

RESOLUTION NO. 14-19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EASTVALE, CALIFORNIA, ADOPTING AN ADDENDUM TO THE CERTIFIED ENVIRONMENTAL IMPACT REPORT (SCH #2008081117) AND MITIGATION MONITORING AND REPORTING PROGRAM FOR PROJECT NO. 12-0750, AND APPROVING A REVISED TENTATIVE PARCEL MAP AND MAJOR DEVELOPMENT REVIEW FOR THE DEVELOPMENT OF THE EASTVALE BUSINESS PARK CONSISTING OF 11 INDUSTRIAL BUILDINGS, ONE TWO-STORY OFFICE BUILDING, AND TWO RETAIL BUILDINGS FOR THE REAL PROPERTY LOCATED GENERALLY NORTH OF 65TH STREET, EAST OF CUCAMONGA CREEK, AND WEST OF ARCHIBALD AVENUE, ASSESSOR'S PARCEL NUMBERS 144-010-002, -033, -037, AND -038.

WHEREAS, applications for a Change of Zone to change the zoning of an approximately 53.37-acre site from Heavy Agriculture to Industrial Park, a Revised Tentative Parcel to modify the lot lines of an approved Tentative Parcel Map (TPM No. 358658) to correspond with the proposed site plan, and a Major Development Review for development of the Eastvale Business Park that consists of 11 industrial/warehouse buildings totaling 694,770 square feet with 71 dock-height loading doors, one office building of 33,600 square feet, and two retail buildings totaling 10,600 square feet (total building area on the site is 738,970 square feet) have been filed by Providence Archibald, LLC for the real property located generally north of 65th Street, east of Cucamonga Creek, and west of Archibald Avenue, Assessor's Parcel Numbers 144-010-002, -033, -037, and -038.

WHEREAS, the proposed Change of Zone, Revised Tentative Parcel Map, and Major Development Review (Project No. 12-0750) is considered a "Project" as defined by the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq.; and

WHEREAS, after completion of an Initial Study, the Planning Director determined that the Project required preparation of an Addendum to the certified Environmental Impact Report (SCH #2008081117) for the proposed project in compliance with the provisions of CEQA; and

WHEREAS, on February 23, 2014, the City of Eastvale Planning Department published a legal notice in compliance with state law concerning Project No. 12-0750 in the *Press Enterprise*, a local newspaper of general circulation, regarding the Planning Commission meeting of March 5, 2014. In addition, on February 20, 2014, a public hearing notice was mailed to each property owner and commercial tenant within a 600-foot radius of the project site, indicating the date and time of the public hearing at the Planning Commission meeting for Project No. 12-0750 in accordance with state law; and

WHEREAS, the City of Eastvale Planning Commission conducted a duly noticed public hearing on March 5, 2014, at which public testimony was received concerning Project No. 12-0750, and at which time the Commission considered the Addendum to the Certified EIR for Project No. 12-0750 and proposed Project No. 12-0750, and recommended denial without prejudice of the proposed project to City Council; and

WHEREAS, the City of Eastvale City Clerk's Department on March 30, 2014, published a legal notice in compliance with state law concerning Project No. 12-0750 in the *Press Enterprise*, a local newspaper of general circulation, concerning the City Council meeting on April 9, 2014. In addition, on March 27, 2014, a public hearing notice was mailed to each property owner and commercial tenant within a 600-foot radius of the project site, indicating the date and time of the public hearing at the City Council meeting for Project No. 12-0750 in accordance with state law; and

WHEREAS, the City Council of the City of Eastvale conducted a duly noticed public hearing on April 9, 2014, at which time it received public testimony concerning Project No. 12-0750, considered the Addendum to the Certified EIR (SCH #2008081117) for the proposed project, and considered the proposed Change of Zone, Revised Tentative Parcel Map, and Major Development Review for the development of the Eastvale Business Park project consisting of 11 industrial/warehouse buildings totaling 694,770 square feet with 71 dock-height loading doors, one office building of 33,600 square feet, and two retail buildings totaling 10,600 square feet (total building area on the site is 738,970 square feet).

NOW, THEREFORE, the City Council of the City of Eastvale does hereby resolve, determine and order as follows:

SECTION 1. CEQA

Finding 1: The proposed project requires the adoption of an Addendum to the certified Environmental Impact Report (SCH #2008081117) pursuant to Section 15164 of the California Environmental Quality Act (CEQA) Guidelines.

