux recessed the regular meeting of the Planning Commission/Site and Architectural Review Board at 6:38 p.m.

Chairman Giroux reconvened the regular meeting of the Planning Commission/Site and Architectural Review Board at 6:56 p.m.

APPROVAL OF AGENDA

Motion: Motion: May 21, 2020 Approval of Agenda

Attachment: Attachment 4 - 2020-05-21 Planning Commission_Minutes (GrandT-1 CUP 19-01 Revoke (Continued))

RESULT:	**ADOPTED [4 TO 0]**
AYES:	Edward A. Giroux, Tara Cesena, Jeffrey McConnell, Jeremy Briggs
ABSTAIN:	David Alaniz

PRESENTATIONS

None.

PUBLIC ADDRESS

None.

A. CONSENT CALENDAR

1. Approval of Minutes – Special Meeting – 10/24/2019

RESULT:	**ACCEPTED [4 TO 0]**
MOVER:	Jeremy Briggs, Commissioner
SECONDER:	Tara Cesena, Commissioner
AYES:	Edward A. Giroux, Tara Cesena, Jeffrey McConnell, Jeremy Briggs
ABSTAIN:	David Alaniz

2. Approval of Minutes – Special Meeting – 12/12/2019

RESULT:	**ACCEPTED [4 TO 0]**
MOVER:	Jeremy Briggs, Commissioner
SECONDER:	Tara Cesena, Commissioner
AYES:	Edward A. Giroux, Tara Cesena, Jeffrey McConnell, Jeremy Briggs
ABSTAIN:	David Alaniz

3. Approval of Minutes – Regular Meeting – 02/20/2020

RESULT:	**ACCEPTED [4 TO 0]**
MOVER:	Jeremy Briggs, Commissioner
SECONDER:	Tara Cesena, Commissioner
AYES:	Edward A. Giroux, Tara Cesena, Jeffrey McConnell, Jeremy Briggs
ABSTAIN:	David Alaniz

B. ACTION ITEMS - NONE

None.

Attachment: Attachment 4 - 2020-05-21 Planning Commission_Minutes (GrandT-1 CUP 19-01 Revoke (Continued))

C. PUBLIC HEARINGS

1. Zoning Code Amendment 20-01 and Specific Plan 20-01 to Amend Title 18 of the Grand Terrace Municipal Code and Barton Road Specific Plan to Regulate Uses Proposing Hours of Operation Any Time Between 11:00 P.M. and 6:00 A.M., and a Related Environmental Determination Pursuant to CEQA Regulation Section 15061(B)(3)

Haide Aguirre, Assistant Planner gave the PowerPoint presentation for this item.

Commissioner Cesena directed Staff to make sure that applicant is provided with the appeal process spelled out when filing an application for an Administrative CUP/CUP. Staff confirmed that the City's Municipal Code identifies and outlines the appeal period and process.

Chairman Giroux opened the public hearing at 7:19 p.m.

Chairman Giroux closed the public hearing at 7:20 p.m.

Staff would like to recommend a modification to the proposed Municipal Code and the Barton Road Specific Plan Amendments to include the following:

> "Existing businesses permitted to operate prior to the effective date of the ordinance with operational hours between 11:00 p.m. and 6:00 a.m. are exempt from the ACUP/CUP review process prior to this Ordinance."

Commissioner Cesena moves to approve the resolution recommending adoption of the ordinance to the City Council with the requirement that the above stated language be included with the ordinance to the extent for both the specific plan amendment and code amendment and giving staff direction to make sure the language fits within the larger scheme of the proposed changes.

1) CONDUCT A PUBLIC HEARING, AND

2) ADOPT A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GRAND TERRACE RECOMMENDING THAT THE CITY COUNCIL MAKE A DETERMINATION THAT ZONING CODE AMENDMENT 20-01 AND SPECIFIC PLAN AMENDMENT 20-01 ARE EXEMPT, PURSUANT TO SECTION 15061(B)(3) OF TITLE 14 OF THE CALIFORNIA CODE OF REGULATIONS, FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; AND RECOMMENDING THAT THE CITY COUNCIL ADOPT ZONE CODE AMENDMENT 20-01, WHICH AMENDS CHAPTER 18.06 (DEFINITIONS), CHAPTER 18.33 (C2 GENERAL BUSINESS DISTRICT) SECTION 18.33.020 (PERMITTED USES) AND SECTION 18.33.030 (CONDITIONAL PERMITTED USES) OF TITLE 18 OF THE GRAND TERRACE MUNICIPAL CODE, AND

Attachment: Attachment 4 - 2020-05-21 Planning Commission_Minutes (GrandT-1 CUP 19-01 Revoke (Continued))

RECOMMENDING THAT THE CITY COUNCIL ADOPT SPECIFIC PLAN AMENDMENT 20-01, WHICH AMENDS THE BARTON ROAD SPECIFIC PLAN (TABLE I, LAND USE MATRIX) TO ESTABLISH REQUIREMENTS FOR BUSINESSES PROPOSING TO OPERATE AT ANY TIME BETWEEN 11:00 P.M AND 6:00 A.M.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Tara Cesena, Commissioner
SECONDER:	Jeremy Briggs, Commissioner
AYES:	Giroux, Cesena, McConnell, Briggs, Alaniz

2. Conditional Use Permit 19-01, Site and Architectural Review 19-03 and Environmental 19-05; a Proposal to Establish a Trailer/Container Storage Facility, Located 520 Feet from Vivienda Avenue and South of the Santa Ana River Tail (APN's: 0275-191-06 and 0275-191-30)

Chairman Giroux and Commissioner McConnell recused themselves from Agenda Item No. C.1 Conditional Use Permit 19-01, Site and Architectural Review 19-03 and Environmental 19-05.

Steve Weiss, Planning & Services Development Director gave the PowerPoint presentation for this item.

Vice-Chairman Briggs opened the public hearing at 8:52 p.m.

David Mlynarski, Transtech, provided a PowerPoint presentation on behalf of the Applicant and Property Owner, Grand Terrace I.

PUBLIC COMMENT

The following members of the public telephoned through Zoom to express their opposition to the project:

Mayor Pro Tem Isaac Suchil
Rita Schwartz
Isaac Steinline
Bobbie Forbes
William Mahany

Debra Thomas, City Clerk, stated for the record that a copy of each email received has been placed at the dais in front of each Planning Commissioner. The City received thirteen (13) emails from members of the public in opposition to the project as follows:

Bobbie Forbes
Rob Macias
William Mahaney
Catherine Guthrie

Attachment: Attachment 4 - 2020-05-21 Planning Commission_Minutes (GrandT-1 CUP 19-01 Revoke (Continued))

Don Smith
Jennifer Katuls
Martha Macias
Juanita Odenbaugh
Javier Montano Sr.
Virginia Fernandez
Janese Makshanoff
John Odenbaugh
Jane Valencia
Bobbie Forbes
William Mahaney

Debra Thomas, City Clerk, stated for the record that a copy of each email received has been placed at the dais in front of each Planning Commissioner. The City received one (1) email from a member of the public in opposition to the project as follows:

Khanh Tran

Jeffrey McConnell, Grand Terrace expressed his opposition to the project.

Vice-Chairman Briggs closed the public hearing at 10:45 p.m.

Vice-Chairman Briggs moved, with a second from Commissioner Alaniz to continue the public hearing to June 18, 2020.

1) CONDUCT A PUBLIC HEARING; AND

2) CONSIDER ADOPTION OF A RESOLUTION OF THE PLANNING COMMISSION/SITE AND ARCHITECTURAL REVIEW BOARD OF THE CITY OF GRAND TERRACE, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION (ENVIRONMENTAL 19-05) PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND APPROVING CONDITIONAL USE PERMIT 19-01 AND SITE AND ARCHITECTURAL REVIEW 19-03 TO DEVELOP A TRAILER/CONTAINER STORAGE FACILITY FOR A MAXIMUM OF 650 PARKING SPACES FOR EMPTY SEMI-TRAILERS, SHIPPING AND STORAGE CONTAINERS, AND CHASSIS USE ON A 21.92-ACRE SITE (ASSESSOR'S PARCEL NUMBERS [APNS] 0275-191-06 AND 0275-191-30 IS CURRENTLY UNDEVELOPED AND IS LOCATED APPROXIMATELY 520 FEET NORTH OF VIVIENDA AVENUE AND SOUTH OF THE SANTA ANA RIVER TRAIL IN THE NORTHWESTERN PORTION OF THE CITY

RESULT:	**CONTINUED**	**Next: 6/18/2020 6:30 PM**

Attachment: Attachment 4 - 2020-05-21 Planning Commission_Minutes (GrandT-1 CUP 19-01 Revoke (Continued))

D. INFORMATION TO COMMISSIONERS

None.

E. INFORMATION FROM COMMISSIONERS

Vice-Chairman Briggs requested that the following return to the Planning Commission for discussion:

- Non-conforming grandfather clause and changes to the Municipal Code

Vice-Chairman asked Alan French, Senior Civil Engineer if the parking lot striping at Richard Rollins park will be completed before organized sports activities.

Engineer French stated it will not happen before July 1, 2020 and will depend on when funding becomes available.

Commissioner McConnell requested that the following return to the Planning Commission for discussion:

- Educate the applicant and their options when they apply for a CUP, identify the process

- Information on the process for the Planning Commission to bring forward agenda items to the City Council.

Chairman Giroux requested more training for the Planning Commission as a whole and asked the Planning Commission if they would agree. He also requested that each Planning Commissioner return to the next meeting with a list of items each Commissioner would like to see staff coordinate training on for the Planning Commission. He also suggested that the Planning Commission participate in regional training that is held close to the area. Chairman Giroux asked if the Commissioners would like a copy of Planning Commission duties.

ADJOURN

Adjourn to the next scheduled meeting of the Site and Architectural Review Board/Planning Commission to be held on August 15, 2019 at 6:30 p.m.

