

Planning Commission



Agenda Packet

June 20, 2012

*For further information on an agenda item, please contact the City
at 12363 Limonite Avenue, Suite 910, Eastvale, CA 91752.*

AGENDA
REGULAR MEETING OF THE
EASTVALE PLANNING COMMISSION
Wednesday, June 20, 2012
6:00 p.m.

Rosa Parks Elementary School, 13830 Whispering Hills Drive, Eastvale, CA 92880

1. **CALL TO ORDER:** 6:00 p.m.
2. **ROLL CALL/PLEDGE OF ALLEGIANCE**

Planning Commissioners: Fred Valentine
Joe Tessari
Karen Patel
Chairperson: William Link
Vice-Chairperson:
3. **ADDITIONS/DELETIONS TO THE AGENDA**
4. **PRESENTATIONS/ANNOUNCEMENTS**

At this time, the Planning Commission may recognize citizens and organizations that have made significant contributions to the community and it may accept awards on behalf of the City.

There are no presentations.

5. **PUBLIC COMMENT/CITIZEN PARTICIPATION**

*This is the time when any member of the public may bring a matter to the attention of the Public Safety Commission that is within the jurisdiction of the Commission. The Ralph M. Brown Act limits the Commission's and staff's ability to respond to comments on non-agendized matters at the time such comments are made. Thus, your comments may be agendized for a future meeting or referred to staff. The Commission may discuss or ask questions for clarification, if desired, at this time. Although voluntary, we ask that you fill out a "Speaker Request Form," available at the side table. The completed form is to be submitted to the Interim City Clerk prior to being heard. **Public comment is limited to two (2) minutes each, with a maximum of six (6) minutes.***

6. **CONSENT CALENDAR**

*Consent Calendar items are normally enacted in one motion. Commissioners may remove a Consent Calendar item for separate action. **Public comment is limited to two (2) minutes each, with a maximum of (6) minutes.***

- 6.1 Approval of Minutes from May 16, 2012

7. ***PUBLIC HEARING ITEMS***

7.1 **Conditional Use Permit No. 10-0128 – Eastvale Community Park** (Jerry Guarracino, Senior Planner)

The applicant, Jurupa Community Services District is requesting approval of a Conditional Use Permit for Eastvale Community Park, a 74-acre sports park to be built on the south side of Citrus Street between Hamner Avenue and Scholar Way, Assessor's Parcel Numbers 152-050-035 and -040. An Initial Study/ Mitigated Negative Declaration (IS/MND) has been prepared for this project in accordance with the California Environmental Quality Act (CEQA).

Recommendation: That the Planning Commission approve the proposed project and adopt the resolutions (included as attachments to the staff report) adopting a Mitigated Negative Declaration and Mitigation Monitoring Reporting Program in compliance with CEQA, and approving Conditional Use Permit No. 10-0128, subject to the conditions of approval.

7.2 **Change of Zone No. 10-0058 and Conditional Use Permit No. 10-0058 – New Day Christian Church** (Jerry Guarracino, Senior Planner)

The applicant, New Day Christian Church of Corona Valley, is requesting approval of a Change of Zone and Conditional Use Permit to begin the development of a 4.36-acre site for a Christian church facility campus on the north side of A Street, approximately 400 feet west of Hamner Avenue, Assessor's Parcel Number 152-050-046. The proposed development has been determined to be categorically exempt from the California Environmental Quality Act (CEQA).

Recommendation: That the Planning Commission adopt the resolutions (included as attachments to the staff report) recommending that the City Council adopt a Notice of Exemption pursuant to CEQA, and approve Change of Zone No. 10-0058 and Conditional Use Permit No. 10-0058, subject to the conditions of approval.

7.3 **Conditional Use Permit No. 12-0043 – Target Alcohol Sales** (Jerry Guarracino, Senior Planner)

The applicant, Target Corporation, is requesting approval of a Conditional Use Permit to sell beer, wine, and distilled spirits form an existing Target store located at 12471 Limonite Avenue, Assessor's Parcel Number 160-030-033. The proposed development has been determined to be categorically exempt from the California Environmental Quality Act (CEQA).

Recommendation: That the Planning Commission adopt the resolution (included as an attachment to the staff report) recommending that the City Council adopt a Notice of Exemption pursuant to CEQA, approved Conditional Use Permit No. 12-0043,

subject to the conditions of approval, and make a finding of Public Necessity or Convenience pursuant to Section 23598 of the Business and Professions Code.

7.4 **Plot Plan No. 11-0424 – Ralphs Gas Station** (Kanika Kith, Associate Planner)

The applicant, Ralphs Grocery Company, is requesting approval of a Plot Plan for the expansion of the existing gas station to include two additional gas dispensers, construction of approximately 1,333 square feet of additional canopy coverage, and changes to the layout of much of the parking lot located at 12660 Limonite Avenue, Assessor's Parcel Number 164-040-007. The proposed project has been determined to be categorically exempt from the California Environmental Quality Act (CEQA).

Recommendation: That the Planning Commission adopt the resolution (included as an attachment to the staff report) adopting a Notice of Exemption pursuant to CEQA for Plot Plan No. 11-0424 and approving Plot Plan No. 11-0424, subject to the conditions of approval.

8. **COMMISSION COMMUNICATIONS**

(Committee Reports, Agenda Items, Meeting Requests and Review, etc.)

This is an opportunity for the Commissioners to report on their activities, to bring a matter to the attention of the full Commission and staff, and to request agenda items. Any matter that was considered during the public hearing portion is not appropriate for discussion in this section of the agenda. NO ACTION CAN BE TAKEN AT THIS TIME.

9. **CITY STAFF REPORT**

10. **ADJOURNMENT**

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City of Eastvale. Notification forty-eight (48) hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

POSTING STATEMENT

I, Kanika Kith, Associate Planner, or my designee, hereby certify that a true and correct, accurate copy of the foregoing agenda was posted on June 13, 2012, seventy-two (72) hours prior to the meeting per Government Code 54954.2.

12363 Limonite Avenue, Suite 910, Eastvale, CA 91752

Rosa Parks Elementary School, 13830 Whispering Hills Drive

Eastvale Library, Roosevelt High School, 7447 Cleveland Avenue

City of Eastvale website: www.eastvaleca.gov

6.1 - MINUTES

MINUTES

**REGULAR MEETING OF
THE PLANNING COMMISSION
OF THE CITY OF EASTVALE
Wednesday May 16, 2012
6:00 P.M.**

**Rosa Parks Elementary School
13830 Whispering Hills Drive
Eastvale, CA 92880**

1. *CALL TO ORDER*

Chairman Link called the meeting to order at 6:00 p.m.

2. *ROLL CALL/PLEDGE OF ALLEGIANCE:*

Deputy City Clerk Berry called roll.

Commissioners present: Commissioners Valentine, Tessari and Patel, Chairman Link.

Staff present: Planning Director Norris, City Attorney Cavanaugh and Deputy City Clerk Berry.

The Pledge of Allegiance was led by Commissioner Patel.

3. *ADDITIONS/DELETIONS TO THE AGENDA:*

None

4. *PRESENTATIONS/ANNOUNCEMENTS:*

None

5. *PUBLIC COMMENT/CITIZEN PARTICIPATION:*

None

6. *CONSENT CALENDAR:*

There were no consent calendar items.

7. PUBLIC HEARING ITEMS:

Planning Director Norris asked that the order of the agenda be changed, to allow the staff member presenting Item 7.2 to excuse himself before the Signs Item was considered. The Chair changed the order of the agenda.

7.2 Certification of the Environmental Impact Report for the new Eastvale General Plan and Zoning Code.

Recommendation: Staff recommends that the Planning Commission adopt a resolution recommending certification of the Final Environmental Impact Report for the proposed Eastvale General Plan and Zoning Code by the City Council.

Associate Planner Mark Teague presented the information on the Final Environmental Impact Report and summarized comments that were received and how they were addressed.

7.1 Temporary Signs in the Right of Way (*Continued from May 2, 2012*)

Recommendation: Staff recommends that the Planning Commission receive additional input from the members of the Ad Hoc Committee and the public and make a recommendation to the City Council on the proposed regulations.

9. COMMISSION COMMUNICATIONS:

10. CITY STAFF REPORT:

11. ADJOURNMENT:

Respectfully submitted,

Ariel Berry
Deputy City Clerk

7.1 – CONDITIONAL USE PERMIT NO. 10-0128 – EASTVALE COMMUNITY PARK



City of Eastvale

Planning Commission Staff Report

June 20, 2012

Project: JCSD – Eastvale Community Park
Request: Approval of a Conditional Use Permit for the development of a community sports park in two phases on 74 acres, including associated parking, field and parking lot lighting and extension of the Santa Ana River Trail.
File: Planning Application No. 10-0128
Location: Southwest corner of Citrus Ave. and Hamner Ave.
APN: 152-050-035 & -040
Planner: Jerry Guarracino, Senior Planner

Applicant's Representative:

Community Works Design Group
Mr. Scott Rice
4649 Brockton Avenue
Riverside, CA 92506

Property Owner/Applicant:

Jurupa Community Services District (JCSD)
Mr. Ric Welch
11201 Harrel Street
Jurupa Valley, CA 91752

STAFF RECOMMENDATION

That the Planning Commission approves the proposed project and adopt the attached Resolutions in the following sequence:

1. Resolution No. 2012-__ adopting a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program in compliance with the review requirements contained in the California Environmental Quality Act (CEQA); and,
2. Resolution No. 2012-__ approving Conditional Use Permit No. 10-0128, subject to the attached conditions of approval;

SUMMARY

The applicant, Jurupa Community Services Department (JCSD), is requesting approval of a Conditional Use Permit (CUP) to construct a planned 74-acre Eastvale Community Park in two phases. The proposed park site is located on the south side of Citrus Avenue between Hamner Ave. and Scholar Way. (See Figure 1- Regional Setting and Figure 2 – Project Location) An Initial Study/ Mitigated Negative Declaration (IS/MND) has been prepared, which considered the environmental impacts of both Phase-1 and Phase-2 of the park development and operation, and has been determined to be adequate to satisfy the review requirements of the California Environmental Quality Act (CEQA).