Evidence: The City Council, in light of the whole record before it, including but not limited to the City's local CEQA Guidelines and Thresholds of Significance, the certified EIR No. 515 (SCH #2008081117), and documents incorporated therein by reference, any written comments received and responses provided, and other substantial evidence (within the meaning of Public Resources Code Sections 21080(e) and 21082.2) within the record and/or provided at the public hearing, hereby find and determine as follows:

Review Period: In accordance with the CEQA Guidelines (Section 15164(c)), the Addendum associated with the project does not require circulation for public review.

Compliance with Law: The Addendum was prepared, processed, and noticed in accordance with the California Environmental Quality Act (Public Resources Code Section 21000 et seq.), the CEQA Guidelines (14 California Code of Regulations Section 15000 et seq.), and the local CEQA Guidelines and Thresholds of Significance adopted by the City of Eastvale.

Independent Judgment: The Addendum reflects the independent judgment and analysis of the City of Eastvale.

Mitigation Monitoring Program: A Mitigation Monitoring and Reporting Program was prepared for adoption along with the Addendum to ensure compliance during project implementation in that changes to the project and/or mitigation measures have been

incorporated into the project and are fully enforceable through permit conditions, agreements, or other measures as required by Public Resources Code Section 21081.6.

SECTION 2. MULTIPLE SPECIES HABITAT CONSERVATION PLAN (MSHCP)

The project is found to be consistent with the MSHCP. The project is located outside of any MSHCP criteria area and mitigation is provided through payment of the MSHCP Mitigation Fee.

SECTION 3. REVISED TENTATIVE PARCEL MAP

Pursuant to the Eastvale Land Development Code regulating subdivisions, and in light of the record before it, including the staff report dated March 5, 2014 and April 9, 2014, and all evidence and testimony heard at the public hearing of this item, the City Council find as follows:

Finding 1: The proposed Tentative Parcel Map is consistent with the City's General Plan and any applicable specific plan as specified in Government Code Section 65451.

Evidence: Revised Tentative Parcel Map 35865 is consistent with the General Plan land use designation of Light Industrial. The Tentative Parcel Map will create 11 parcels that will allow for development.

Finding 2: The design or improvement of the proposed subdivision is consistent with the City's General Plan and any applicable specific plan.

Evidence: The proposed subdivision has been designed to meet all City standards applicable to industrial and commercial subdivisions, which are designed to provide satisfactory pedestrian and vehicular circulation, including emergency vehicle access and on- and off-site public improvements. All streets, utilities, and drainage facilities have been designed and are required to be constructed in conformance with City standards.

Finding 3: The site is physically suitable for the type and proposed density of development.

Evidence: The proposed Tentative Parcel Map has been designed to comply with the City development standards and design guidelines to ensure the project site is physically suitable for the appropriate type and density of development.

Finding 4: The design of the subdivision or proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

Evidence: An Addendum to certified Environmental Impact Report (EIR) No. 515 was prepared for the proposed project. The EIR Addendum analyzed potential environmental issues for the proposed project as required by CEQA. Through the EIR Addendum process, it was determined that the proposed project would not have any impact to fish or wildlife or to their habitat. The design of the subdivision and proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

Finding 5: The design of the subdivision or type of improvements is not likely to cause serious public health problems.

Evidence: The design of the subdivision is in conformance with the City's General Plan, Zoning Code, and Subdivision Ordinance. All improvements on the site are conditioned to comply with all applicable City of Eastvale ordinances, codes, and standards, including but not limited to the California Uniform Building Code and the City's ordinances relating to stormwater runoff management and controls.

Finding 6: The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.

Evidence: The design of the subdivision will not conflict with any existing public easements for access through or use of the property because the parcel map provides public roadway rights-of-way and appropriate reciprocal parking and access easement for the overall development to ensure appropriate access is provided and maintained.

SECTION 4. MAJOR DEVELOPMENT REVIEW

The City Council make the following findings pertaining to Major Development Review No. 12-0750:

Finding 1: The proposed project is consistent with the City's General Plan as specified in Government Code Section 65451.

Evidence: The proposed General Plan land use designation for the site is Light Industrial. The Light Industrial land use designation allows for the development of a wide variety of industrial and related uses, including assembly and light manufacturing, repair and other service facilities, warehousing, distribution centers, and supporting retail uses. The proposed project is consistent with the General Plan.