Attachment: Attachment 4 - 2020-05-21 Planning Commission_Minutes (GrandT-1 CUP 19-01 Revoke (Continued))

CITY OF GRAND TERRACE

PLANNING COMMISSION/SITE AND ARCHITECTURAL REVIEW BOARD

MINUTES ● JUNE 18, 2020

Council Chambers | **Regular Meeting** | **6:30 PM**

Grand Terrace Civic Center ● 22795 Barton Road

Attachment: Attachment 5 -2020-06-18 Planning Commission_Minutes (GrandT-1 CUP 19-01 Revoke (Continued))

CALL TO ORDER

Debra Thomas, City Clerk convened the Regular Meeting of the Planning Commission/Site and Architectural Review Board for Thursday, June 18, 2020 at 6:30 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Commissioner Tara Ceseña.

Attendee Name	Title	Status	Arrived
Edward A. Giroux	Chairman	Absent	
Jeremy Briggs	Vice-Chairman	Absent	
Tara Ceseña	Commissioner	Present	
Jeffrey McConnell	Commissioner	Present	
David Alaniz	Commissioner	Present	
Steven Weiss	Planning & Development Services Director	Present	
Robert Khuu	Assistant City Attorney	Present	
Haide Aguirre	Assistant Planner	Present	
Debra Thomas	City Clerk	Present	

Robert Khuu, Assistant City Attorney explained to the Planning Commission that due to the absence of Chairman Ed Giroux and Vice-Chairman Jeremy Briggs, it will need to select a temporary Acting Chair for the June 18, 2020 Planning Commission meeting.

Commissioner Jeffrey McConnell moved, with a second from Commissioner David Alaniz, to select Commissioner Tara Ceseña as Acting Chair.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Jeffrey McConnell, Commissioner
SECONDER:	David Alaniz, Commissioner
AYES:	Tara Ceseña, Jeffrey McConnell, David Alaniz
ABSENT:	Edward A. Giroux, Jeremy Briggs

APPROVAL OF AGENDA

1. **Motion:** Motion: June 18, 2020 Approval of Agenda

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Jeffrey McConnell, Commissioner
SECONDER:	David Alaniz, Commissioner
AYES:	Tara Ceseña, Jeffrey McConnell, David Alaniz
ABSENT:	Edward A. Giroux, Jeremy Briggs

PUBLIC ADDRESS

David Mlynarski, asked what options are available to an applicant who has followed all of the rules, filed applications, has been working with staff in a very cooperative manner, agreeing to expansion of notification radiuses and other public hearing type requests, in order to make hearings as broad ranging and as fair as possible. What does an applicant do when all they are seeking is an expeditious processing of its application? It appears the body is having difficulty in bringing an item forward. Mr. Mlynarski asked the City to get back to him and let him know if the body is unable to hold an expeditious hearing, and what options does an applicant have in order to do so.

Bobbie Forbes, Grand Terrace asked everyone in the Council Chamber to use whatever power they have to help with the illegal fireworks in town. She asked the community to send emails, contact the sheriff's department, get addresses, send messages, make phone calls to the non-emergency number to the sheriff's department, and send an email to the City Clerk if an address is obtained. It is out of control this year and is only going to get worse in the next three weeks.

Juanita Umbaugh, Grand Terrace appreciates the Planning Commission's hard work on behalf of the community to bring in new business. She also thanked it for notifying the community and making all of its letters appropriate during this very difficult time. She appreciates the Planning Commission not rushing its decisions, taking its time, and making sure new business is right for the City.

Attachment: Attachment 5 -2020-06-18 Planning Commission_Minutes (GrandT-1 CUP 19-01 Revoke (Continued))

A. CONSENT CALENDAR

2. Approval of Minutes – Regular Meeting – 05/21/2020

Robert Khuu, Assistant City Attorney conveyed that staff would like the Consent Calendar continued to a meeting when there is a full Commission available to have input.

Commissioner McConnell moved, with a second from Commissioner Alaniz to continue the Consent Calendar to the next scheduled Planning Commission meeting.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Jeffrey McConnell, Commissioner
SECONDER:	David Alaniz, Commissioner
AYES:	Tara Ceseña, Jeffrey McConnell, David Alaniz
ABSENT:	Edward A. Giroux, Jeremy Briggs

B. ACTION ITEMS

None.

C. PUBLIC HEARINGS

1. Conditional Use Permit 19-01, Site and Architectural Review 19-03 and Environmental 19-05; a Proposal to Establish a Trailer/Container Storage Facility, Located 520 Feet from Vivienda Avenue and South of the Santa Ana River Tail (APN's: 0275-191-06 and 0275-191-30) (Continued from 5-21-2020)

Due to lack of a quorum, this public hearing did not move forward.

RESULT:	**NO ACTION TAKEN**

D. PRESENTATIONS

Non-Conforming Uses and Buildings Update Presented by Haide Aguirre, Assistant Planner

Steve Weiss, Planning & Development Services Director explained that this item was requested by the entirety of the Planning Commission. As two (2) members are absent, staff requested that the item be continued.

Attachment: Attachment 5 -2020-06-18 Planning Commission_Minutes (GrandT-1 CUP 19-01 Revoke (Continued))

Commissioner Alaniz moved, with a second from Commissioner McConnell to move the presentation to the next scheduled Planning Commission meeting.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Jeffrey McConnell, Commissioner
SECONDER:	David Alaniz, Commissioner
AYES:	Tara Ceseña, Jeffrey McConnell, David Alaniz
ABSENT:	Edward A. Giroux, Jeremy Briggs

E. INFORMATION TO COMMISSIONERS

None.

F. INFORMATION FROM COMMISSIONERS

Commissioner McConnell requested a status on Chair Giroux's health.

Commissioner Alaniz thanked the residents who came out and apologized that they were not able to hear Agenda Item C.1.

Acting Chair Ceseña also thanked the residents who came out to hear Agenda Item C.1.

Assistant City Attorney Khuu explained to the residents that due to the lack of a quorum because Commissioner McConnell has a conflict of interest on Agenda Item C.1, there would only be two (2) commissioners that could act on the item tonight.

ADJOURN

Adjourn to the next scheduled meeting of the Planning Commission/Site and Architectural Review Board to be held on July 9, 2020 at 6:30 p.m.

_____ _____

Tara Ceseña, Acting Chair Debra L. Thomas, City Clerk

Attachment: Attachment 5 -2020-06-18 Planning Commission_Minutes (GrandT-1 CUP 19-01 Revoke (Continued))

CITY OF GRAND TERRACE

PLANNING COMMISSION/SITE AND ARCHITECTURAL REVIEW BOARD

MINUTES ● JULY 16, 2020

Council Chambers | **Regular Meeting** | **6:30 PM**

Grand Terrace Civic Center ● 22795 Barton Road

Attachment: Attachment 6 - 2020-07-16 Planning Commission_Minutes (GrandT-1 CUP 19-01 Revoke (Continued))

CALL TO ORDER

Chairman Edward Giroux convened the Regular Meeting of the Planning Commission and Site and Architectural Review Board at 6:45 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Commissioner Jeffrey McConnell.

Attendee Name	Title	Status	Arrived
Edward A. Giroux	Chairman	Remote	
Jeremy Briggs	Vice-Chairman	Present	
Tara Ceseña	Commissioner	Present	
Jeffrey McConnell	Commissioner	Present	
David Alaniz	Commissioner	Present	
Steven Weiss	Planning & Development Services Director	Present	
Robert Khuu	Assistant City Attorney	Present	
Haide Aguirre	Assistant Planner	Present	
Debra Thomas	City Clerk	Present	

APPROVAL OF AGENDA

1. **Motion:** July 14, 2020 Approval of Agenda

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Jeremy Briggs, Vice-Chairman
SECONDER:	David Alaniz, Commissioner
AYES:	Giroux, Briggs, Ceseña, McConnell, Alaniz

PUBLIC ADDRESS

None.

A. CONSENT CALENDAR

2. Approval of Minutes – Regular Meeting – 05/21/2020

RESULT:	**ACCEPTED [UNANIMOUS]**
MOVER:	Tara Ceseña, Commissioner
SECONDER:	Jeremy Briggs, Vice-Chairman
AYES:	Giroux, Briggs, Ceseña, McConnell, Alaniz

3. Approval of Minutes – Regular Meeting – 06/18/2020

RESULT:	**ACCEPTED [UNANIMOUS]**
MOVER:	Tara Ceseña, Commissioner
SECONDER:	David Alaniz, Commissioner
AYES:	Giroux, Briggs, Ceseña, McConnell, Alaniz

B. ACTION ITEMS

None.

C. PUBLIC HEARINGS

1. Conditional Use Permit 19-01, Site and Architectural Review 19-03 and Environmental 19-05; a Proposal to Establish a Trailer/Container Storage Facility, Located 520 Feet from Vivienda Avenue and South of the Santa Ana River Tail (APN's: 0275-191-06 and 0275-191-30) (Continued from 5-21-2020 and 6-18-2020)

Steven Weiss, Planning & Development Services Director gave the Power Point presentation and matrix for this item.

Click Here for Power Point Presentation

Carl Winter, LSA Associates, Environmental Consultant gave the Power Point presentation for this item on environmental review.

Click Her for Power Point Presentation

Vice-Chair Briggs opened the public hearing at 8:10 p.m.

David Mlynarski, Transtech representing the Applicant Patrick O'Brien stated that the parties approve and agree to the stated conditions of approval as amended and those other issues that were raised in the environmental documents.