FIGURE 1: Regional Setting

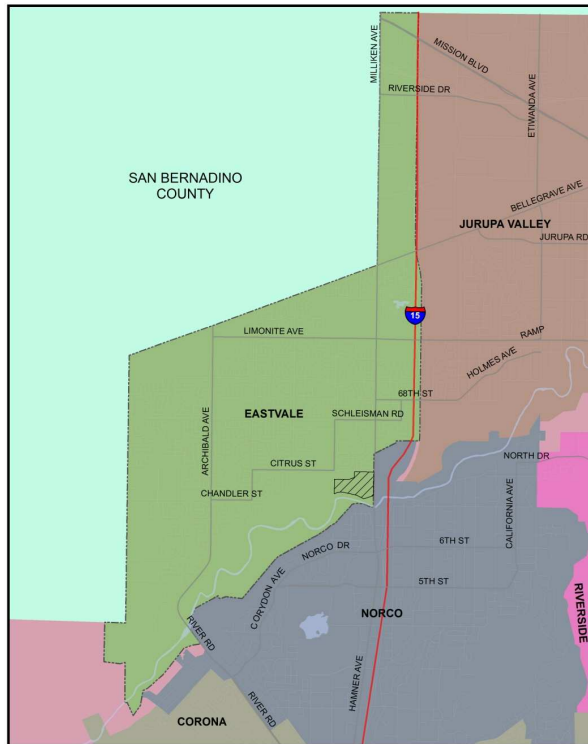


FIGURE 2: Project Location



BACKGROUND

The project site, which is owned by JCSD, is currently used for agriculture and private recreation (including a golf driving range). The site is almost entirely within the floodplain of the adjacent Santa Ana River. The project is located just west of Hamner Avenue, which will soon be widened as part of the improvements for the Silverlakes Equestrian Sports Park, currently under construction on the east side of Hamner, in the city of Norco.

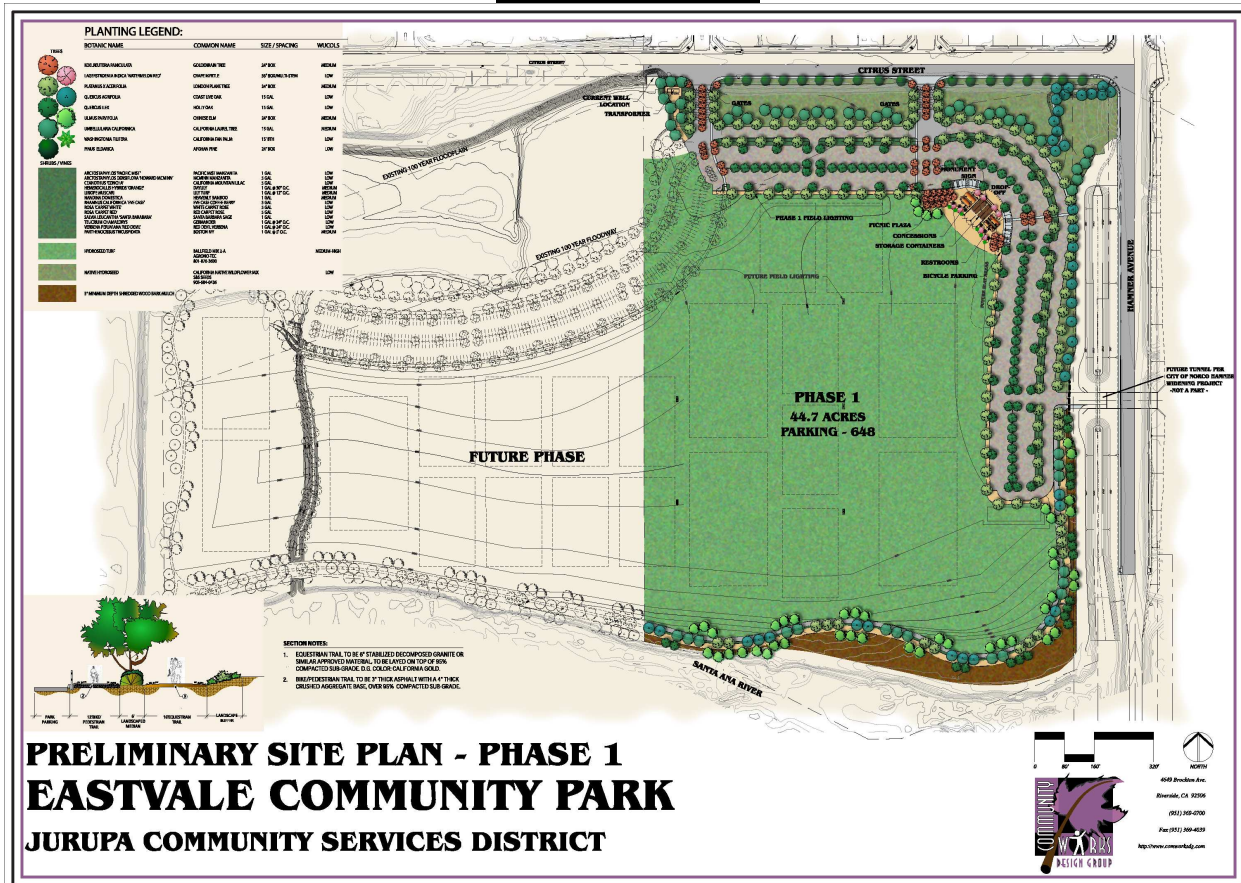
When completed, Silverlakes will be a 122-acre multi-use recreational facility that would be used for equestrian events, soccer, football, field hockey, lacrosse, and other similar events. The Silverlakes project is expected to construct a tunnel under Hamner Ave, to accommodate a multi-purpose trail, as part of the Santa Ana River Trail linkage system. The Eastvale Community Park project proposes to extend the Santa Ana River Trail along the southern boundary of the park and link to the proposed tunnel when it is constructed.

PROJECT DESCRIPTION

Proposed Improvements:

The proposed project will be developed in two phases, as shown in Figure 3. Facilities included in each phase are described below.

Figure 3 - Site Plan



Phase 1 of the project will occur on approximately 46 acres, and will include development of the following:

- Flexible open turf area for a variety of field configuration options;
- Restrooms/concession building complex consisting of four pit-set modular buildings;
- Screened equipment storage facility;
- Multi-use plaza with shaded picnic tables;
- Unpaved parking area for approximately 562 parking spaces, and 15 handicap accessible spaces (a total of 577 parking spaces in Phase 1);
- Drop-off zone near restroom/concession buildings;
- Drought-tolerant landscaping with low volume irrigation, except for turf practice fields;
- Development of approximately 1,725 linear feet of multi-use trail, designed to connect with the Santa Ana River Trail upon completion of adjacent segments;
- Field and parking lot lighting for night time use of the facilities; and,
- Pedestrian-level lighting on the pedestrian entry at Citrus St. and Hamner Ave. and along the Santa Ana River Trail.

A number of these improvements are discussed in more detail in the Project Analysis section later in this report.

Access to the park, to be constructed in Phase 1, will be from two driveway/pedestrian entrances along Citrus Street at Carrollton Place and Northview Street, and a handicapped-accessible pedestrian walkway from the corner of Hamner and Citrus.

Phase 1 facilities have been designed to function without the construction of Phase 2 (described below), which will be built at a later date when additional funding is available.

Phase 2 of the park, on the remaining 28 acres, has been conceptually planned¹ to include the following facilities:

- Additional open turf sports fields;
- Paved parking area for approximately 474 additional parking spaces, and 6 additional handicap accessible spaces, for a total of 480 Phase 2 parking spaces (1057 parking spaces including Phase 1);
- Paving the parking lot constructed in Phase 1;
- Widening the south side of Citrus Street to its ultimate width west of Carrollton Place (including relocating an existing municipal water supply well on the south side of Citrus St.);
- Ancillary restroom building to serve the westernmost fields;
- Field and parking lot lighting for nighttime use of the facilities;
- Drought-tolerant landscaping with low volume irrigation, except for turf practice fields;
- Additional multi-use trail segment to link Phase 1 improvements with future segments of the Santa Ana River Multi-use trail to the west.

Hours of Operation:

The park will be open to the public seven days a week, from 8:00 a.m. - 10:00 p.m. Both entrances on Citrus Street will be gated; JCSD staff will open and close the gates to the park at the prescribed time each day. A Knox-box type lock system will be installed on the gates to provide access for police and emergency vehicles when the park is closed.

Programming:

The Community Park will consist primarily of flexible open play fields for league and practice plan for a variety of field sports such as soccer and football. The fields will provide a sizable flat lawn space for other community events sponsored by the JCSD. The park can also be reserved for other privately sponsored events subject to availability. The following types of activities are planned:

- Recreational use by public
- Walking/jogging trail
- Community events
- Soccer league play
- Soccer tournaments
- Football practice

¹ As described in the conditions of approval, detailed plans are required to be submitted and reviewed by the City prior to construction of any Phase 2 facilities.

