MINUTES OF THE SPECIAL MEETING OF THE
UPLAND CITY COUNCIL
APRIL 1, 2020

OPENING The special meeting of the Upland City Council was called to order by Mayor Debbie Stone at 6:04 p.m. in the Council Chamber of the Upland City Hall.

1. ROLL CALL

Present: Mayor Debbie Stone, Council Members Janice Elliott, Ricky Felix, Bill Velto, and Rudy Zuniga

Staff: City Manager Rosemary Hoerning, Interim City Attorney Steven Flower, and City Clerk Keri Johnson

This City Council meeting was conducted pursuant to the Governor's Executive Order N-29-20 which suspended certain requirements of the Brown Act. The Mayor was present in the City Council Chamber and all other Council Members and staff were present via videoconference. The public was able to observe the meeting via live stream on the City's website or on the public access cable channels. Public comment was taken via telephone.

2. CONDUCT A PUBLIC HEARING FOR CONSIDERATION OF A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PROGRAM, SITE PLAN NO. 19-09, DESIGN REVIEW NO. 19-17, LOT LINE ADJUSTMENT NO. 19-17, AND DEVELOPMENT AGREEMENT NO. 20-0001 FOR THE PROPOSED DEVELOPMENT OF A 201,096 SQUARE FOOT WAREHOUSE/PARCEL DELIVERY SERVICE BUILDING WITH AN ANCILLARY OFFICE/RETAIL SPACE LOCATED NORTHEAST OF CENTRAL AVENUE AND FOOTHILL BOULEVARD (APNs 1006-351-09, 1006-351-10, 1006-572-11, 1006-551-12, 1006-551-22, AND 1006-574-10)

Development Services Director Dalquest stated recommended changes to the indemnification condition of approval for the Lot Line Adjustment and Site Plan/Design Review Resolutions so that the indemnity requirements for the approval aligned with the indemnity requirements in the development agreement. Director Dalquest then introduced Contract Senior Planner Poland who presented the staff report along with a PowerPoint presentation, which is on file in the City Clerk's office.

There was discussion regarding potential changes to the Section 11D of the development agreement regarding the enforcement costs, traffic monitoring, and the fines for exceeding the maximum truck traffic per day.

Development Services Director Dalquest answered questions posed by the Council regarding the maximum truck trips per day and the types of trucks/vans accessing the facility.

There was discussion regarding potential changes to the development agreement including potential improvements to Foothill Boulevard, term of the agreement, and the financial contribution.

Heather Crossner of Bridge Development Partners presented a PowerPoint, which is on file in the City Clerk's office.

Brendan Kotler Vice President of Development with Bridge Development Partners answered questions posed by the Council regarding traffic monitoring, traffic routes, bike lanes along

Foothill Boulevard and Benson Avenue, and the types of trucks that will be entering and exiting the facility.

Mayor Stone opened the public hearing.

Justin Cadzow, spoke in opposition of the project and questioned how the traffic impacts in the area would be mitigated.

Albert Pattison, spoke in opposition of the project and stated concerns over the potential impacts of the project, including zoning, inadequate roads, increased traffic, minimal sales tax generation, and inconsistencies in the Mitigated Negative Declaration.

Helen Young, stated concern about impact to the air quality from increased truck traffic.

Alexander Novikov, spoke in opposition of the project and stated it was not the appropriate symbol for Upland, not the best project for the location, and would bring in similar types of projects to the City.

Greg Bradley, stated that the Mitigated Negative Declaration is incomplete and has inadequate analysis of alternatives.

Roger Stephenson, stated that the development agreement the City Council was considering differed from the development agreement presented to the Planning Commission. He further stated that the revisions appeared to be an attempt to address comments in letters that he submitted, but he felt the changes still left too much to interpretation.

Kris Gooding, spoke in opposition of the project and stated that she had intended to show video for her three minutes of comments, but since she was unable to do so the Council would not be able to see the lines of traffic nor how incompatible the project is with the City. She further stated that there were deficiencies in the studies.

Lois Sicking Dieter, spoke in opposition of the project and stated a full Environment Impact Report was required. She further stated the hydrology and water quality analyses were incomplete and contained erroneous data.

Brinda Sarathy, spoke in opposition of the project and requested the Council not approve the Mitigated Negative Declaration due to ongoing concerns regarding the zoning, air quality, noise, traffic, and inadequate mitigation measures. She further stated concerns regarding the long term impacts on the residents of Upland.

Daniel, spoke in support of the project and requested that the City Council do what is best for Upland.

Russ Burroughs, spoke in opposition of the project and stated concerns over traffic on Foothill Boulevard.

Cindy Phillips, spoke in opposition of the project and read portions of a letter from the Community Development Director of Claremont.

Steven Reyes, spoke in support of the project, but stated concern regarding how much revenue would be produced for the City.

Brigitte James, spoke in support of the project and stated the Developer has listened to concerns of the residents and worked with the City to make changes. She further stated it will provide upgrades to the surrounding area and will benefit Upland.