Attachment: Attachment 6 - 2020-07-16 Planning Commission_Minutes (GrandT-1 CUP 19-01 Revoke (Continued))

PUBLIC COMMENT

The following members of the public, who physically and telephonically attended the Planning Commission meeting, oppose the project:

Janese Makshanoff
Juanita Odenbaugh
William Mahaney
Bobbie Forbes
Shawna Simon
Christina Lopez
Jeffrey McConnell
Isaac Suchil

The following members of the public submitted written communication in support of the project:

Gresham Savage
Christina Lopez (supports the landscape enhancement exhibit for the Grand Terrace Fleet Management Facility)
Scot Mathis
Lee Deierling, VP

The following members of the public submitted written communication in opposition of the project:

Chuck Hornsby
Anne Wade-Hornsby
Lori Hawkins
Ryder Kowal
Louis Sculuca
Jennifer Katuls
Leslie Wright
John Howard
Donald Kluge
Harry Roussos
Carolyn Crowe
Adele Lara
Tracy Ortloff
Johan Gallo
Pat Flores
Susan Grooms
Anita Rosas
Lisa Wadley
Ms. Guthrie

Attachment: Attachment 6 - 2020-07-16 Planning Commission_Minutes (GrandT-1 CUP 19-01 Revoke (Continued))

Mr. Mlynarski stated that all Applicant wants is the opportunity to be heard and for the item to be considered under all the rules and regulations. Applicant has adequately addressed all of the concerns conveyed from the public. This project presents an opportunity for the area to get some upgrades, improvements, regulations, and ongoing maintenance in addition to community enhancements. That is the intent, that is the goal; and Applicant believes it is a reasonable project for a difficult piece of property.

Vice-Chair Briggs closed the public hearing at 9:22 p.m.

Commissioner Ceseña moved to approve:

A RESOLUTION OF THE PLANNING COMMISSION/SITE AND ARCHITECTURAL REVIEW BOARD OF THE CITY OF GRAND TERRACE, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION (ENVIRONMENTAL 19-05) PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND APPROVING CONDITIONAL USE PERMIT 19-01 AND SITE AND ARCHITECTURAL REVIEW 19-03 TO DEVELOP A TRAILER/CONTAINER STORAGE FACILITY FOR A MAXIMUM OF 650 PARKING SPACES FOR EMPTY SEMI-TRAILERS, SHIPPING AND STORAGE CONTAINERS, AND CHASSIS USE ON A 21.92-ACRE SITE (ASSESSOR'S PARCEL NUMBERS [APNs] 0275-191-06 AND 0275-191-30 IS CURRENTLY UNDEVELOPED AND IS LOCATED APPROXIMATELY 520 FEET NORTH OF VIVIENDA AVENUE AND SOUTH OF THE SANTA ANA RIVER TRAIL IN THE NORTHWESTERN PORTION OF THE CITY

with the following conditions:

Hours of Operation be moved to 7:00 a.m.

Vice-Chair Briggs moved with a substitute motion to approve:

A RESOLUTION OF THE PLANNING COMMISSION/SITE AND ARCHITECTURAL REVIEW BOARD OF THE CITY OF GRAND TERRACE, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION (ENVIRONMENTAL 19-05) PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND APPROVING CONDITIONAL USE PERMIT 19-01 AND SITE AND ARCHITECTURAL REVIEW 19-03 TO DEVELOP A TRAILER/CONTAINER STORAGE FACILITY FOR A MAXIMUM OF 650 PARKING SPACES FOR EMPTY SEMI-TRAILERS, SHIPPING AND STORAGE CONTAINERS, AND CHASSIS USE ON A 21.92-ACRE SITE (ASSESSOR'S PARCEL NUMBERS [APNs] 0275-191-06 AND 0275-191-30 IS CURRENTLY UNDEVELOPED AND IS LOCATED APPROXIMATELY 520 FEET NORTH OF VIVIENDA AVENUE AND SOUTH OF THE SANTA ANA RIVER TRAIL IN THE NORTHWESTERN PORTION OF THE CITY

with the following conditions:

- A 10 foot block wall around the project

Attachment: Attachment 6 - 2020-07-16 Planning Commission_Minutes (GrandT-1 CUP 19-01 Revoke (Continued))

- Forty-eight inch box evergreen trees, eight foot apart to grow at least 40 feet in height along the inside of the east, south and west walls to block visual and sound absorption and continue to put vines on the walls
- Operation hours will be from 8:00 a.m. to 5:00 p.m., Monday thru Friday, no weekends, or holidays
- No sound, only flashing lights from yard goats
- Only electric or natural gas emission vehicles
- Widen all of the following streets to the Caltrans traffic manual including curb, gutter and four foot wide sidewalks to put all power poles underground in the neighborhood as follows:
    - On Grand Terrace Road from Barton Road to Vivienda Avenue, sidewalks on both west side and east side of the road
    - Vivienda Avenue from Grand Terrace Road to the UP Railroad bridge sidewalks to be on the north side
    - Vivienda Avenue from the UP Railroad bridge to Terrace Avenue sidewalks to be on the south side
    - Burns Avenue from Vivienda Avenue to Walnut Avenue sidewalks to be on the west side
    - Walnut Avenue from Burns Avenue to Terrace Avenue sidewalks to be on the north side
    - Maple Avenue from Walnut Avenue to Vivienda Avenue sidewalks to be on the east side
    - Terrace Avenue from Walnut Avenue to the proposed trailhead four-lane highway with sidewalks on the east side with bike lanes on the east and west side of Terrace
- Build a parking area for ten vehicles including one handicap space for the trailhead to the Santa Ana River Trail
- Build a permanent bathroom next to the Santa Ana River Trailhead and connect to the sewers
- $75,000 a year for City road repair maintenance account dedicated to the northwest quadrant of the City. This covenant runs with the property as long as they are in operations
- $60,000 to each property owner with property facing the aforementioned streets for property devaluation
- Sign and record an open easement for the portion of the applicant's land from the applicant's south property line running east and west, then 20 feet to the north along the old railroad access road favorable to all parties including the public to use your portion of the railroad access road but no dedication
- Include in the agreement to maintain your portion of the gravel road with adjoining neighbors equally
- Maintain all the applicant's natural landscape; weeds regularly to no more than a height of six inches
- Major road reclaiming improvements to be installed at Grand Terrace Road and Barton Road
- Build a permanent in the ground handicap bathroom next to the community gardens to be connected to the sewers

Attachment: Attachment 6 - 2020-07-16 Planning Commission_Minutes (GrandT-1 CUP 19-01 Revoke (Continued))

- Build parking area for ten vehicles including one handicap space for the community gardens
- Pay for the Grand Terrace share of the upgrade of the Barton Road bridge for all improvements
- Construction hours: Conditions work only from sunrise to sunset
- No beeping of construction equipment
- Would like to see a community meeting for the design of the garden before the community benefit agreement goes in front of the Council, more of a workshop
- Two access points to this location; add condition to have one point for entry and one point for the exit
- No five axle trucks.
- Make sure all brokers understand no 5 axle trucks on terrace; only day cabs need to be allowed
- Operational plan will need to come back to the Planning Commission
- A lot of questions referred to the operations plan need to have final approval from the Planning Commission
- Cover the cost of the upkeep of the community garden
- Perimeter wall and vines need to be put up first before any of the work to be done
- City portal to be a part of the quarterly review
- Zero tolerance for any trucks on residential streets
- No eminent domain for public works improvements
- Applicant must deal with all property owners
- The pavement centerline Terrace Avenue continue the project as long as in business

The substitute motion died for lack of a second

Commissioner David Alaniz would like to make a friendly amendment to Commissioner Ceseña's motion to approve the project by adding Operating Hours from 7:00 a.m. to 8:00 p.m. and zero tolerance of trucks from this project on any road besides Terrace Avenue.

Commissioner Ceseña moved, with a second from Commissioner Alaniz, to approve:

A RESOLUTION OF THE PLANNING COMMISSION/SITE AND ARCHITECTURAL REVIEW BOARD OF THE CITY OF GRAND TERRACE, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION (ENVIRONMENTAL 19-05) PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND APPROVING CONDITIONAL USE PERMIT 19-01 AND SITE AND ARCHITECTURAL REVIEW 19-03 TO DEVELOP A TRAILER/CONTAINER STORAGE FACILITY FOR A MAXIMUM OF 650 PARKING SPACES FOR EMPTY SEMI-TRAILERS, SHIPPING AND STORAGE CONTAINERS, AND CHASSIS USE ON A 21.92-ACRE SITE (ASSESSOR'S PARCEL NUMBERS [APNs] 0275-191-06 AND 0275-191-30 IS CURRENTLY UNDEVELOPED AND IS LOCATED APPROXIMATELY 520 FEET

Attachment: Attachment 6 - 2020-07-16 Planning Commission_Minutes (GrandT-1 CUP 19-01 Revoke (Continued))

NORTH OF VIVIENDA AVENUE AND SOUTH OF THE SANTA ANA RIVER TRAIL IN THE NORTHWESTERN PORTION OF THE CITY

with the following amended conditions:

- Hours of Operation: 7:00 a.m. to 8:00 p.m.
- Zero Tolerance for truck traffic into the neighborhood areas related to this project.

RESULT:	**APPROVED [2 TO 1]**
MOVER:	Tara Ceseña, Commissioner
SECONDER:	David Alaniz, Commissioner
AYES:	Tara Ceseña, David Alaniz
NAYS:	Jeremy Briggs
RECUSED:	Edward A. Giroux, Jeffrey McConnell

Vice-Chair Briggs recessed the Regular Meeting of the Planning Commission at 9:36 p.m.

Chairman Giroux reconvened the Regular Meeting of the Planning Commission at 9:41 p.m.

D. PRESENTATIONS

1. Presentation Regarding Nonconforming Use & Building Regulations in the Grand Terrace Municipal Code, and Nonconforming Uses & Buildings in Grand Terrace

   Haide Aguirre, Assistant Planner gave the Power Point presentation for this item.

   Click Here for Power Point Presentation

RECEIVE AND FILE.

RESULT:	**NO ACTION TAKEN**

E. INFORMATION TO COMMISSIONERS

Steve Weiss, Planning & Development Services Director informed the Planning Commission that staff is looking to update its zoning for accessory dwelling units.

Staff will be returning to the Planning Commission with a presentation and workshop on Vehicle Miles Traveled.