A detail Plan of Operation for the park has been developed in cooperation with JCSD (see Attachment C to this staff report) which outlines in greater detail the types of activities to be expected to take place at the park, and which identifies types of special events that will likely require a Temporary Event Permit from the City. Events that will typically require a Temporary Event Permit include the following:

- Extended morning or evening hours (e.g., opening the park before 8 a.m. or closing the park after 10 p.m.);
- Use of amplified sound for concerts, fairs or festivals;
- Overnight use of the park;
- Events that require security, crowd control, or parking control; and,
- Events which include food vendors (other than the approved concession building) and/or sales/promotional/game booths.
- Events which charge admission for entry.

With the exception of JCSD-sponsored activities, every organization wishing to use the park for sports leagues, tournaments, or special events must first be approved through the JCSD Parks and Recreation Department User Group and/or Special Event application process. During this process, the applicant receives the rules and regulations for use of the park.

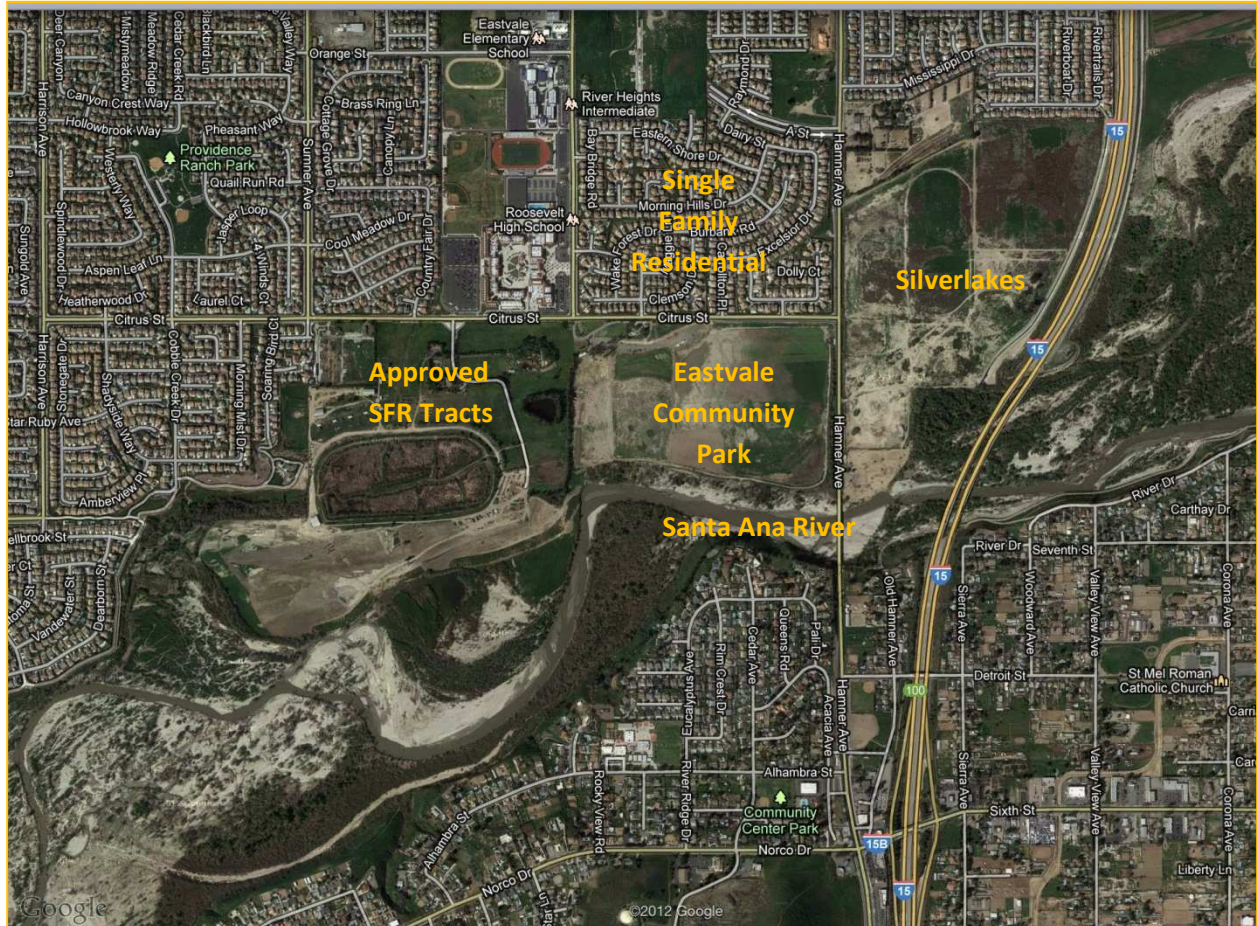
Due to the growing nature of the youth and adult sports leagues, field usage is expected to be heaviest on weeknights between 4 and 9:30pm. During the spring and summer months, participation will be slightly lower than the fall and winter months. Saturdays will be heavily used throughout the year with the exception of restricted periods for field rehabilitation, when the fields will be closed to allow the turf to recuperate. Use of the fields on Sundays by sports leagues will not be programmed after 12pm (noon) to allow for community (non-sports) use, with the exception of approximately 15 Sundays per year when the fields will be reserved for tournaments and other events.

JCSD anticipates entering into a Joint-Use Agreement with the adjacent Silver Lakes facility for Tournament Events. This agreement has yet to be negotiated, but according to JCSD they expect that the activities allowed at the park under any such agreement will be consistent with the typical day to day activities anticipated to take place in the park. If any of the proposed joint use activities requires City review as called for in the Plan of Operations, a Temporary Use Permit approved by the City Planning Department will be secured prior to the event.

Surrounding Land Uses:

The adjacent land uses include single family residential homes north of Citrus St., Hamner Ave. and Silverlakes Recreation and Equestrian Center to the east; the Santa Ana River to the south; and vacant lands and scattered single family residential to the west. See Figure 4 – Aerial View.

Figure No. 4 – Aerial View



The project site is located just north of the Santa Ana River in the southeast corner of the city. Adjacent to the project on the east is Hamner Avenue and the Silverlakes Equestrian and Sports Complex being constructed in the city of Norco. Plans for the Silverlakes project include the widening of Hamner Avenue and construction of a tunnel under Hamner Avenue to connect the two projects by way of the Santa Ana Multi-purpose River Trail.

North of the project are single family homes whose back yards face Citrus Street. To the west of the project is mostly vacant land and scattered site residential homes.

As the Commission will recall, two tracts of medium density residential home were recently approved for the area south of Citrus Street west of the proposed park. These homes will be near Phase 2 of the proposed park.

PROJECT ANALYSIS

The proposed Eastvale Community Park will provide additional practice fields in a flexible configuration for field sports such as soccer and football. According to the JCSD, the additional fields are needed to relieve the demand on existing fields through out JCSD's park system and to satisfy the current unmet demand for practice fields. In addition to the practice fields, the park will also include a multi-use trail as part of the Santa Ana River Trail System and a centralized activity center with concessions building, restrooms, picnic area and storage facilities for recreation equipment.

Through the development review process, City staff has worked with JCSD to address a wide range of issues including:

- Lighting design,
- Parking lot improvements,
- Potential for periodic flooding of the site,
- Operational controls,
- Infrastructure improvements and
- Regional trail connectivity.

All of these issues have been address through the project design or recommended conditions of approval placed on the project. A detailed discussion of the various project related issues is provided below.

Lighting:

The majority of the park consists of grass practice fields which will be lit for evening play. The proposed field lighting for Phase 1, has been designed by Musco Lighting and will consist of 12 light poles that are 80 feet in height. Each pole will support a light array with multiple light fixtures. Each fixture will be shielded to direct light downward on to the field and limit light spared to unintended areas. Detailed light plans for Phase 2 will be submitted for approval prior to construction, but will have similar design characteristics and light levels.

Staff's primary concerns about the field lighting were its potential impact to the existing residential homes on the north side of Citrus Street and its impact on wildlife adjacent to the Santa Ana River Trail. A series of photometric plans have been submitted that show the light levels at the north edge of the park site, with all lights on, will be very low, ranging from 0.00 to 0.03 foot-candles. By comparison, average street lighting would result in about 3.0 foot-candles of illumination. Light levels along the Santa Ana River Trail will also be quite low ranging from 0.08 to 0.03 foot-candles of illumination.

Although it is possible to control the light spread know as horizontal light, another factor, typical referred to as vertical light, will be perceived by the community. Also, the light fixtures themselves may be viewed from the homes north of Citrus Street due to the height of the towers. Figure 5 is a cross-section that shows the height of the poles in relation to the homes on Citrus Street. Even with cut-off shielding, the light arrays may be visible from these homes.

The visibility of light fixtures from adjacent homes is not an uncommon experience in neighborhood and community parks. To put the proposed lighting in to a familiar context, the field lighting for the proposed Community Park will be substantially less than currently exists at Harada Park in Eastvale. Table No. 1 provides a comparison of the lighting at the two parks.

Figure No. 6



Table No. 1

Lighting	Eastvale Community Park	Harada Park
Number of light poles	12	28
Pole Heights	80 feet	60 – 100 feet
Light Levels by use type:		
• Soccer Fields	20 Footcandles Average	30 Footcandles Average
• Baseball Fields	N-A	30 Footcandles Outfield
		50 Footcandles Infield

The design of the lighting and the distance between the fields and the adjacent residential properties will be adequate to prevent significant impacts to the adjacent residential neighborhood.