Steve Bierbaum, spoke in opposition of the proposed project and stated the proposed project will have significant negative impacts to the environment and requested a full environmental impact report. He further stated the project will be a transit hub, which is not permitted under general plan.

Terri DiMarco, stated the Upland Chamber of Commerce supports the project and it would provide positive benefits through improvements to the area, creation of new jobs, and economic benefits to the City.

Rochelle Johnson, spoke in support of the project and felt that the developer had worked with the community to hear concerns and revise the project. She further stated that the project would provide funding for parks and schools.

Ralph Cavallo, spoke in support of the project and stated it would improve the entrance to the City, bring 300 new jobs, and some employees may be Upland residents.

Lisa Nicely, spoke in opposition of the project and stated the Mitigated Negative Declaration did not fully assess the impacts and the project would result in severe cumulative harm to the environment.

Heather Dunham, speak in support of the project and stated it would provide great benefits to the community.

Bob Cable, spoke in support of the project and stated it would bring jobs to the City.

Bill Behjat, spoke in opposition of the project and stated the project would result in residents developing cancer, asthma, and other illnesses.

Jim Thomas, spoke in support for the City Council and stated that the Council must decide the best use of land in the community.

Kim Anthony, spoke in support of the project and stated it would provide jobs and an economic boost to the community.

Mahmood Kahn, spoke in support the project and stated it would bring money into the community and create new opportunities.

Rae S. spoke in support the project and stated it would benefit community with jobs, and upgrades to schools and parks.

William Realyvasquez, questioned what infrastructure support would be offered and would revenue be received from point of sale tax.

Tommy Morrow, spoke in support the project and stated he has a business and church located near the site. He further stated that the project would be an improvement to the site and given the current financial climate the project would bring a financial benefit.

At 8:48 p.m. Mayor Stone called a recess and the City Council reconvened in open session at 8:53 p.m.

Ta Lese Middleton, spoke in support the project and stated it is an important opportunity to convert a dirt lot into a visually appealing project.

John Swanlund, spoke in support the project.

Barbara Lindsey, spoke in support the project and for the jobs the development will bring to the City.

Amber Thorneycroft, spoke in support of the project and stated the developer has tried to accommodate residents' requests for changes. She further stated it will bring much needed jobs to the community.

Dede Ramella, spoke in opposition of the project and stated Upland residents had been misled and lied to. She further stated the project would ruin our once welcoming community.

Frederick Lynch, stated that there were many unanswered questions in regard to unintended consequences of the project. He further stated more deliberation and input was needed and requested a full environmental impact report.

At 9:07 p.m. Mayor Pro Tem Felix called a recess and the City Council reconvened in open session at 9:11 p.m.

Kathryn Di Stefano, spoke in opposition of the project and requested the Council not adopt the mitigated negative declaration and to instead conduct a full environmental impact report.

DeVon, Espinoza, spoke in support of the project and stated it would bring jobs to the City.

Mireya Atoura, spoke in support of the project and stated it would bring jobs and resources to the community.

Craig Stover, spoke in support of the project and stated the revenue will help schools.

Eric Gavin, thanked the Council for conducting the meeting and stated that this is not the time to ask for additional requirements of the developer.

Linda Trawnik, spoke in support of the project and stated it would bring much needed revenue for police, parks, and youth.

Paul Trawnik, spoke in support of the project and stated it would be a great boon to the Foothill Corridor, the City at large and, will bring jobs to the City.

Joann Washington, spoke in support of the project and requested the City Council consider the benefits to the City such as transforming a vacant lot into something modern, nice looking, and productive, creating jobs, and encouraging activity for businesses along Foothill Boulevard.

Natasha Walton, spoke in opposition of the project and stated the mitigated negative declaration is an incomplete analysis. She further stated concerns that the California

Department of Fish and Wildlife protocols were not met in regard to analyzing the potential habitat of burrowing owls and referred to a letter from the California Department of Fish and Wildlife.

Gary George, spoke in support of the project and stated it may be a fantastic addition to the City especially during this time of economic need.

Selena Khan, spoke in support of the project and stated it was important to Upland's economy and will provide jobs.

Ferdinand Estrada spoke in support of the project and requested the Council approve the project or could risk losing potential jobs and revenue.

Kim Lyles, spoke in support of the project and stated it will bring jobs to the community and help other businesses in the area grow.

Ta Mia Morrow spoke in support of the project and stated that considering the time we are in it is important to take advantage of opportunities that could boost the economy and provide money for schools, parks, and the Police Department.

Marjorie Mikels, spoke in opposition of the project and objected to the public hearing being held via teleconference. She further stated that the project was not compatible with the zoning of the property or the general plan.

Heather Crossner of Bridge Development Partners responded to requested changes from the Council and provided proposed revisions to the development agreement.

There was discussion regarding the enforcement of proposed traffic conditions and routes for delivery vans.