Attachment: Attachment 6 - 2020-07-16 Planning Commission_Minutes (GrandT-1 CUP 19-01 Revoke (Continued))

CITY OF GRAND TERRACE

CITY COUNCIL

MINUTES ● AUGUST 25, 2020

Council Chambers | **Regular Meeting** | **6:00 PM**

Grand Terrace Civic Center ● 22795 Barton Road

Attachment: Attachment 7 - 2020-08-25 City Council_Minutes (GrandT-1 CUP 19-01 Revoke (Continued))

CALL TO ORDER

Mayor Darcy McNaboe convened the Regular Meeting of the City Council for Tuesday, August 25, 2020 at 6:00 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor McNaboe.

Attendee Name	Title	Status	Arrived
Darcy McNaboe	Mayor	Present	
Doug Wilson	Mayor Pro Tem	Remote	
Sylvia Robles	Council Member	Present	
Bill Hussey	Council Member	Present	
Jeff Allen	Council Member	Present	
G. Harold Duffey	City Manager	Present	
Adrian Guerra	City Attorney	Present	
Debra Thomas	City Clerk	Present	
Steven Weiss	Planning & Development Services Director	Present	
Craig Bradshaw	Interim Public Works Director	Remote	
Cynthia A. Fortune	Assistant City Manager	Absent	

A. SPECIAL PRESENTATIONS

FP-5 – Measure U (Fire District Funding PowerPoint) presented by San Bernardino County Fire Chief/Fire Warden, Daniel R. Munsey.

PUBLIC COMMENT

The following individuals spoke on their opposition to FP-5:

Natalie Zuk
Chad Keel
Angel Hernandez
Alvaro Valenzuela

B. REORDERING OF, ADDITIONS TO, OR REMOVAL OF ITEMS FROM THE AGENDA

Mayor McNaboe requested that Council Communications be moved to the end of the agenda, right before City Manager Communications.

C. CONSENT CALENDAR

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Jeff Allen, Council Member
SECONDER:	Bill Hussey, Council Member
AYES:	McNaboe, Wilson, Robles, Hussey, Allen

1. Waive Full Reading of Ordinances on Agenda
2. Approval of Minutes – Special Meeting Workshop – 08/06/2020

   APPROVE SPECIAL MEETING WORKSHOP MINUTES FOR AUGUST 6, 2020

4. City Department Monthly Activity Report - June 2020

   RECEIVE AND FILE.

5. Update on Emergency Rehabilitation of Grand Terrace Road, North of Newport Avenue

   RECEIVE AND FILE AN UPDATE ON THE EMERGENCY THAT WAS DECLARED FOR THE GRAND TERRACE ROAD REHABILITATION PROJECT

Agenda Item No. C.3 Pulled for Discussion

3. Approval of Minutes – Regular Meeting – 08/11/2020

   Agenda Item No. C.3 was pulled by Debra Thomas, City Clerk. The minutes erroneously documents Mayor Pro Tem Wilson approving the Emergency Rehabilitation of Grand Terrace Road, North of Newport Avenue Project when he actually voted no. This item will be brought back to City Council at its Regular Meeting of September 8, 2020.

D. PUBLIC COMMENT

Bobbie Forbes, Grand Terrace expressed her concern with the increased homeless population she has noticed in the City, west of the freeway and wanted to notify the San Bernardino County Sheriff of this increase.

Attachment: Attachment 7 - 2020-08-25 City Council_Minutes (GrandT-1 CUP 19-01 Revoke (Continued))

E. PUBLIC HEARINGS

6. Appeal Hearing of Conditional Use Permit 19-01, Site and Architectural Review 19-03 and Environmental 19-05 Requesting Approval to Develop a Trailer/Container Storage Facility, Providing a Maximum of 650 Parking Spaces for Semi-Trailers, Shipping and Storage Containers, and Chassis, on an Approximately 21.92-Acre Site Located Approximately 520 Feet North of Vivienda Avenue and South of the Santa Ana River Trail in the Northwestern Portion of the City (Assessor's Parcel Nos. 0275-191-06 & 0275-191-30)

Steve Weiss, Planning & Development Services Director gave the PowerPoint presentation for this item.

Carl Winter, LSA Associates, Environmental Consultant gave the PowerPoint presentation for this item on environmental review.

WRITTEN COMMENTS

The following members of the public submitted written comments opposing the project as follows:

Krisztina Lindsley
Daryl Bruhl
Kelli Bruhl
Lori Hawkins
Jody Barnett
Janet Howard
John Howard
Leslie Wright
Fred Wright
Sue Clendenen
Terry Santos
Mr. Noel Trujillo
Mrs. Noel Trujillo
Jennifer Herkner
Susan Grooms
Donald Kluge

The following member of the public submitted a written comment expressing her personal view regarding the project:

Juanita Odenbaugh

Mayor McNaboe opened the Public Hearing at 8:16 p.m.

Attachment: Attachment 7 - 2020-08-25 City Council_Minutes (GrandT-1 CUP 19-01 Revoke (Continued))

Janese Makshanoff, Appellant spoke in opposition of the project.

David Mlynarski, Transtech representing the Applicant, Patrick O'Brien spoke in favor of the project.

PUBLIC COMMENT

The following members of the public, physically present, oppose the project as follows:

Rita Schwark
Ken Stewart
Edward Giroux
Harry Roussos
Jeffrey McConnell
Shawna Simon
Bobbie Forbes

Janese Makshanoff, Appellant spoke in opposition of the project

David Mlynarski, Transtech representing the Applicant, Patrick O'Brien spoke in favor of the project.

Mayor McNaboe closed the Public Hearing at 9:00 p.m.

UPHOLD THE PLANNING COMMISSION'S APPROVAL OF THE PROJECT AND APPROVE THE PROJECT BY ADOPTING A RESOLUTION ENTITLED "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAND TERRACE UPHOLDING THE PLANNING COMMISSION'S APPROVAL OF CONDITIONAL USE PERMIT 19-01 AND SITE AND ARCHITECTURAL REVIEW 19-03, AND A RELATED MITIGATED NEGATIVE DECLARATION (ENVIRONMENTAL 19-05); AND APPROVING AND ADOPTING THE MITIGATED NEGATIVE DECLARATION (ENVIRONMENTAL 19-05) PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), CONDITIONAL USE PERMIT 19-01, AND SITE AND ARCHITECTURAL REVIEW 19-03 TO DEVELOP A TRAILER/CONTAINER STORAGE FACILITY WITH A MAXIMUM OF 650 PARKING SPACES FOR EMPTY SEMI-TRAILERS, SHIPPING AND STORAGE CONTAINERS, AND CHASSIS USE ON AN APPROXIMATELY 21.92-ACRE SITE (ASSESSOR'S PARCEL NOS. 0275-191-06 AND 0275-191-30) WHICH IS CURRENTLY UNDEVELOPED AND LOCATED APPROXIMATELY 520 FEET NORTH OF VIVIENDA AVENUE AND SOUTH OF THE SANTA ANA RIVER TRAIL IN THE NORTHWESTERN PORTION OF THE CITY

Attachment: Attachment 7 - 2020-08-25 City Council_Minutes (GrandT-1 CUP 19-01 Revoke (Continued))

RESULT:	**APPROVED [3 TO 2]**
MOVER:	Bill Hussey, Council Member
SECONDER:	Doug Wilson, Mayor Pro Tem
AYES:	Darcy McNaboe, Doug Wilson, Jeff Allen
NAYS:	Sylvia Robles, Bill Hussey

Mayor McNaboe recessed the Regular Meeting of the City Council at 9:17 p.m.

Mayor McNaboe reconvened the Regular Meeting of the City Council at 9:22 p.m.

F. UNFINISHED BUSINESS

7. Follow-Up on Michigan Street Update

Tom Bertulis, KTUA gave the PowerPoint presentation for this item.

RECEIVE DESIGN INFORMATION AS A PROGRESS UPDATE

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Darcy McNaboe, Mayor
SECONDER:	Doug Wilson, Mayor Pro Tem
AYES:	McNaboe, Wilson, Robles, Hussey, Allen

G. NEW BUSINESS

8. Selection of Voting Delegates for the California League of Cities Virtual 2020 Annual Conference

Debra Thomas, City Clerk gave the staff report for this item.

ADOPT A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAND TERRACE, CALIFORNIA, APPOINTING DELEGATES AND ALTERNATES TO THE 2020 LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE AS OFFICIAL REPRESENTATIVES OF THE CITY OF GRAND TERRACE

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Jeff Allen, Council Member
SECONDER:	Doug Wilson, Mayor Pro Tem
AYES:	McNaboe, Wilson, Robles, Hussey, Allen

H. REQUESTS FOR FUTURE AGENDA ITEMS BY CITY COUNCIL - NONE

Attachment: Attachment 7 - 2020-08-25 City Council_Minutes (GrandT-1 CUP 19-01 Revoke (Continued))

I. CITY COUNCIL COMMUNICATIONS

Council Member Jeff Allen

Nothing to Report.

Council Member Bill Hussey

Nothing to Report.

Council Member Sylvia Robles

Nothing to Report.

Mayor Pro Tem Doug Wilson

Nothing to Report.

Mayor Darcy McNaboe

Nothing to Report.

J. CITY MANAGER COMMUNICATIONS

None.

K. RECESS TO CLOSED SESSION

Mayor McNaboe recessed the Regular Meeting of the City Council at 9:49 p.m.