Parking Lot Improvements:

The development code requires parking for active park space at 1space per 8,000 square feet of park land. Based on that ration the parking required for the park is 402 spaces. The project

proposed to construct a total of 1,057 parking spaces, with 577 spaces provide in Phase 1. Parking calculations for the park are provided in Table No. 2 – Parking Calculation, as follows.

Table No. 2 – Parking Requirements

Park Area by Phase	Parking Ration	Parking Required	Parking Provided
46 Acres	1/8,000 Sq. Ft.	250	577
28 Acres	1/8,000 Sq. Ft.	152	480
	Total	402	1057

The parking lot for Phase 1 will be comprised of a compacted aggregate (gravel) base, without the layer of asphalt typically provided (this will be added in Phase 2). Concrete curbs will be installed to define the parking areas and landscape planters. Water-conserving landscaping, irrigation and shade trees will be installed in Phase 1. The site will be accessed through two entrances from Citrus Street that will include a pedestrian sidewalk and asphalt concrete pavement to improve traction and longevity of the sloped entrance driveways. The entrances will have lockable gates, which will be secured when the park is closed.

Phase 2 parking improvements include a doubling of the number of parking spaces and parking lot paving for all parking areas.

Emergency Flood Plan:

The park is subject to periodic flooding as a result of large water releases that may be necessary at times from the Seven Oaks Dam. The project has been designed with this in mind and emergency flood plan procedures have been established in the Plan of Operation.

Concession and Restroom Design and Removal – The potential for flooding made placement of buildings on the site a challenge. The concession and restrooms will be portable trailers set so they will be flush to the ground for ease of access. (See Figure 7) Each of the buildings will have quick-release utility connections.

In the event of flooding, the buildings will be connected to a trailer truck, towed out of the park, and moved to the JDSC's corporation yard in Jurupa Valley for storage. The equipment storage units are standard shipping containers that are placed behind decorative screen walls. These containers are also portable and are designed to be picked up and moved easily.

Figure No. 7



Plan of Operations:

A Plan of Operation has been prepared for the park that defines the uses expected to take place in the facility, outlines operational procedures to ensure that park users are aware of the rules for use of the park facility and provides procedures for proper maintenance and security at the facility.

The Plan of Operation also describes the criteria for determining what uses will require Temporary Event Permits. The plan also identifies for the public who to contact regarding concerns with the operation of the park or activity that are observed taking place on the park grounds, both during operating hours and afterhours.

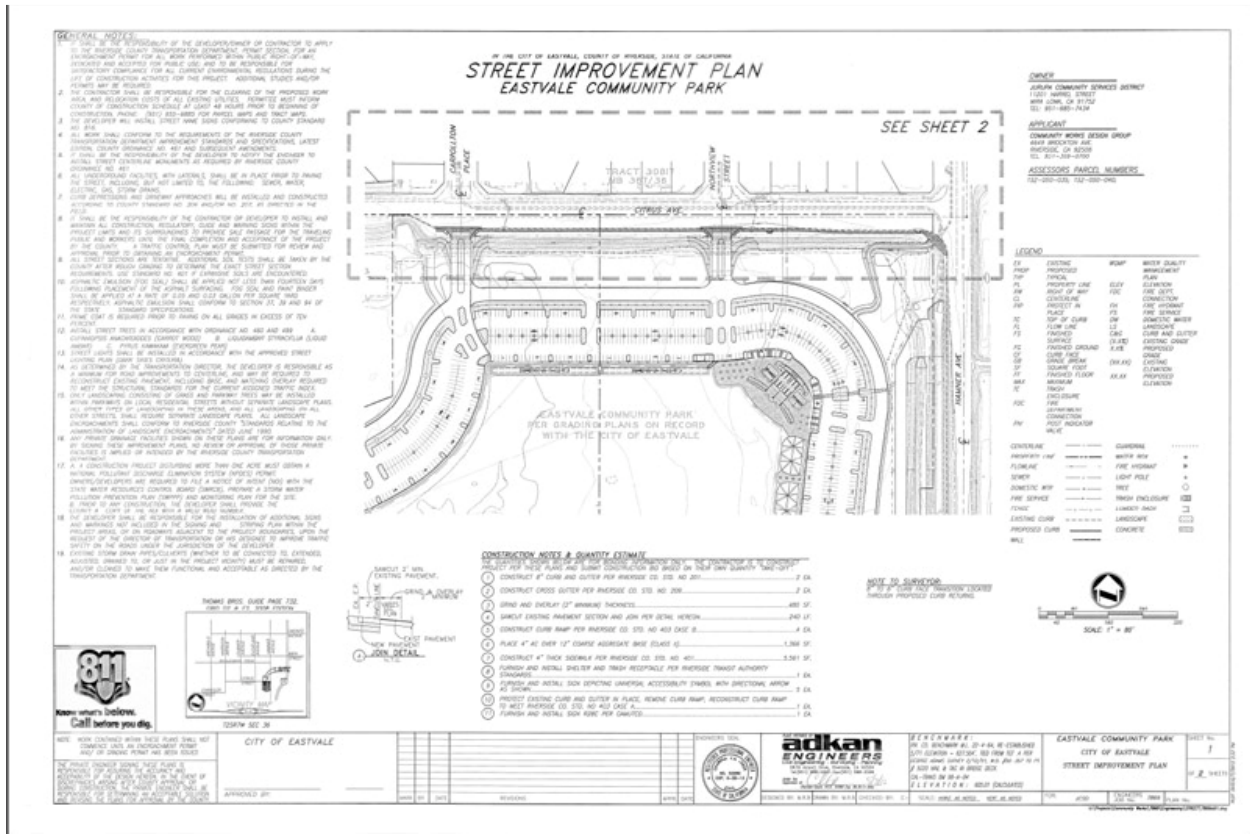
Citrus Street Improvements:

Citrus Street is built to its ultimate width on the north side of the street and on the south side of Citrus Street adjacent to Phase 1. No widening of Citrus Street will take place in Phase 1, although frontage improvements (landscaping, sidewalks, etc.) will be installed.

Phase 2 of the project will include widening of Citrus Street west of Carrollton Place. This will require the relocation of the existing well site south of Citrus Street west of the Carrollton Place entrance to the park.

The following street improvement plans show the improvements to be constructed with Phase 1. These improvements have been determined by the Public Works Department to be adequate to serve Phase 1 of the project.

Figure 8 – Street Improvement Plans



Santa Ana River Trail Extension:

The Santa Ana River Trail is part of a multi-jurisdictional effort to develop a multi-use trail system along the north side of the river. The proposed Community Park is one of a series of project to be constructed along the river that will be developing portions of this trail. Phase 1 improvements will include construct of 1,725 linear feet of trail improvements. The 33-foot-wide trail will consist of a 12' wide asphalt path for bicyclists and pedestrians, a 6- wide landscaped median and a 15' wide decomposed granite path for equestrian use. The design and lighting of the trail were designed to avoid disturbance to the adjacent natural habitat wildlife found along the river.

ENVIRONMENTAL ANALYSIS

In accordance with the California Environmental Quality Act, an Initial Study has been prepared to analyze the proposed park to determine if any potential significant impacts to the environment would result from implementation of the project. The Initial Study is intended to inform the decision-makers, affected agencies, and the general public of the potential environmental impacts associated with the proposed project.

Based on the Initial Study (IS), it has been determined that the proposed project could have a significant effect on the environment in the following areas: Aesthetics, Air Quality, Biological

Resources, Cultural Resources, Green House Gas Emissions, Hazards / Hazardous Materials, Noise, and Transportation / Traffic.

However, through the Initial Study process, specific mitigation measures have been proposed and agreed to by the applicant that will reduce each of these impacts to a less than significant level. As a result, the City has prepared a Mitigated Negative Declaration (MND) which includes a Mitigation Monitoring Reporting Program (MMRP).

The Planning Department has made the proposed Mitigated Negative Declaration and Mitigation Monitoring Reporting Program available for public review beginning on May 17, 2012 and concluding on June 18, 2012, a period of not less than 30 days as prescribed by law.

A copy of the IS/MND/MMRP is provided for Commission consideration in Exhibit 1 of the CEQA Resolution (Attachment A).

PUBLIC HEARING NOTIFICATION

The proposed project requires a 10-day public hearing notification period for property owners located within a 600-foot radius of the project site. The notification was sent on June 7, 2012 for the Planning Commission meeting on June 20, 2012.

REQUIRED PROJECT FINDINGS

CEQA

Finding: The proposed Conditional Use Permit requires a Mitigated Negative Declaration and Mitigation Monitoring Program pursuant to Section 15000 of the California Environmental Quality Act.

Evidence: In light of the whole record, including but not limited to the local CEQA Guidelines and Thresholds of Significance, the proposed Addendum (Addendum No. 2) to the certified Environmental Impact Report and adopted Mitigation Monitoring Program and other substantial evidence hereby finds and determines as follows:

1. **Compliance with Law:** That the Initial Study / Mitigated Negative Declaration 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.
2. **Independent Judgment:** That the Initial Study / Mitigated Negative Declaration reflects the independent judgment and analysis of the City of Eastvale.
3. **Review Period:** That the City has provided the public review period for the Mitigated Negative Declaration for the duration required under CEQA Guidelines Sections 15073 and 15105.

4. Mitigation Monitoring Program: That the Mitigation Monitoring Program is designed 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.
5. No Significant Effect: That revisions made to the project plans agreed to by the applicant and mitigation measures imposed as conditions of approval on the project, avoid or mitigate any potential significant effects on the environment identified in the Initial Study to a point below the threshold of significance. Furthermore, after taking into consideration the revisions to the project and the mitigation measures imposed, the Planning Commission finds that there is no substantial evidence, in light of the whole record, from which it could be fairly argued that the project may have a significant effect on the environment. Therefore, the Planning Commission finds that the project will not have a significant effect on the environment.