Heather Crossner of Bridge Development Partners answered questions posed by the Council regarding the financial contributions.

City Manager Hoerning addressed questions posed by the Council regarding storm water collection.

There being no more comments Mayor Stone closed the public hearing.

Mayor Stone announced the Council would now deliberate on the mitigated negative declaration.

Councilmember Elliott stated that the mitigated negative declaration insufficiently addressed the potential significant effects of the proposed Bridge Development Project and stated outside findings presented by speakers during the public hearing process supported her argument. She further requested a full environmental impact report.

Motion by Councilmember Velto to approve Resolution No. 6531 of the City Council of the City of Upland adopting the Mitigated Negative Declaration and Mitigation Monitoring Program for Site Plan No. 19-09, Design Review No. 19-17, Lot Line Adjustment No. 19-17, and Development Agreement No. 20-0001 for the Bridge Point Upland Project, located northeast of Central Avenue and Foothill Boulevard, further described as Assessor's Parcel Numbers

1006-351-09, 1006-351-10, 1006-572-11, 1006-551-12, 1006-551-22, and 1006-574-10, and making the required environmental findings pursuant to the California Environmental Quality Act Guidelines, seconded by Councilmember Velto, and carried with Councilmember Elliott opposed.

Mayor Stone announced the Council would now deliberate on the Lot Line Adjustment No. 19-17.

Motion by Councilmember Felix, to approve Resolution No. 6532 of the City Council of the City of Upland approving Lot Line Adjustment No. 19-17 for the Bridge Point at Upland Project, located northeast of Central Avenue and Foothill Boulevard, further described as Assessor's Parcel Numbers 1006-351-09, 1006-351-10, 1006-572-11, 1006-551-12, 1006-551-22, and 1006-574-10, seconded by Councilmember Velto, and carried unanimously.

Mayor Stone announced the Council would now deliberate on Site Plan No. 19-09 and Design Review No. 19-17.

Development Services Director presented the findings for the Council.

Councilmember Elliott disagreed that the project was a permissible use in the Commercial/ Industrial Mixed-Use zone.

Interim City Attorney Flower stated it is within the City's discretion to interpret its own code and the zoning is a reasonable interpretation in this case.

Development Services Director clarified information regarding warehousing and distribution terminology.

Motion by Councilmember Velto to approve Resolution No. 6533, of the City Council of the City of Upland approving Site Plan No. 19-09 and Design Review No. 19-17 for the Bridge Point Upland Project, located northeast of Central Avenue and Foothill Boulevard, further described as Assessor's Parcel Numbers 106-351-09, 1006-351-10, 1006-572-11, 1006-551-12, 1006-551-22, and 1006-574-10, seconded by Mayor Stone, and carried with Councilmember Elliott opposed.

Mayor Stone announced the Council would now deliberate on Development Agreement No. 20-0001.

There was discussion regarding information of the traffic monitoring and whether the development agreement was a requirement for the project to move forward.

Interim City Attorney Flower provided a recap of the changes to the development agreement that were requested by the Council.

There was discussion regarding the length of the development agreement.

City Clerk Johnson read the title of the Ordinance for the record.

Motion by Councilmember Felix to hold first reading by title only, waive further reading, and introduce an Ordinance of the City Council of the City of Upland approving Development Agreement No. 20-0001 for the Bridge Point at Upland Project in which Bridge Development

Partners, LLC has legal or equitable interest on approximately 50.25 acres, intended to be developed as a 201,096 square foot warehouse/parcel delivery service building with ancillary office/retail space, located northeast of Central Avenue and Foothill Boulevard, further described as Assessor's Parcel Numbers 1006-351-09, 1006-351-10, 1006-572-11, 1006-551-12, 1006-551-22, and 1006-574-10; including the proposed changes.

Councilmember Elliott proposed an amended motion to replace the term of the agreement to fifty (50) years.

Heather Crossner of Bridge Development Partners responded to questions posed by the Council regarding the length of the development agreement and restrictions on a fifty year agreement.

Councilmember Velto seconded Councilmember Felix's motion to hold first reading by title only, waive further reading, and introduce an Ordinance of the City Council of the City of Upland approving Development Agreement No. 20-0001 for the Bridge Point at Upland Project in which Bridge Development Partners, LLC has legal or equitable interest on approximately 50.25 acres, intended to be developed as a 201,096 square foot warehouse/parcel delivery service building with ancillary office/retail space, located northeast of Central Avenue and Foothill Boulevard, further described as Assessor's Parcel Numbers 1006-351-09, 1006-351-10, 1006-572-11, 1006-551-12, 1006-551-22, and 1006-574-10; including the proposed changes. The motion was carried unanimously.

3. ADJOURNMENT

Mayor Stone adjourned the meeting at 10:53 p.m. The next regular meeting of the City Council is Monday, April 13, 2020.

SUBMITTED BY: Keri Johnson, City Clerk

APPROVED: April 13, 2020