CLOSED SESSION

1. CONFERENCE WITH LABOR NEGOTIATORS, pursuant to Government Code Section 54957.6

Agency Designated Representatives:	G. Harold Duffey, City Manager Cynthia Fortune, Assistant City Manager Adrian R. Guerra, City Attorney Colin Tanner, Deputy City Attorney
Employee Organization:	Teamsters Local 1932

2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS, pursuant to Government Code Section 54956.8

Properties:	22317 Barton Road, APN 1167-231-01 22273 Barton Road, APN 1167-231-02 22293 Barton Road, APN 1167-311-01
City Negotiators:	G. Harold Duffey City Manager Adrian Guerra, City Attorney
Negotiating Parties:	Greens Group, Inc.
Under Negotiation:	Terms of Payment

Attachment: Attachment 7 - 2020-08-25 City Council_Minutes (GrandT-1 CUP 19-01 Revoke (Continued))

BA20230524007

STATE OF CALIFORNIA
Office of the Secretary of State
STATEMENT OF INFORMATION
LIMITED LIABILITY COMPANY
California Secretary of State
1500 11th Street
Sacramento, California 95814
(916) 653-3516

For Office Use Only
-FILED-
File No.: BA20230524007
Date Filed: 3/28/2023

Entity Details	
Limited Liability Company Name	GRANDT-1, LLC
Entity No.	201734510231
Formed In	CALIFORNIA
Street Address of Principal Office of LLC	
Principal Address	1040 S MOUNT VERNON AVE STE G285 COLTON, CA 92324-4228
Mailing Address of LLC	
Mailing Address	1040 S MOUNT VERNON AVE STE G285 COLTON, CA 92324-4228
Attention	
Street Address of California Office of LLC	
Street Address of California Office	1040 S MOUNT VERNON AVE STE G285 COLTON, CA 92324-4228

Manager(s) or Member(s)

Manager or Member Name	Manager or Member Address
Perry Storage LLC	1040 S Mount Vernon Ave Ste G285 Colton, CA 92324-4228
+ O'BRIEN LAND & LIVESTOCK, LLC	1040 SOUTH MOUNT VERNON G285 COLTON, CA 92324
+ GRATERRA, LLC	1040 SOUTH MOUNT VERNON G285 COLTON, CA 92324

Agent for Service of Process	
Agent Name	ROBERT MORRIS
Agent Address	1200 CALIFORNIA STREET 260 REDLANDS, CA 92374
Type of Business	
Type of Business	PROPERTY MANAGEMENT
Email Notifications	
Opt-in Email Notifications	No, I do NOT want to receive entity notifications via email. I prefer notifications by USPS mail.

Chief Executive Officer (CEO)

CEO Name	CEO Address

Labor Judgment

No Manager or Member, as further defined by California Corporations Code section 17702.09(a)(8), has an outstanding final judgment issued by the Division of Labor Standards Enforcement or a court of law, for which no appeal is pending, for the violation of any wage order or provision of the Labor Code.

Electronic Signature

☒ By signing, I affirm under penalty of perjury that the information herein is true and correct and that I am authorized by California law to sign.

Robert William Morris	*03/28/2023*
Signature	Date

BA20221221819

STATE OF CALIFORNIA
Office of the Secretary of State
STATEMENT OF INFORMATION
LIMITED LIABILITY COMPANY

California Secretary of State
1500 11th Street
Sacramento, California 95814
(916) 653-3516

For Office Use Only

-FILED-

File No.: BA20221221819
Date Filed: 12/8/2022

Entity Details	
Limited Liability Company Name	TSG FLEET SERVICES, LLC
Entity No.	201503610280
Formed In	CALIFORNIA
Street Address of Principal Office of LLC	
Principal Address	10787 B MULBERRY AVE FONTANA, CA 92337
Mailing Address of LLC	
Mailing Address	10787 B MULBERRY AVE FONTANA, CA 92337
Attention	
Street Address of California Office of LLC	
Street Address of California Office	10787 B MULBERRY AVE FONTANA, CA 92337

Manager(s) or Member(s)

Manager or Member Name	Manager or Member Address
Trace Haggard	10787 B MULBERRY AVE FONTANA, CA 92337

Agent for Service of Process	
Agent Name	Aaron C. Watts
Agent Address	9900 RESEARCH DR IRVINE, CA 92618
Type of Business	
Type of Business	FLEET SERVICES
Email Notifications	
Opt-in Email Notifications	Yes, I opt-in to receive entity notifications via email.

Chief Executive Officer (CEO)

CEO Name	CEO Address
None Entered	

Labor Judgment

No Manager or Member of this Limited Liability Company has an outstanding final judgment issued by the Division of Labor Standards Enforcement or a court of law, for which no appeal therefrom is pending, for the violation of any wage order or provision of the Labor Code.

Attachment: Attachment 9 - TSG Fleet - B1304-8948 (GrandT-1 CUP 19-01 Revoke (Continued))

Electronic Signature

☒ By signing, I affirm under penalty of perjury that the information herein is true and correct and that I am authorized by California law to sign.

Aaron C. Watts	*12/08/2022*
Signature	Date

Attachment: Attachment 9 - TSG Fleet - B1304-8948 (GrandT-1 CUP 19-01 Revoke (Continued))

18.83.080 - Revocation.

Any conditional use permit granted in accordance with this Title may be revoked if any of the following actions occur:

A. Any violation of a conditional use permit's required condition of approval;

B. Any Federal, State or local law or ordinance is violated in connection with a conditionally permitted use.

The Planning Commission shall hold a public hearing to consider the proposed revocation. Said hearing shall be noticed in accordance with Section 65091 of the California Government Code and with Section 18.03.070 (Public hearing notice) of Chapter 18.03 (General provisions). After conducting the public hearing the Planning Commission shall make a recommendation to the City Council regarding revocation of the conditionally permitted use. After receiving the Planning Commission's recommendation, the City Council shall conduct its own public hearing and make a final determination to revoke, amend or leave unchanged the subject conditional use permit.

(Ord. No. 327 , § 4(Exh. 2), 10-22-2019; Ord. 126 § 2, Exh. A(part), 1990)

Attachment: Attachment 10 - GTMC 18.83.080 (GrandT-1 CUP 19-01 Revoke (Continued))

04/23/2024 10:03

Attachment: Attachment 11 - Truck Storage Photos (GrandT-1 CUP 19-01 Revoke (Continued))

04/28/2024 13:03
Walmart

18.40.010 - Purpose.

The purpose of the M2 district is to provide for the development of medium manufacturing and industrial uses. The regulations of this district are intended to allow various manufacturing and industrial uses which operate free of overly excessive noise, dust, odor or other nuisances and can be made compatible to other (nonindustrial) districts.

(Ord. No. 319 , § 5(Exh. 1), 4-24-2018)

18.40.020 - Permitted uses.

Permitted uses in the M2 district are as follows:

A. Agricultural and nursery supplies and services;
B. Automotive related services (includes motorcycles, boats, recreational vehicles, trailers and campers):
    1. Parts and supplies (wholesale and retail);
    2. Rentals;
    3. Repair;
C. Bakery (wholesale);
D. Building maintenance services;
E. Building supplies and sales (wholesale and retail), indoor;
F. Communication services;
G. Contractor's office and storage yards, indoor;
H. Heavy equipment sales and services, indoor;
I. Laundry and dry-cleaning facilities;
J. Mail order services;
K. Manufacturing, light and medium facilities;
L. Photography and film processing facilities;
M. Printing, blueprinting and reproduction services;
N. Public storage facilities; indoor;
O. Recreational vehicle storage, indoor;
P. Veterinary clinics (completely contained in a building);

Q. Wholesale, storage and distribution facilities;

R. Emergency shelters;

S. Other uses which are determined by the Planning Commission to be similar in nature to a use listed in this section;

T. Temporary uses which are determined by the Community Development Director not to have a significant long term impact on the environment. (Uses such as parking lot sales, Christmas tree sales, seasonal sales, rummage sales, and others with review through the land use approval or administrative site and architectural approval process in accordance with Chapter 18.63, Site and Architectural Review).

(Ord. No. 319 , § 5(Exh. 1), 4-24-2018)

18.40.030 - Conditionally permitted uses.

Uses permitted in the M2 district with a conditional use permit are as follows:

A. Automotive related services (includes motorcycles, boats, recreational vehicles, trailers and campers):

1. Sales (new and used vehicles),
2. Service stations;

B. Funeral homes (with crematory services);

C. Building supplies and sales (wholesale and retail), outdoor;

D. Contractor's office and storage yards, outdoor.

E. Heavy equipment sales and repair, outdoor;

F. Plant nurseries, wholesale, outdoor;

G. Public storage facilities, outdoor;

H. Public utilities and facilities;

I. Recreational facilities;

J. Recreational vehicle storage, outdoor;

K. Modular units for business office or headquarter purposes only;

L. Other uses which are determined by the Planning Commission to be similar in nature to a use listed in this Section.

(Ord. No. 329 , § 5, 1-28-2020; Ord. No. 319 , § 5(Exh. 1), 4-24-2018)

City of Grand Terrace

Department of Building & Safety, Public Works and Housing
22795 Barton Rd., Suite B, Grand Terrace, CA 92313-5295
(909) 954-5180 • Fax (909) 825-7506

PERMIT NO. B00-004-382
Permit Type: Commercial New

PROJECT	TRACT NO.	BLK. NO.	LOT NO.	APPLIC. DATE	ISSUED BY
				3/7/2022	AM

Issue Date: 07/28/2022
Permit Status: Finaled

PROJECT ADDRESS	ASSESSORS PARCEL NO.	GEO CODE
11731 Terrace Ave	0275-191-06 & 30	

OWNER	MAILING ADDRESS	PHONE NO.	FAX NO.
O'Brien, Patrick Grand T-1 Inc	1040 S Mount Vernon Ave Suite G-285 Colton, CA 92324	(909) 319-2106	

APPLICANT	MAILING ADDRESS	PHONE NO.	FAX NO.
Grand T-1 Inc	1040 S Mt Vernon Ave Colton, CA 92324	(909) 319-2106	

CONTRACTOR/PROFESSIONAL	MAILING ADDRESS	PHONE NO. / EMAIL ADDRESS:	FAX NO.
Carl White Grading & Excavation	33175 Temecula Pkwy Suite A,Box 70 Temecula, CA	(909) 319-2106	

TENANT	MAILING ADDRESS	PHONE NO.	FAX NO.