Conditional Use Permit

Pursuant to Sections 2.2 of the City of Eastvale Zoning Code, the Planning Commission makes the following finding pertaining to Conditional Use Permit No. 10-0128:

Finding 1: The proposed use is consistent with the General Plan and all applicable provisions of this Code.

Evidence: The General Plan designation of the property Medium Density Residential (MDR) / Open Space Recreational (REC) / Water (W); all of these land use designations allow for the development and operation of a park. The Water (W) designation allows a very limited range of uses due to the potential of flooding. The project is has been designed with the potential of flooding in mind. All proposed buildings are mobile trailer designed to be rolled off site in advance of flooding. Utility connections have been designed with quick release fixtures to accommodate the special needs of the site. Considering all of these aspects, the project furthers the objectives and policies of the General Plan and is compatible with the general land uses as specified in the General Plan.

Finding 2: The establishment, maintenance or operation of the use applied for will not, under the circumstances of the particular case (location, size, design, and operating characteristics), be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the neighborhood or such use, or the general welfare of the City

Evidence: The establishment, maintenance or operation of the parks in residential areas is generally considered a compatible use. This particular site is separated from the adjacent residential neighborhood by Citrus Street and is located on a flood plain approximately 13-feet below grade of the adjacent street and residential neighborhood. The project has been designed or conditioned to mitigate all potential impacts as a result of the project to less than significant levels. A Mitigation Monitoring and Reporting Program has been prepared of the project which contains these measures. The greatest potential impact of this project comes from the fielding lighting which will allow for evening practices. The project lighting has been designed to be contained within the boundaries of the park, while still providing ample light for the play fields, parking lot, trails and pathways. The light fixtures, which will be placed on poles up to 80 feet high will be visible from homes backing up to Citrus Street their illumination will have dissipated before reaching the project boundary.

A Plan of Operation for the project has been established that addresses the regulation of uses within the park and security maintenance and operational practices that will ensure that the facility will not adversely impact the adjacent residential neighborhood.

Therefore, under the circumstances of this particular case it is determined that the project will not be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the neighborhood or the general welfare of the City.

PLANNING COMMISSION OPTIONS

The following options are available to the Planning Commission:

1. Approve Resolution No. 2012-__ Adopting a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program in compliance with the review requirements contained in the California Environmental Quality Act (CEQA); and, approve Resolution No. 2012-__ approving Conditional Use Permit No. 10-0128, subject to the attached conditions of approval;
2. Recommend approval with additional changes and/or conditions;
3. Continue the project and direct the applicant to make revisions; or
4. Deny the proposed Conditional Use Permit.

As noted earlier in this report, staff's recommendation is that the Planning Commission approve the proposed project, subject to the conditions of approval prepared by staff.

Prepared By,

Reviewed By,

Jerry Guarracino
Senior Planner

Eric Norris
Planning Director

Attachments:

- A. Conditions of Approval
- B. Planning Commission Resolution No. 12-__ to adopt a Mitigated Negative Declaration for CUP No. 10-0128.
 - Exhibit 1 – Initial Study / Mitigated Negative Declaration for CUP No. 10-0128 (Available on a CD at City Clerk Office)
 - Exhibit 2 – Mitigation Monitoring Reporting Program (Available on a CD at City Clerk Office)
- C. Planning Commission Resolution No.12- ____ to approve Conditional Use Permit CUP No. 10-0128
 - Exhibit 1 – Conditions of Approval (included as Attachment A)
- D. Plan of Operation
- E. Full size Development Plans (provided under a separate cover)

CONDITIONS OF APPROVAL

Planning Application Number: Project No. 10-0128 (Conditional Use Permit No. 10-0128)

Assessor's Parcel Numbers: 152-050-035 & -040

Approval Date: June 20, 2012

<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (Date and Signature)</u>
General Conditions			
1 In compliance with Section 15075 of the CEQA Guidelines, a Notice of Determination (NOD) shall be filed with the Riverside County Clerk no later than June 25, 2012 (within five (5) days of project approval). The NOD shall include the required California Department of Fish and Game (Code Section 711.4.d.3) fee, and the Riverside County Clerk administrative fee and shall be filed with the Riverside County Clerk no later than June 25, 2012 (within five (5) days of project approval). The applicant shall submit to the Planning Department a check or money order made payable to the Riverside County Clerk in the amount of \$2,165.50 no later than June 19, 2012 . Failure to pay the required fee will result in the project being deemed null and void (California Fish and Game Code Section 711.4(c). The fee is broken down as follows: <ul style="list-style-type: none"> a. California Department of Fish and Game fee of \$2,101.50; and b. Riverside County Clerk Administrative Fee of \$64.00 	June 25, 2012	Planning Dept.	
2 The applicant shall review all conditions and sign below verifying the "Acceptance of the Conditions of Approval" and return the signed page to the Eastvale Planning Department. <hr/> Applicant Signature: _____ Date: _____		Planning Dept.	
3 The applicant shall indemnify, protect, defend, and hold harmless, the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, from any and all claims, demands, law suits, writs of mandamus, and other actions and proceedings (whether legal,	On-Going	Planning Dept.	

4	The project shall be developed in accordance with the development plans (site plan, landscape plans, conceptual grading plan, elevations, etc.) as approved by the Planning Commission on June 20, 2012. The applicant may request approval for any modifications/revisions to the approved project as outlined in the Eastvale Zoning Code.	On-Going	Planning, Public Works, and Building Depts.
5	The project shall operate in compliance with the approved “Plan of Operations” approved by the Planning Commission. Amendments to the Plan of Operations shall be subject to approval by the Planning Director.	On-Going	Planning
6	Normal operating hours for the park shall by 8:00 am to 10:00 pm daily. Events that vary from these normal operating hours may be approved by the JCSD or the City Planning Department as allowed for in the Plan of Operation.	On-Going	Planning

7	Field lights and most parking lot lights shall be turned off no later than 10:00 pm. A minimal level of lighting will be provided for <u>security purposes</u> from 10:00 pm to 8:00 am while the park is closed.	On-Going	Planning, code Enforcement	
8	The vehicular entry gates shall remain open during park operation and shall be locked within 30 minutes of the park closing time.	On-Going	Planning, code Enforcement	
9	The applicant shall comply with the mitigation measures called for in the Mitigated Negative Declaration adopted for the project and summarized in the Mitigation Monitoring and Reporting Program, included herein by reference.	On-Going	Planning, Public Works, and Building Depts.	
10	No grading shall be performed without the prior issuance of a grading permit by the City.	On-Going	Public Works/Building	
11	Written permission shall be obtained from the affected property owners allowing the proposed grading and/or facilities to be installed outside of the project boundaries.	On-Going	Public Works/Building	
12	The applicant's contractor is required to submit for a haul route permit for the hauling of material to and from the project site. Said permit will include limitations of haul hours, number of loads per day and the posting of traffic control personnel at all approved entrances/exits onto public roads. This permit shall be in place prior to the issuance of the grading permit and the mobilization of equipment on the project site	On-Going	Public Works/Building	
13	The Applicant shall dedicate, design and construct all improvements in accordance the City of Eastvale Road Improvement Standards & Specification, Improvement Plan Check Policies and Guidelines, as further conditioned herein and to the satisfaction of the City Engineer. Specifically, parkway improvements on Citrus Ave shall be improved as the roadway adjacent to this first phase of work is already improved. Subsequent phases will be required to obtain/dedicate right of way and improve the street to full width. Hamner Road improvements shall be provided should the applicants agreement with the City of Norco not be fulfilled.	On-Going	Public Works/Building	
14	A separate encroachment permit shall be obtained for the construction of the two driveway/street entries. Design of these entries shall be "street cut" and not standard driveway design.	On-Going	Public Works/Building	

15	All grading shall conform to the California Building Code, Ordinance 457, and all other relevant laws, rules, and regulations governing grading in the City of Eastvale. Prior to commencing any grading which includes 50 or more cubic yards, the applicant shall obtain a grading permit from the PW Department.	On-Going	Public Works/Building	
16	All necessary measures to control dust shall be implemented by the applicant during grading to the satisfaction of the City Engineer. A PM10 plan may be required at the time a grading permit is issued.	On-Going	Public Works/Building	
17	Graded slopes shall be limited to a maximum steepness ratio of 2:1 (horizontal to vertical) unless otherwise approved by the City Engineer.	On-Going	Public Works/Building	
18	Grading in excess of 199 cubic yards will require performance security to be posted with the City.	On-Going	Public Works/Building	
19	Erosion control – landscape plans, required for manufactured slopes greater than 3 feet in vertical height, are to be signed by a registered landscape architect and bonded per the requirements of Ordinance 457 (refer to dept. form 284-47). Planting shall occur within 30 days of meeting final grades to minimize erosion and to ensure slope coverage prior to the rainy season. The Applicant shall plant & irrigate all manufactured slopes steeper than a 4:1 (horizontal to vertical) ratio and 3 feet or greater in vertical height with grass or ground cover; slopes 15 feet or greater in vertical height shall be planted with additional shrubs or trees or as approved by the City Engineer.	On-Going	Public Works/Building	
20	Should this project lie within any assessment/benefit district, the project proponent shall, prior to acceptance of improvements, make application for and pay for their reapportionment of the assessments or pay the unit fees in the benefit district unless said fees are otherwise deferred.	On-Going	Public Works/Building	
21	All flood control plans to be reviewed shall be submitted through the City of Eastvale, unless otherwise directed by the City Engineer.	On-Going	Public Works/Building	