Finding 2: The proposed architecture, site design, and landscape are suitable for the purposes of the building and the site and will enhance the character of the neighborhood and community.

Evidence: The proposed project has been designed to conform to the logical pattern of development as envisioned by the Eastvale General Plan and has been designed to satisfy the General Plan design policies. The project has been designed with high quality urban design, architecture, and landscaping that includes providing pedestrian open space area and connectivity between the office and commercial/retail buildings, and landscaping along the proposed private street and driveways. The project has been designed to provide connections to the future trail along the Southern California Edison (SCE) easement, which will promote pedestrian activities

between the project site and nearby uses. Additionally, a condition has been included to require the applicant to provide a revised site plan showing pedestrian connection from the future Limonite alignment to the trail along the SCE easement. Thus, the proposed design is consistent with the Design Element of the General Plan.

Finding 3: The architecture, including the character, scale, and quality of the design, relationship with the site and other buildings, building materials, colors, screening of exterior appurtenances, exterior lighting, and similar elements, establishes a clear design concept and is compatible with the character of buildings on adjoining and nearby properties.

Evidence: The architecture of the proposed industrial, office, and retail buildings, as conditioned, has been designed to satisfy the design goals and policies of the General Plan. The elevations of the buildings that are visible to the public have been designed to create variation and interest to minimize their large scale and to satisfy the design goals.

Finding 4: The proposed project will not create conflicts with vehicular, bicycle, or pedestrian transportation modes of circulation.

Evidence: The proposed project is conditioned to provide roadway dedications and improvements to ensure adequate circulation to and from the site. All streets have also been designed to handle the type and quantity of vehicular traffic associated with the project proposal. As conditioned, the project will include sidewalk and pedestrian and bicycle connections that will not create conflicts with motorized vehicles.

Finding 5: The proposed project is consistent with the most recently adopted version of the Chino Airport Land Use Compatibility Plan.

Evidence: On August 15, 2013, the Riverside County Airport Land Use Commission (ALUC) reviewed the project design and found that the proposed project is consistent with the 2008 Chino Airport Land Use Compatibility Plan. The ALUC recommended that several conditions be placed on the project to ensure consistency with the airport. Those conditions have been added to the conditions of approval for the project. Therefore, the proposed project is consistent with the most recent adopted version of the Chino Airport Land Use Compatibility Plan.

SECTION 5. Based upon the findings outlined in Sections 1 and 4 above, the City Council of the City of Eastvale hereby takes the following actions:

- A. Adopt an Addendum to the certified Final Environmental Impact Report (SCH #2008081117) and Mitigation Monitoring and Reporting Program for the project, attached hereto as Exhibit A.
- B. Approve Revised Tentative Parcel Map to modify the lot line of an approved Tentative Parcel Map (TPM No. 35865) to correspond with the proposed site plan of the Major Development Review application, subject to conditions of approval, attached hereto as Exhibit B.
- C. Approve Major Development Review for the development of the Eastvale Business Park that consists of 11 industrial/warehouse buildings totaling 694,770 square feet with 71

dock-height loading doors, one office building of 33,600 square feet, and two retail buildings totaling 10,600 square feet (total building area on the site is 738,970 square feet), subject to conditions of approval.

- D. The certified EIR, Addendum to the certified EIR, Tentative Parcel Map, Development Plans, and all documents incorporated therein and forming the record of decision therefore, shall be filed with Eastvale Planning Department at Eastvale City Hall, and shall be made available for public review upon request.

PASSED, APPROVED, AND ADOPTED this 9th day of April, 2014.

Ike Bootsma, Mayor

Attest:

Ariel M. Hall, Assistant City Clerk

Approved as to form:

John E. Cavanaugh, City Attorney

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF EASTVALE)

I, Ariel M. Hall, Assistant City Clerk of the City of Eastvale, California, do hereby certify that the foregoing Resolution No. 14-19, was duly adopted by the City Council of the City of Eastvale, California, at a regular meeting thereof held on the 9th day of April, 2014, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ariel M. Hall, Assistant City Clerk
City of Eastvale, California

Exhibit A

Mitigation Monitoring and Reporting Program

(Included as Attachment 9 of the staff report)

Exhibit B

Conditions of Approval

(Included as Attachment 5 of the staff report)