DESCRIPTION

Com New

PLACE NEW 16' x 40' PREFABRICATED OFFICE BUILDING AT TRUCK TRAILER STORAGE SITE

CALCULATION TYPE	UOM	# OF UNITS	VALUE	CALCULATION TYPE	UOM	# OF UNITS	VALUE
Value	dollars	67,300	$67,300.00				

OCCUPANCY Offices **TOTAL VALUATION** $67,300.00

FEE DETAIL

QTY	UOM	DESCRIPTION	AMT DUE	AMT PAID	QTY	UOM	DESCRIPTION	AMT DUE	AMT PAID
1	each	Issue Fee	$55.00	$55.00			Building Permit	$769.75	$769.75
698.50		Miscellaneous Plan Check Fees	$698.50	$698.50			Green Building Standards	$3.00	$3.00

Total Fees: $1,526.25 **Total Paid:** $1,526.25 **Balance Unpaid:** $0.00 **Paid Today:**

RECEIPTS DETAIL

RECEIPT #	TRANS. DATE	NAME	PAYMENT TYPE	PAYMENT TYPE #	AMOUNT
6,074	7/28/2022	GRAND T-1 INC PATRICK O'BRIEN	Cash		$1,526.25

Attachment: Attachment 13 - B00-004-382_permit (GrandT-1 CUP 19-01 Revoke (Continued))

Department of Building & Safety

City of Grand Terrace
22795 Barton Rd., Suite B,
Grand Terrace, CA 92313-5295

INSPECTION RECORD

Permit No. B00-004-382
Permit Type: Commercial New

POST THIS CARD IN A SAFE, CONSPICUOUS PLACE AT FRONT OF JOB
HAVE PLANS AVAILABLE ON JOB AT TIME OF INSPECTION

24 HOUR NOTICE FOR INSPECTIONS CALL 909-954-5180

Building Address	**11731 Terrace Ave**	
Owner Name and Address	O'Brien, Patrick 1040 S Mount Vernon Ave Suite G- Colton, CA 92324	**Phone:** (909) 319-2106 **Fax:**
Contractor Name and Address	Carl White Grading & Excavation 33175 Temecula Pkwy Suite A,Box 7(Temecula, CA	**Phone:** (909) 319-2106 **Fax:**
State Lic. & Classif.	1069507 A	**City Lic. #**

Proposed Construction: **Com New**

PLACE NEW 16' x 40' PREFABRICATED OFFICE BUILDING AT TRUCK TRAILER STORAGE SITE

Building	Date	Insp.	Status
Pad Certificate			
Set Backs			
Underground Plumbing/Electrical			
Footings/Steel or Mesh			
Uffer Ground			
Slab			
Site Underground Conduit			
Water Supply and Backflow			
Sewer/Septic System			
Grease/Trap Interceptor			
Roof Sheathing/Shear/Hold Downs			
Rough Electrical			
Rough Mechanical			
Rough Plumbing			
Prelim Drywall			
Framing			
Roof Drain Inspection			
Lath / Screeds			
Insulation			
Drywall			
T Bar Ceiling			
Gas Test			
Water Heater			
Furnace / AC			
Temporary Use of Permanent Power			
Interior Dissabled Access			
Exterior Dissabled Access			
Site Light Standards			
Underground Electric			
NPDES			
Electrical Service Release			
Final Plumbing			
Final Mechanical			
Final Building	07/28/2022	LG	Approved
Gas Release			
Other Inspection			

NOTICE TO OWNER

CALL FOR FINAL INSPECTION ON EVERY JOB.
THIS PERMIT WILL EXPIRE IF WORK IS SUSPENDED OR ABANDONED FOR A PERIOD OF 180 DAYS.

• PROTECT THIS CARD •

When signed it's your permanent record of permitted work.
File with your important papers.

Attachment: Attachment 13 - B00-004-382_permit (GrandT-1 CUP 19-01 Revoke (Continued))

TEMPORARY

(THIS TCO SHALL BE VALID ONLY FOR 45 DAYS AFTER DATE OF ISSUANCE)

Certificate of Occupancy

City of Grand Terrace

Department of Planning and Development Services
22795 Barton Road
Grand Terrace, CA 92313
(909) 825-3825

THIS TEMPORARY CERTIFICATE ISSUED PURSUANT TO THE REQUIREMENTS OF SECTION 111.2 OF THE CALIFORNIA BUILDING CODE CERTIFYING THAT AT THE TIME OF ISSUANCE THIS STRUCTURE WAS IN TEMPORARY COMPLIANCE WITH THE VARIOUS ORDINANCES OF THE CITY REGULATING BUILDING CONSTRUCTION AND/OR LAND USE FOR THE FOLLOWING:

Permit No. B00-004-382

Building Address: 11731 Terrace Avenue

Tenant Name: TSG Fleet Services LLC
Tenant Mailing Address: 11731 Terrace Ave. Grand Terrace, CA 92313

Owner Name: Grand T-1 LLC
Owner Address: 1040 S Mount Vernon Ave. #G285 Colton, CA 92324

Commercial Use: Office
Specific Area of Use: N/A
Occupancy: B

A.P.N.: 0275-191-30-0000

Type of Construction: V-B

Design Occupant Load: 4
Sprinkler System Required: N/A

Code Year: 2019

Approved by:

Building Official "or"
Planning & Development Services Director

July 28, 2022
Date

Attachment: Attachment 14 - 11731 Terrace Ave. (TSG Fleet Services Temporary) (GrandT-1 CUP 19-01 Revoke (Continued))

NO SMOKING
CLEAN DIESEL
TRANSTORE
2
0
1
198

NO SMOKING
CLEAR DIESEL
TRANSTORE
TRANSPORTABLE STORAGE SYSTEMS
METALCRAFT
COMBUSTIBLE
Caution!
Do not pressurize this tank
¡Cuidado!
No presurizar este tanque
THIS TANK MUST BE VENTED PRIOR TO DISCHARGE
CLEAR DIESEL
FILL-RITE

CLEAR DIESEL
RED DIESEL
1993
3
NO SMOKIN

NO SMOKING
CLEAR DIESEL
TRANSTORE
COMBUSTIBLE
CLEAR DIESEL
RED DIESEL
1993

GOHANEY.COM
Wanted
SAFE, DEPENDABLE
COMPANY DRIVERS
AND
OWNER OPERATORS
Call the People that Care!
(800) 266-2661
4CD71136
02/14/2024 14:31

18.40.040 - Prohibited uses.

Uses that include the storage of hazardous and/or flammable material is prohibited. Such uses include, but are not limited, to pallet yard, and other wood products, and tire storage.

(Ord. No. 319 , § 5(Exh. 1), 4-24-2018)

LAW OFFICES
DAPEER, ROSENBLIT & LITVAK, LLP

WILLIAM LITVAK*
STEVEN H. ROSENBLIT
KENNETH B. DAPEER
JAMES C. ECKART
PATRICIA H. FITZGERALD
ERIC P. MARKUS

*MANAGING PARTNER

WEST LOS ANGELES OFFICE
11500 W. OLYMPIC BLVD., SUITE 550
LOS ANGELES, CA 90064-1524
TELEPHONE (310) 477-5575
FACSIMILE (310) 477-7090

WRITER'S EMAIL
JECKART@DRLLAW.COM

24 April 2023

Rutan & Tucker, LLC
18575 Jamboree Road, 9th Floor
Irvine, CA 92612

[*Via First Class Mail and E-Mail: afenstermacher@rutan.com*]

Attn: Alan Fenstermacher, Esq.

Re: GrandT-1, LLC (APNs 0275-191-06 and 0275-191-30) / [CUP 19-01]

Dear Mr. Fenstermacher:

Thank you for confirming that you are the attorney representing GrandT-1, LLC, in connection with its operations in the City of Grand Terrace ("City"), and for taking the time to speak with me last Friday. As I advised you, I serve as the City's Special Legal Counsel in connection with the enforcement of Conditional Use Permit 19-01 – which was issued to your client on August 25, 2020 (as set forth in Resolution 2020-32), authorizing the operation of a proposed trailer storage facility at the above-referenced parcels of property.

As we discussed, your client's acquisition of a Conditional Use Permit was a multi-year process that resulted not only in a public hearing spanning three (3) separate Planning Commission meetings, but also an appeal before the City Council brought by a member of the public. Both the Planning Commission and the City Council considered the tremendous public opposition presented at the respective hearings prior to the granting of Conditional Use Permit 19-01 by a narrow margin of both the Planning Commission (2 to 1 vote, with 2 commissioners recusing themselves) and the City Council (3 to 2 vote).

The approved Conditional Use Permit included in excess of forty-six (46) Conditions of Approval – which Patrick O'Brien accepted on behalf of GrandT-1, LLC, on September 30, 2020.

Notwithstanding the acceptance of CUP 19-01 and its Conditions of Approval, I have been advised that your client and/or TSG Fleet Services, LLC – the current operator of fleet services at the Subject Properties, is causing or allowing violations of the Conditions of Approval of CUP 19-01 and/or of other applicable provisions of law.

Specifically, I have been advised of the following violations of applicable Grand Terrace laws and/or of the CUP:

1. Business operations are occurring at the Subject Properties without a current and valid Business License (by either GrandT-1, LLC or TSG Fleet Services, LLC);

2. Use and/or occupancy of an "office" structure without a valid Certificate of Occupancy;

3. Installation of above-ground fuel tanks without required City approvals, permits, and/or inspections;

4. Conducting trailer storage operations outside approved days and/or hours (as set forth in Condition of Approval #3 to be Monday through Friday from 7:00 a.m. to 8:00 p.m.);

5. Failure to submit the following to the City:

    a. Operations Manual;
    b. Project delivery staging and operating schedule;
    c. Security Plan

Your client is hereby ordered to *immediately* cease and desist all unapproved business operations occurring in violation of the approved days and/or times – and to otherwise ensure the operation of the trailer storage facility strictly adheres to CUP 19-01 and all other applicable laws, rules, and regulations.

Although you and I agreed that a meeting between you and your client (along with a representative from TransTech) and City Officials and me would be beneficial to discussing the outstanding issues – I advised you that **we would not agree to any meeting unless your client *immediately* ceases all business operations occurring in violation of the approved days and/or times**.