Prior to Issuance of Grading Permits			
22	Pre-construction presence/absence surveys for burrowing owl within the survey area where suitable habitat is present shall be conducted for all covered activities through the life of the permit. Surveys shall be conducted within 30 days prior to disturbance. Take of active nests shall be avoided. Passive relocation (use of one way doors and collapse of burrows) shall occur when owls are present outside the nesting season.	Prior to Issuance of Grading Permit	Planning Dept.
23	Construction activities shall be restricted to the hours of 7:00 a.m. to 7:00p.m. <u>Monday through Saturday, except nationally recognized holidays.</u> There shall be no construction permitted on Sunday.	During Grading	Planning/Public Works/Building
24	Prior to the issuance of a grading permit, the applicant shall submit a geotechnical soils reports to the City Engineer for review and approval prior to issuance of grading permit. All grading shall be in conformance with the recommendations of the geotechnical/soils reports as approved by City of Eastvale.	Prior to Issuance of Grading Permit	Public Works/Building
25	Prior to issuance of grading permits the Applicant shall provide the Engineering Department evidence of compliance with the National Pollutant Discharge Elimination System (NPDES) and obtain a construction permit from the State Water Resource Control Board (SWRRCB).	Prior to Issuance of Grading Permit	Public Works/Building
26	Prior to the issuance of a grading permit, the applicant shall have obtained approval for the import/export location from the City of Eastvale. Additionally, if either location was not previously approved by an Environmental Assessment, prior to issuing a grading permit, a Grading Environmental Assessment shall be submitted to the Planning Director for review and comment and to the City Engineer for approval.	Prior to Issuance of Grading Permit	Public Works/Building
27	Prior to the issuance of a grading permit, the applicant shall submit a Final Water Quality Management Plan (WQMP), in conformance with the requirements of the Santa Ana Regional Water Quality Control Board. All stormwater quality treatment devices shall be located outside of the ultimate public right of way. The applicant shall design the stormwater quality treatment devices to accommodate all project runoff, ensuring post-construction flows and volumes do not exceed pre-construction levels, in accordance with City of Eastvale's Hydrology Manual, Stormwater Quality Best Management Practice Design Handbook, Improvement Standards, and	Prior to Issuance of Grading Permit	Public Works/Building

	to the satisfaction of the City Engineer. These BMPs shall be consistent with the Final WQMP and installed to the satisfaction of the City Engineer.			
28	Prior to the issuance of grading permit, the applicant shall prepare and submit a comprehensive drainage study and plan that includes, but is not limited to: definition with mapping of the existing watersheds; a detailed pre- and post-project hydrologic and hydraulic analysis of the project and project impacts; definition of the local controlling 100-year frequency water levels existing and with project; the proposed method of flow conveyance to mitigate the potential project impacts with adequate supporting calculations; any proposed improvements to mitigate the impacts of increased runoff from the project and any change in runoff; including quality, quantity, volume, and duration in accordance with City of Eastvale's Hydrology Manual, Improvement Standards, as needed and to the satisfaction of the City Engineer.	Prior to Issuance of Grading Permit	Public Works/Building	
29	Prior to improvement plan acceptance, the applicant shall dedicate a public utility easement adjacent to all public and private streets for overhead and/or underground facilities and appurtenances to the satisfaction of the City Engineer.	Prior to Issuance of Grading Permit	Public Works/Building	
30	Prior to improvement plan acceptance, the applicant shall submit landscaping and irrigation plans within the public right-of-way to the Planning Department. These plans shall include water usage calculations, estimate of irrigation and the location of all existing trees that will remain. All plans and calculations shall be designed and calculated per the City of Eastvale Road Improvement Standards & Specification, Improvement Plan Check Policies and Guidelines, City Codes and to the satisfaction of the City Engineer.	Prior to Issuance of Grading Permit	Public Works/Building	
31	Prior to improvement plan acceptance, the applicant shall execute a maintenance agreement for the stormwater quality control treatment device to the satisfaction of the City Engineer.	Prior to Issuance of Grading Permit	Public Works/Building	
Prior to Issuance of Building Permits				
32	Prior to the issuance of building permits for any signs, the applicant shall submit for Planning Department review and approval a sign application for all on-site signage consistent with the development plans approved on June 20, 2012 or as approved by the Planning Director.	Prior to Issuance of Building Permits	Planning Dept.	

33	Prior to the issuance of a building permit, the applicant shall submit two (2) sets of detailed landscaping and irrigation plans to the Planning Department for review and approval. The landscape and irrigation plans shall be prepared by a registered Landscape Architect and comply with the all applicable provisions of Ordinance No. 859 and the “County of Riverside Guide to California Friendly Landscaping”. The continued maintenance of all landscaped areas shall be the responsibility of the applicant.	Prior to Issuance of Building Permits	Planning Dept.	
34	Prior to issuance of building permits the applicant shall demonstrate compliance with other agency Conditions of Approval as called for in the agency letters attached and made a part of these conditions of approval.	Prior to Issuance of Building Permits	Planning Dept.	
35	Provide approved Fire Department plans for Building Department review prior to issuance of building permits.	Prior to Issuance of Building Permits	Planning Dept., Fire Dept.	
36	Prior to the issuance of any building permit, the property owner shall obtain a grading permit and/or approval to construct from the City Engineer.	Prior to Issuance of Building Permits	Public Works/Building	
37	Prior to the issuance of a building permit, Improvement plans shall be approved by the City Engineer and all improvements to be constructed shall be secured by the Applicant, where applicable.	Prior to Issuance of Building Permits	Public Works/Building/ Planning Dept.	
38	Prior to issuance of a building permit the applicant shall provide will serve letters from the appropriate water and sewer agencies.	Prior to Issuance of Building Permits	Public Works/Building	
39	Prior to issuance of a building permit the applicant shall annex into all applicable Community Service Areas and Landscaping Maintenance District for landscaping, lighting, drainage and maintenance to the satisfaction of the City Engineer or otherwise form a District where one is not currently in place.	Prior to Issuance of Building Permits	Public Works/Building	
40	Prior to issuance of a building permit the applicant shall pay the appropriate impact mitigation fee to the Riverside County Flood Control and Water Conservation District.	Prior to Issuance of Building Permits	Public Works/Building	

41	Prior to issuance of a building permit, or as specified by ordinance, the applicant shall pay all necessary impact and mitigation fees required. These fees include, but are not limited to, fees associated with Transportation Uniform Mitigation Fee (TUMF), Quimby (parkland in-lieu) Fee, and City Development Impact Fees.	Prior to Issuance of Building Permits	Public Works/Building	
42	Prior to final inspection of a building permit the applicant shall construct the permanent stormwater quality treatment devices to accommodate all project runoff from in accordance with City of Eastvale's Hydrology Manual, Stormwater Quality Best Management Practice Design Handbook, Improvement Standards, and to the satisfaction of the City Engineer. All stormwater quality treatment devices shall be constructed outside of the ultimate public right of way.	Prior to Issuance of Building Permits	Public Works/Building	
Prior to Issuance of Certificates of Occupancy				
43	Prior to the issuance of a certificate of occupancy, the applicant shall have complied with all conditions of approval (dated June 20, 2012).	Prior to Issuance of Certificates of Occupancy	Planning Dept.	
44	<p>Prior to the issuance of a certificate of occupancy, all required landscape planting and irrigation shall have been installed consistent with the approved construction plans and shall be in a condition acceptable to the Planning Director. The plants shall be healthy and free of weeds, disease, or pests. The irrigation system shall be properly constructed and in good working order.</p> <p>The applicant shall contact the Planning Department to schedule the following inspections:</p> <ul style="list-style-type: none"> • Irrigation inspection(s) prior to filling trenches • Plant material inspection(s) prior to planting to check for plant size and vigor • Final inspection(s). 	Prior to Issuance of Certificates of Occupancy	Planning Dept.	

Other Agency Conditions (are attached below following the General Compliance information)

The following items are noted for the Applicant's information. These items are required by the City, other local agencies, state or federal agencies, and are not conditions of approval of the project.

General Compliance Items/Requirements and Information

1. No grading shall be performed without the prior issuance of a grading permit by the City. All grading shall conform to the California Building Code, Ordinance 457, and all other relevant laws, rules, and regulations governing grading in the City of Eastvale.
2. Written permission shall be obtained from the City and from affected property owners allowing the proposed grading and/or facilities to be installed outside of the project boundaries.
3. The Applicant shall be responsible for all costs associated with off-site right-of-way acquisition, including any costs associated with the eminent domain process, if necessary.
4. The developer's contractor is required to submit for a haul route permit for the hauling of material to and from the project site. Said permit will include limitations of haul hours, number of loads per day and the posting of traffic control personnel at all approved entrances/exits onto public roads. This permit shall be in place prior to the issuance of the grading permit and the mobilization of equipment on the project site.
5. The Developer shall dedicate, design and construct all improvements in accordance the City of Eastvale Road Improvement Standards & Specification, Improvement Plan Check Policies and Guidelines, as further conditioned herein and to the satisfaction of the City Engineer.
6. All necessary measures to control dust shall be implemented by the developer during grading to the satisfaction of the City Engineer. A PM10 plan may be required at the time a grading permit is issued.
7. Graded slopes shall be limited to a maximum steepness ratio of 2:1 (horizontal to vertical) unless otherwise approved by the City Engineer.
8. Grading in excess of 199 cubic yards will require performance security to be posted with the City.
9. Erosion control – landscape plans, required for manufactured slopes greater than 3 feet in vertical height, are to be signed by a registered landscape architect and bonded per the requirements of Ordinance 457 (refer to dept. form 284-47). Planting shall occur within 30 days of meeting final grades to minimize erosion and to ensure slope coverage prior to the rainy season. The Developer shall plant & irrigate all

manufactured slopes steeper than a 4:1 (horizontal to vertical) ratio and 3 feet or greater in vertical height with grass or ground cover; slopes 15 feet or greater in vertical height shall be planted with additional shrubs or trees or as approved by the City Engineer.