In this regard, in August 2022, on behalf of your client, Attorney Jonathan E. Shardlow (of Allen Matkins) issued correspondence to the Grand Terrace City Manager – a copy of which is enclosed herein - asserting that Condition #3 does not, in fact, limit business hours to the days and times set forth therein. As I discussed with you on Friday, Mr. Shardlow's interpretation of the term "proposed" as it relates to business hours is inaccurate[1] – and is in direct

[1] Contrary to Mr. Shardlow's assertion that the term "proposed" as used in Condition of Approval #3 is meant to be understood merely as suggested or anticipated hours of operation, "proposed" is clearly meant to demonstrate that the hours of operation would commence at some

Attachment: Attachment 18 - Correspondence to GrandT-1 Attorney (GrandT-1 CUP 19-01 Revoke (Continued))

contradiction to the decision made by the Planning Commission at the final hearing on July 16, 2020.

For your convenience, enclosed herein, please find copies of the following documents:

a) City Council Resolution 2020-32 (upholding Planning Commission's approval of CUP 19-01);

b) Acceptance of Conditions of Approval (signed by Mr. O'Brien); and,

c) Portions of the Minutes of Planning Commission meeting from July 16, 2020, pertinent to CUP 19-01.

Additionally, I encourage you and your client to review the Planning Commission and City Council hearings regarding the CUP. You are able to access video recordings of the Planning Commission and City Council meetings from the City's website.[2]

---

point in the future since the business was not in operation at that time. The Conditions of Approval not only discuss the "proposed" Project (Condition #29 and throughout the Exhibits setting forth Conditions of Building & Safety, Public Works, and Fire Department), but also discusses the following "proposed" components of the proposed Project: parkway trees (Condition #30), storage shed (Condition #31), lighting (Condition #32), 900 square foot office trailer and 4,800 square foot maintenance building (Condition #36), street improvements (Public Works Condition #1), sewer plans (Public Works condition #5), and water plans (Public Works Condition #s 6 & 7). If Mr. Shardlow's interpretation were accurate, your client would also be able to contend that the CUP does not limit your client to a trailer storage yard since it is referenced as a "proposed Project".

[2] You may review recordings of the Planning Commission meetings related to CUP 19-01 here: http://grandterracecityca.iqm2.com/Citizens/Calendar.aspx?From=1/1/2020&To=12/31/2020. The final meeting was held on July 16, 2020. Although the issue of business hours was addressed at multiple points during the hearing, I would encourage you and your client to pay special attention to the portion of the discussion commencing around 2 hours, 46 minutes in the July 16th meeting. At the conclusion of the public hearing, Commissioner Alaniz makes a motion to approve the CUP with the condition that the hours of operation commence no earlier than 7 a.m. Thereafter (at or around 2 hours, 57 minutes), with no second to Commissioner Alaniz's motion, Vice-Chair Briggs makes a motion to approve the CUP with a variety of conditions – including that operating hours be limited to Monday through Friday from 8 a.m to 5 p.m. – with no weekends or holidays. With no second to Vice Chair Briggs' motion, Commissioner Ceseña makes an alternate motion to approve the CUP (at approximately 3 hours, 30 seconds into the meeting) with a condition to limit the operating hours to commence no earlier than 7 a.m. Commissioner Alaniz requests to make a friendly amendment to Commissioner Ceseña's motion to limit operating hours from 7 am to 8 pm. Commissioner Ceseña agrees to modify her motion, and the amended motion is approved by a vote of 2 to 1 – thereby approving CUP 19-01 with the limitation of operating hours to Monday through Friday, 7 a.m. to 8 p.m. After the appeal, the City Council upholds the Planning Commission's decision – thereby maintaining the approval of CUP 19-01 with the limited operating hours. It should be noted that your client and/or his representative from TransTech (David Mlynarski) were present in person or virtually for each of the meetings, and were involved in all discussions.

As previously stated, if your client immediately ceases all unapproved operations during the prohibited hours, City Staff and I would be pleased to meet with you and your client (either in person or virtually) to discuss an acceptable schedule to get your client back into compliance with the Conditions of Approval. Otherwise, we will have no choice but to request the Planning Commission to revoke the CUP, as well as to commence other legal enforcement actions to abate all unlawful activities and conditions.

Thank you for your continued professionalism, and I look forward to communicating with you later this week.

Sincerely,

James Eckart
Special Legal Counsel for
City of Grand Terrace

Encls.

Cc: City Officials

Attachment: Attachment 18 - Correspondence to GrandT-1 Attorney (GrandT-1 CUP 19-01 Revoke (Continued))

Daysi Alcocer

From: John Odenbaugh <odenbaugh68@gmail.com>
Sent: Thursday, June 20, 2024 3:29 PM
To: ccpubliccomment
Subject: FOR PUBLIC COMMENT item C. Public Hearings 2. Review of conditional use permit CUP 19-01

To Planning commision

My family home at 21811 Vivienda ave. It is approximately 940 feet away from the location of CUP 19-01, TSG. I have had multiple numbers of trucks related to TSG drive thru Vivienda ave during the hours of 8pm to 7am. I also have been a witness to multiple trucks at TSG on Saturday and Sunday. Which includes employees of TSG operating large forklifts between the hours of 8pm thru 7am, with excessive portable lighting. The noise from backup beeps and horn honking coming from trucks parking on site is also unbearable, not to mention the headlights shining in my front window of my home.
I have documentation, Videos and photos time stamped of all of the above unlawful activities.
Please help the west end of Grand Terrace.
Thank You,
Mrs. John A. Odenbaugh

To the Planning Commission and City Council of Grand Terrace:

I, Juanita Odenbaugh, have resided with my family at 21811 Vivienda Avenue, Grand Terrace, CA 92313 since June 2005.

I am submitting this official statement to present written evidence and personal experiences indicating that TSG Fleet Services has engaged in unlawful activities. Attached to this statement are video and photographic evidence documenting each occurrence.

Since TSG Fleet Services commenced operations at 11731, approximately 940 feet from my residence, I have observed the company conducting business outside of their designated operational hours, specifically between 8 PM and 7 AM. Additionally, there has been a significant increase in heavy traffic involving trucks associated with TSG, traversing small neighborhood streets including Vivienda Avenue, Walnut Avenue, Burns Avenue, and Grand Terrace Road.

Furthermore, on Saturday, August 6, 2022, outside of the designated operational schedule, TSG employees were present on site, moving trailers and receiving truck trailers. I contacted the San Bernardino Sheriff's dispatch to request a deputy to enforce their Conditional Use Permit (CUP 19-01) and halt TSG's activities. Deputy Officer Velasco responded, and after reviewing the operational hours specified in CUP 19-01, he instructed the employees to cease their activities. The reference number for this incident is GT 22218008.

On August 11, 2022, on two separate occasions after operational hours, I observed trucks entering and exiting TSG's premises. The first incident occurred at 5:19 AM and the second at 8:13 PM.

Most recently, on Tuesday, May 6, 2024, at approximately 4:30 AM, TSG had bright lighting and noise emanating from an employee operating a large forklift to move chassis. I reported a noise complaint and the early activity to the San Bernardino Sheriff's dispatch. Deputy Officer Jimenez responded, and upon arrival at TSG, the portable lighting was turned off and the forklift operations ceased.

Over the past two years, I have compiled approximately two years of photographic and video evidence of trucks with trailers on Walnut Avenue, Maple Avenue, Burns Avenue, Grand Terrace Road, and Vivienda Avenue, directly related to TSG's trucks passing through the neighborhood.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and recollection.

Sincerely,

Juanita Odenbaugh

PETITION TO URGE THE CITY OF GRAND TERRACE TO REVOCK THE CUP FOR THE GRANDT-1, LLC TRUCK PARKING FACILITY

We, the undersigned, are residents of the City of Grand Terrace want the truck parking at 11731 Terrace Avenue's Conditional Use Permit REVOKED! This company has never met the conditions of approval for the Conditional Use Permit. On June 20, 2024, at 6:30 p.m. the City of Grand Terrace's Planning Commission will host a hearing to "consider the revocation of the Conditional Use Permit and remove this rouge operation who has never abided by the terms of the CUP. Yard Operator is operating on nights and weekends, stacking containers and ignoring the Conditions of the permit. Furthermore, yard owner, has never build the gazebo and has not finished the trail to the Santa Ana River which were part of Approval. The road to the yard is woefully inadequate for truck traffic and is a safety hazard.

NO.	NAME	PHONE	EMAIL	ADDRESS	CITY
1	FERNANDO VALDEZ	909-549-0994	YOTERN369@YAHOO.COM		
*2	Deena Arnold	949-270-6117	deena126@yahoo.com	Grand Terrace	
3	JUAN MAGDALENO	909 835-3381	JLMAGDALENO19@GMAIL	GRAND TERRACE	
4	KATHY INNES	fxfrogg@aol.com	21934 Grand TERRACE Rd	GRAND TERRACE	
5	LYNN ROBERTS	cr2nst@aol.com	21934 GRAND TERRACE RD	G.T.	
6	Lisa Harrison	323 972 7343	21868 Grand Terrace Rd,	Grand Terrace	
7	Miguel Melchor	909-568-5458	21840 Grand Terrace Rd,	Grand Terrace	
* 8	Becky Giroux	909 261-4833	21891 Vivienda Ave,	Grand Terrace	
9	Karina Clark	[illegible]	21899 Vivienda Ave,	Grand Terrace	
10	Kimberly MAZZACANE	951 686-1112	21970 Vivienda Ave	Grand Terrace	
11	John MAZZACANE	951 686-1147	21970 Vivienda Ave	Grand Terrace CA	
12	[illegible]	909-825 7044	22020 [illegible]	[illegible]	
13	BK Torres	909 783 8888	11856 BURNS AVE	Grand Terrace	
14					
15					

PETITION TO URGE THE CITY OF GRAND TERRACE TO REVOCK THE CUP FOR THE GRANDT-1, LLC TRUCK PARKING FACILITY

We, the undersigned, are residents of the City of Grand Terrace want the truck parking at 11731 Terrace Avenue's Conditional Use Permit REVOKED! This company has never met the conditions of approval for the Conditional Use Permit. On June 20, 2024, at 6:30 p.m. the City of Grand Terrace's Planning Commission will host a hearing to "consider the revocation of the Conditional Use Permit and remove this rouge operation who has never abided by the terms of the CUP. Yard Operator is operating on nights and weekends, stacking containers and ignoring the Conditions of the permit. Furthermore, yard owner, has never build the gazebo and has not finished the trail to the Santa Ana River which were part of Approval. The road to the yard is woefully inadequate for truck traffic and is a safety hazard.

NO.	NAME	PHONE	EMAIL	ADDRESS	CITY
1	Maxine Martine	951 217 137		21920 Grand Terrace Rd	Grand Terrace
2	Valerie Bergquist	909-513-7328		21912 Grand Terrace Rd.	Grand Terrace
3	Rudy Romo	951 970 6629		21892 Grand Terrace Rd	
4	Monica Zaragoza	(714) 981-3295		21892 Grand Terrace Rd	
5	Desiree Martinez	323/471-8391		21882 Grand Terrace Rd.	
6	Laura Hernandez	714-499-1466		11842 Burns Ave	Grand Terrace 92313
7	Humberto	Oregon) 951-905056		11818 Burns AV	Grand Terrace
8	Michael Simon	(909) 835-7122		21797 Vivienda Ave	G.T.
9	Alexis Arseo	(909) 654-0410		21922 Vivienda Ave	G.T.
10	Marisa Carrillo	(909) 246-8427		21922 Vivienda Ave unit B.	G.T.
11	Sue Sharpe	951 529-4844		22033 Vivienda Ave.	
12	Maria Zelada	909-699 2652		21845 Grand Terrace RD #26	GT
13	Graciela Ruiz	(909) 490-2328		21845 Grand Terrace RD #25	92313
14					
15					

NO.	NAME	PHONE	EMAIL	ADDRESS	CITY
93	Waldemar Alvira	(909) 991-3272	RICAWECTION@MSN.COM	21945 GRAND TERRACE RD.	
94	Rita Schwenk	(909) 732-2558	Ridinro7@yahoo.com	21952 Grand Terrace Rd.	G.T. CA 92313
94	Tyler Simpkins	909-213-1003	tylerasimpkins@gmail.com	21970 Grand Terrace Rd	Grand Terrace Ca 92313
95	Josh Clark	909-991-8703	clark9287@outlook.com	21899 Vivienda Ave	Grand Terrace CA 92313
96	HumBerto Oregon	(951) 855-7068	1990robrod@gmail.com	11818 Burns Ave	
97	Alfa Penaloza	951 9054131	11818 Burns Ave	Grand terrace	
98	Shawna Simon	909-835-7123	21797 Vivienda Ave.	Grand Terrace	
99	Lucy Abontes	9099130529	11841 Maple Ave	GT 92313	
100	Keri Simpkins	909-831-1818	kasimpkins@gmail.com	21970 Grand Terrace Rd.	Grand Terrace, CA. 92313
101	Roberto MACIAS	909.232.0002	robsaree@gmal.com	22784 MIRIAM WAY	GT 92313
102	MARTHA A MACIAS	909.255.2310	mahthagm200s@gmal	22784 MIRIAM WAY	GT 92313
103	Robert Sanchez	909-709-7372	Stormlunc21e gmail.com	22895 Grand Terrace Rd	
104					
105					
106					
107					
108					

Attachment: Attachment 21 - Petition (GrandT-1 CUP 19-01 Revoke (Continued))

PETITION TO URGE THE CITY OF GRAND TERRACE TO REVOCK THE CUP FOR THE GRANDT-1, LLC TRUCK PARKING FACILITY

We, the undersigned, are residents of the City of Grand Terrace want the truck parking at 11731 Terrace Avenue's Conditional Use Permit REVOKED! This company has never met the conditions of approval for the Conditional Use Permit. On June 20, 2024, at 6:30 p.m. the City of Grand Terrace's Planning Commission will host a hearing to "consider the revocation of the Conditional Use Permit and remove this rouge operation who has never abided by the terms of the CUP. Yard Operator is operating on nights and weekends, stacking containers and ignoring the Conditions of the permit. Furthermore, yard owner, has never build the gazebo and has not finished the trail to the Santa Ana River which were part of Approval. The road to the yard is woefully inadequate for truck traffic and is a safety hazard.

NO.	NAME	PHONE	EMAIL	ADDRESS	CITY
1	Andres Chavez				
2	Miguel Medina				
3	Abraham Gomez			11823 maple	Grand Terrace
4	[illegible]	909/676-9905		21758½ WALNUT AVE	GRAND TERRACE, CA
5	[illegible]			21769 Vineland	
6	[illegible]	(909) 341-[illegible]		21996 Viviendas Ave. Gt.	
7	Lora [illegible]	909 809-0092		22010 VIVIENDAS AVE GT	
8					
9					
10					
11					
12					
13					
14					
15					

RUTAN
RUTAN & TUCKER, LLP

Alan B. Fenstermacher
Direct Dial: (714) 641-3452
E-mail: afenstermacher@rutan.com

June 19, 2024

VIA E-MAIL

Honorable Chair and Planning Commission
City of Grand Terrance
22795 Barton Road
Grand Terrace, CA 92313

ccpubliccomment@grandterrace-ca.gov.

James Eckart, Special Legal Counsel
Dapeer, Rosenblit & Litvak, LLP
11500 West Olympic Boulevard, Suite 550
Los Angeles, CA 90064-1524

jeckart@drllaw.com

Re: Agenda Item C.2 - Review of Conditional Use Permit (CUP) 19-01
11731 Terrace Avenue

Dear Honorable Chair and Planning Commissioners:

This letter is sent on behalf of Grand T1, LLC ("Grand T1") the owner of the property located at 11731 Terrace Avenue (the "Property"), which is currently leased to TSG Fleet Services, LLC ("TSG").

The purpose of this letter is to formally request a continuance of the June 20, 2024 hearing to July 18, 2024. This office previously made this request to the City's special counsel, and understands that City staff plans to recommend to the Commission that this item be continued to that date. We support that recommendation, and believe it is necessary to povide Grand T1 – which does not conduct operations on the Property – with sufficient time to investigate the City's concerns, act accordingly, and provide a complete response.

This office has not been in contact with the City concerning the Property for approximately one year, and therefore Grand T1 is still getting up to speed. Grand T1 received the notice of the June 20, 2024 hearing 9 days prior to the hearing date, and was provided the detailed basis for the proposed revocation of the CUP when the staff report was released. I also understand that TSG's primary representative and legal counsel is currently out of the country, and unable to attend or otherwise participate in the June 20th hearing.

RUTAN
RUTAN & TUCKER, LLP

Grand T1 is committed to working with the City to resolve these issues. The continuance will provide the opportunity for Grand T1 and TSG to meet with City staff to discuss this matter, and such a meeting is currently scheduled for early July, to hopefully resolve any outstanding issues without needing any further hearing(s). Grand TI looks forward to working with the City on this matter.

Sincerely,

RUTAN & TUCKER, LLP

Alan B. Fenstermacher

2523/037780-0001
20734558.1 a06/18/24

Attachment: Attachment 24 - Rutan Letter (GrandT-1 CUP 19-01 Revoke (Continued))

WATTSLAW
LLP

June 19, 2024

Via E-mail Only

Honorable Chair and Planning
City of Grand Terrace
22795 Barton Road
Grand Terrace, CA 92313
ccpubliccomment@grandterrace-ca.gov

James Eckart, Special Legal Counsel
Dapeer, Rosenblit & Litvak, LLP
11500 West Olympic Blvd., Suite 550
Los Angeles, CA 90064-1524
jeckart@drllaw.com

Re: Agenda Item C.2 – Review of Conditional Use Permit ("**CUP**") 19-01
11731 Terrace Avenue

Dear Honorable Chair and Planning Commissioners:

This office serves as legal counsel for TSG Fleet Services, LLC ("**TSG**"), the current tenant of the real properly located at 11731 Terrace Avenue (the "**Property**"), which is owned by Grand T1, LLC ("**Grand T1**"). The purpose of this letter is to formally request a continuance of the Public Hearing by the Planning Commission scheduled for June 20, 2024 ("**Hearing**").

TSG first received notice of the Hearing ("**Notice**") on the afternoon of Tuesday, June 11, 2024 – nine (9) days before the Hearing. The Notice identified six alleged violations of the CUP, four of which TSG learned about for the first time in the Notice. TSG had no prior knowledge or notice of four of the alleged violations.

Following receipt of the Notice, this office communicated with Mr. Eckart, the City's special counsel, to request a continuance. The request for a continuance was because: (i) TSG requires additional time to investigate the newly identified violations and provide the appropriate response, and (ii) I, TSG's primary legal counsel, am

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TELEPHONE:949.622.8980 FACSIMILE:949.622.8901 WWW.WATTSLAWYERS.COM

Attachment: Attachment 25 - Watts Letter (GrandT-1 CUP 19-01 Revoke (Continued))

currently out of the country on the date of the Hearing, and will not be returning until July 5, 2024, and am therefore unable to attend or participate in the Hearing on behalf of TSG. Based on these factors, Mr. Eckart agreed to support our request for a continuance of the Hearing. It is our understanding that Mr. Eckart has communicated the parties' joint recommendation for a continuance of the Hearing to July 18, 2024.

It is TSG's sincere desire to resolve the issues raised in the Notice and TSG remains committed to working with the City to achieve a resolution. A meeting is currently scheduled for July 8, 2024, with all concerned parties, including City staff, to further discuss the matter with the goal of finding a resolution without the need for a further hearing.

Nothing in this letter is intended to constitute or should be construed as an election of remedies by TSG or as a waiver or release of any rights or remedies available to it. All such rights and remedies are reserved, and nothing herein is intended to limit or otherwise restrict those rights in any way.

Thank you for your consideration of this request for a continuance.

Sincerely,

WATTS LAW LLP

Aaron C. Watts
[awatts@wattslawyers.com]

Attachment: Attachment 25 - Watts Letter (GrandT-1 CUP 19-01 Revoke (Continued))