10. Should this project lie within any assessment/benefit district, the project proponent shall, prior to acceptance of improvements, make application for and pay for their reapportionment of the assessments or pay the unit fees in the benefit district unless said fees are otherwise deferred.
11. All flood control plans to be reviewed shall be submitted through the City of Eastvale, unless otherwise directed by the City Engineer.
12. Three sets of complete plan drawing, which include architectural, structural, mechanical, plumbing, electrical, Title 24 Energy, Green Building Code Compliance, Precise Grading Plan showing disable access compliance shall be submitted to Building Department for review and approval. Plans shall be designed under the applicable provisions of the 2010 edition California Building, Plumbing, Mechanical, Electrical, Energy and Green Building Codes and shall be stamped and signed by an appropriate registered professional responsible for their preparation.
13. The developer shall obtain City approval for any modifications or revisions to the approval of this project. Deviations not identified on the plans may not be approved by the City, potentially resulting in the need for the project to be redesigned. Amended entitlement approvals may be necessary as a result.

Prior to the Issuance of Grading Permits:

14. Prior to the issuance of a grading permit, it shall be the sole responsibility of the developer to obtain any and all easements and/or permissions necessary to perform the grading required for the project. A notarized letter of permission from all affected property owners or easement holders, or encroachment permit, is required for all off-site grading.
15. Prior to the issuance of grading permits, the project specific SWPPP shall be approved by the Resource Agency and submitted to the City Engineer.
16. Prior to issuance of grading permits the Developer shall provide the Public Works Department evidence of compliance with the National Pollutant Discharge Elimination System (NPDES) and obtain a construction permit from the State Water Resource Control Board (SWRRCB).
17. Prior to the issuance of a grading permit, the developer shall have obtained approval for the import/export location from the City of Eastvale.

18. Prior to the issuance of a grading permit, the developer shall submit a Final Water Quality Management Plan (WQMP), in conformance with the requirements of the Santa Ana Regional Water Quality Control Board. All stormwater quality treatment devices shall be located outside of the ultimate public right of way. The developer shall design the stormwater quality treatment devices to accommodate all project runoff, in accordance with Hydrology Manual, Stormwater Quality Best Management Practice Design Handbook, Improvement Standards as adopted by the City of Eastvale, and to the satisfaction of the City Engineer. These BMPs shall be consistent with the Final WQMP and installed to the satisfaction of the City Engineer.
19. Prior to improvement plan acceptance, the developer shall dedicate a public utility easement adjacent to all public and private streets for overhead and/or underground facilities and appurtenances to the satisfaction of the City Engineer.
20. Prior to improvement plan acceptance, the developer shall submit landscaping and irrigation plans within the public right-of-way to the Planning Department. These plans shall include water usage calculations, estimate of irrigation and the location of all existing trees that will remain. All plans and calculations shall be designed and calculated per the Road Improvement Standards & Specification, Improvement Plan Check Policies and Guidelines as adopted by the City of Eastvale, City Codes and to the satisfaction of the City Engineer.
21. Prior to improvement plan acceptance, the developer shall execute a maintenance agreement for the stormwater quality control treatment device to the satisfaction of the City Engineer.
22. The grading plan shall include the following information in the Notes Section of the Grading Plan: *"No grubbing/clearing of the site shall occur prior to scheduling the pre-grading meeting with Engineering. All project sites containing suitable habitat for burrowing owls, whether owls were found or not, require a 30-day preconstruction survey that shall be conducted within 30 days prior to ground disturbance to avoid direct take of burrowing owls. If the results of the survey indicate that no burrowing owls are present on-site, then the project may move forward with grading, upon Planning Department approval. If burrowing owls are found to be present or nesting on-site during the preconstruction survey, then the following recommendations must be adhered to: Exclusion and relocation activities may not occur during the breeding season, which is defined as March 1 through August 31, with the following exception: From March 1 through March 15 and from August 1 through August 31 exclusion and relocation activities may take place if it is proven to the City and appropriate regulatory agencies (if any) that egg laying or chick rearing is not taking place. This determination must be made by a qualified biologist."*
23. The grading plan shall include the following information in the Notes Section of the Grading Plan: *"If at any time during excavation/construction of the site, archaeological/cultural resources, or any artifacts or other objects which reasonably appears to be evidence of cultural or archaeological resource are discovered, the property owner shall immediately advise the City of such and the City shall cause all further excavation or other disturbance of the affected area to immediately cease. The Planning Director at his/her sole discretion may require the property owner to deposit a sum of money it deems reasonably necessary to allow the City to consult and/or authorize an independent, fully qualified specialist to inspect the site at no cost to the City, in order to assess the significance of the find. Upon determining*

that the discovery is not an archaeological/cultural resource, the Planning Director shall notify the property owner of such determination and shall authorize the resumption of work. Upon determining that the discovery is an archaeological/cultural resource, the Planning Director shall notify the property owner that no further excavation or development may take place until a mitigation plan or other corrective measures have been approved by the Planning Director.”

24. If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to Public Resource Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within a reasonable timeframe. Subsequently, the Native American Heritage Commission shall identify the "most likely descendant." The most likely descendant shall then make recommendations and engage in consultation concerning the treatment of the remains as provided in Public Resources Code Section 5097.98.
25. The applicant shall comply with all provisions and procedures of the Eastvale Building Department related to the plan check review process (Please contact City of Eastvale, Building Official, 951-361-0900).

Prior to the Issuance of Building Permits:

26. Prior to the issuance of a building permit Improvement plans shall be approved by the City Engineer and all improvements to be constructed shall be secured by the Developer.
27. Prior to issuance of a building permit the developer shall provide will serve letters from the appropriate water and sewer agencies.
28. Prior to issuance of a building permit the developer shall install all street name signs at intersections adjacent to the project, public or private and/or replace street name signs in accordance with the City of Eastvale Standard Details and to the satisfaction of the City Engineer.
29. Prior to issuance of a building permit the developer shall annex into all applicable Community Service Areas and Landscaping Maintenance District for landscaping, lighting, drainage and maintenance to the satisfaction of the City Engineer or otherwise form a District where one is not currently in place.
30. Prior to issuance of a building permit or as provided by City Ordinance or Policy, the developer shall pay all necessary impact and mitigation fees required. These fees include, but are not limited to, fees associated with Transportation Uniform Mitigation Fee (TUMF), Quimby (parkland in-lieu) Fee, Riverside County Fire Department, Riverside County Sheriff Department, Riverside County Flood Control and Water Conservation District, and City Development Impact Fees.

31. Prior to issuance of a building permit the developer shall construct the stormwater quality treatment devices to accommodate all project runoff from in accordance with City of Eastvale's Hydrology Manual, Stormwater Quality Best Management Practice Design Handbook, Improvement Standards, and to the satisfaction of the City Engineer. All stormwater quality treatment devices shall be constructed outside of the ultimate public right of way.

WARREN D. WILLIAMS
General Manager-Chief Engineer



1995 MARKET STREET
RIVERSIDE, CA 92501
951.955.1200
FAX 951.788.9965
www.rcflood.org

137962

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

City of Eastvale
Planning Department
6080 Hamner Avenue, Suite 103
Eastvale, California 91752

Attention: KANIKA KITH

Ladies and Gentlemen:

Re: CUP 10-0128

The District does not normally recommend conditions for land divisions or other land use cases in incorporated cities. The District also does not plan check city land use cases, or provide State Division of Real Estate letters or other flood hazard reports for such cases. District comments/recommendations for such cases are normally limited to items of specific interest to the District including District Master Drainage Plan facilities, other regional flood control and drainage facilities which could be considered a logical component or extension of a master plan system, and District Area Drainage Plan fees (development mitigation fees). In addition, information of a general nature is provided.

The District has not reviewed the proposed project in detail and the following checked comments do not in any way constitute or imply District approval or endorsement of the proposed project with respect to flood hazard, public health and safety or any other such issue:

- No comment.
- This project would not be impacted by District Master Drainage Plan facilities nor are other facilities of regional interest proposed.
- This project involves District Master Plan facilities. The District will accept ownership of such facilities on written request of the City. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection and administrative fees will be required. EASTVALE MDP LINE E-3.
- This project proposes channels, storm drains 36 inches or larger in diameter or other facilities that could be considered regional in nature and/or a logical extension of the adopted Master Master Drainage Plan. The District would consider accepting ownership of such facilities on written request of the City. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection and administrative fees will be required.
- This project is located within the limits of the District's Area Area Drainage Plan for which drainage fees have been adopted; applicable fees should be paid by cashier's check or money order only to the Flood Control District or City prior to issuance of grading permits. Fees to be paid should be at the rate in effect at the time of issuance of the actual permit.
- An encroachment permit shall be obtained for any construction related activities occurring within District right of way or facilities. For further information, contact the District's encroachment permit section at 951.955.1266.

GENERAL INFORMATION

This project may require a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board. Clearance for grading, recordation or other final approval should not be given until the City has determined that the project has been granted a permit or is shown to be exempt.

If this project involves a Federal Emergency Management Agency (FEMA) mapped flood plain, then the City should require the applicant to provide all studies, calculations, plans and other information required to meet FEMA requirements, and should further require that the applicant obtain a Conditional Letter of Map Revision (CLOMR) prior to grading, recordation or other final approval of the project, and a Letter of Map Revision (LOMR) prior to occupancy.

If a natural watercourse or mapped flood plain is impacted by this project, the City should require the applicant to obtain a Section 1602 Agreement from the California Department of Fish and Game and a Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers, or written correspondence from these agencies indicating the project is exempt from these requirements. A Clean Water Act Section 401 Water Quality Certification may be required from the local California Regional Water Quality Control Board prior to issuance of the Corps 404 permit.

Very truly yours,

MEKBIB DEGAGA
Engineering Project Manager

c: Riverside County Planning Department
Attn: Kristi Lovelady

Date: 4/3/2012

RIVERSIDE COUNTY
STANLEY SNIFF, SHERIFF



Sheriff

Date: December 22, 2011

Project Number: Plot Plan No. 10-0128

Location: Southwest corner of Citrus Avenue and Hamner Avenue

Project Description: Plot Plan No. 10-0128 proposes to construct a public park and regional soccer complex for 13 soccer fields on 45 acres.

APN: 152-050-040 and -035

Related Cases: NONE

Applicant: Mr. Ric Welch, (951) 369-0700

Case Planners: Kanika Kith, Associate Planner, City of Eastvale

Thank you for the opportunity to review and comment on the above listed project. This response is provided to identify the impact of such development on law enforcement services provided by this department. The following are a list of those issues and suggestions regarding those issues.

Project Mitigation Issues

This project will be served by the Jurupa Valley Station of the Riverside County Sheriff's Department, which is located at 7477 Mission Blvd, Jurupa Valley, CA 92509. The Jurupa Valley Station currently covers approximately 94 square miles and consist of unincorporated communities along with contract for services within the Cities of Eastvale, Jurupa Valley, and Norco.

This project in consideration with a significant rise in both, planned and current residential development within the City of Jurupa Valley, will continue to degrade the level of service unless programmed with the collection of development funds to increase manpower.

The Sheriff's Department receives a portion of the development impact fees (DIF) pursuant to County Ordinance No. 659.6. These monies are collected and distributed in an effort to off-set the impact on RSD services. Further, impact upon the public roads and the expected increased vehicular traffic congestion will affect timely response by law enforcement. The effectiveness and timely response by public service agencies both, law enforcement and fire are dependent upon public roadway conditions.

7477 Mission Blvd · Riverside, CA 92509-2400
P.O. Box 512 · Riverside, CA 92502-0512
(951) 955-2600 · FAX (951) 955-2630

Pre-construction and Construction Phases

1. Material Storage Area & Property Accountability

- A. Prior to construction on any structure, a material storage area should be established and enclosed by a six (6) foot chain link fence to minimize theft of materials and/or equipment.
- B. A list of serial and/or license numbers of equipment stored at the location maintained at the site and any off-site main office. The public and non-essential employees should be restricted in access to the construction areas. It is recommended that contact be made with representatives from the Crime Prevention Program of Southern California, a non-profit organization specializing in construction site theft prevention (562-860-9006).
- C. Given the current trends regarding copper and brass theft extra care shall be taken to secure all items made of copper or brass including but not limited to the following: copper wire spools and fire hydrants including back flow valves,

2. Project Information & Emergency Contact

- A. Current emergency contact information for the project should be kept on file with the Riverside County Sheriff's Department. The developer and/or builder's name, address and phone number should be conspicuously posted at the construction site.

3. Site Security & Lighting

- A. The visibility into the construction site should not be intentionally hampered. Areas actually under construction should be lit during hours of darkness. All entrances and exits should be clearly marked. All construction trailers or offices shall contain exterior lighting during hours of darkness when the office/trailer is unattended.
- B. The construction site should have a clearly designated point of contact, such as the construction trailer or office. Post the emergency and non-emergency phone numbers for the fire department (Riverside County Fire Department), ambulance service (American Medical Response) and the Riverside County Sheriff's Department, near any phone. The address for the facility should be posted near the above phones at the site. Any phones at the site that are blocked for outgoing calls should not be blocked from dialing an emergency call (i.e. 9-1-1).
- C. Establish parking areas for construction site workers, employees or vendors. The parking areas and commercial areas on the premises should be accessible to emergency vehicles at all times with paved pathways of sufficient width to

accommodate such vehicles.

Design Issues & Project Completion

1. Parking Lot Lighting:

- A. The lighting for the development shall be in accordance with the Riverside County ordinance. All lighting fixtures should be resistant to vandalism and tampering and shall include the presence of dusk to dawn sensors to ensure adequate lighting during hours of darkness.

2. Graffiti Abatement

- A. Prior to occupancy the surface of walls fences, buildings, logo monuments, etc., shall be graffiti resistant either through surface composition, applied paint type and/or planned shielding by landscaping or plants.

3. Building Numbering

- A. Illuminated or backlit property addresses shall be provided for each building. These devices shall be of the proper size to ensure proper display of locations for emergency responses by the fire department (Riverside County Fire Department) and law enforcement (Riverside County Sheriff and California Highway Patrol). In addition to numbering viewable from the ground each building shall have the street address affixed to the roof of the building in a size no less than 2 feet tall by 4 feet wide. The purpose of this requirement is to ensure rapid address identification by public safety aircraft (i.e. – law enforcement, fire, medical) at an altitude of no less than 500 feet above the ground.

Post Construction & Operation

1. Operating Hours and Physical Security:

A. Lighting

The project area must have an inclusive lighting plan conducted by professional firm. The installation shall consist of adequate lighting standards with the proper type light and lumens for the various commercial and business uses. The lighting plan will require review by the Riverside County Sheriff's Department.

B. Graffiti Resistant Surfaces, Walls and Monuments

The developer shall be required to maintain the property. At present, the County of Riverside, Economic Development Agency operates a Graffiti Abatement program. The timely reporting of vandalism and graffiti to local law enforcement is essential, as well as, the expeditious removal from public

view. Failure to remove graffiti in a timely manner can result in the removal pursuant to county ordinances

C. Landscaping

The landscape design should be based on the use of planted items which will not overgrow areas of the property. For example, trees or shrubs should not be planted directly adjacent to structures or the building, nor should they be planted in a manner which will obstruct observation both, into and out of the structures.

Should the planning department, planning commission, developer, architect, construction staff, or City Council have any questions regarding the above public safety concerns, please feel free to contact the Plans Coordinator at (951) 955-9225.

Cordially,



Deputy Michelle Shamhart
Plans Coordinator
Jurupa Valley Station

ATTACHMENT B

Resolution No. 12-__

**to Adopt a Mitigated Negative Declaration
and**

**Mitigation Monitoring and Reporting Program
for CUP 10-0128**

PC RESOLUTION NO. 12-___

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EASTVALE, CALIFORNIA ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING & REPORTING PROGRAM FOR CONDITIONAL USE PERMIT NO. 10-0128 FOR THE DEVELOPMENT OF A NEW COMMUNITY PARK LOCATED AT THE SOUTHWEST CORNER OF CITRUS STREET AND HAMNER AVENUE (ASSESSOR'S PARCEL NUMBERS 152-050-035 & -040)

WHEREAS, an application for a Conditional Use Permit (CUP No. 10-0128) to construct two phases of the planned 74-acre Eastvale Community Park, has been filed by Jurupa Community Services District (JSCS) for the real property located at the southwest corner of Citrus Street and Hamner Avenue, Assessor's Parcel Numbers 152-050-035 & -040; and

WHEREAS, the proposed Conditional Use Permit is considered a "Project" as defined by the California Environmental Quality Act, Public Resources Code §21000 et seq. ("CEQA"); and

WHEREAS, after completion of an Initial Study, the Planning Director determined that the Project required a Mitigated Negative Declaration and Mitigation Monitoring & Reporting Program for the proposed project in compliance with the provisions of CEQA; and

WHEREAS, on May 17, 2012, using the method required under CEQA Guidelines Section 15072(b), the City provided a Notice of Intent (NOI) to adopt the proposed Mitigated Negative Declaration and Mitigation Monitoring & Reporting Program to the State Office of Planning and Research (OPR) and the Riverside County Clerk, and also published said NOI in compliance with State law in the Press Enterprise, a local newspaper of general circulation regarding the 30-day public review period; and

WHEREAS, the City made the proposed Mitigated Negative Declaration and Mitigation Monitoring & Reporting Program available for public review beginning on May 17, 2012 and concluding on June 18, 2012, a period of not less than 30 days as prescribed by law, and which during said public review period, the City received no written comment concerning the proposed Mitigated Negative Declaration and Mitigation Monitoring & Reporting Program; and

WHEREAS, the City of Eastvale Planning Department on June 9, 2012, published a legal notice in compliance with State law concerning Conditional Use Permit No. 10-0128 in the Press Enterprise, a local newspaper of general circulation. In addition, on June 7, 2012, a public hearing notice was mailed to each property owner within a 600-foot radius of the project site, indicating the date and time of the public hearing for consideration of the Mitigated Negative Declaration, Mitigation Monitoring & Reporting Program, and Conditional Use Permit No. 10-0128 accordance with state law; and

WHEREAS, the City of Eastvale Planning Commission conducted a duly noticed public hearing on June 20, 2012 at which public testimony was received concerning Conditional Use Permit No. 10-0128, and at which time the Commission considered the Mitigated Negative Declaration and Mitigation Monitoring Program for the proposed project.

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

SECTION 1. ENVIRONMENTAL FINDINGS.

The Planning Commission, in light of the whole record before it including but not limited to the City's local CEQA Guidelines and Thresholds of Significance, the proposed Mitigated Negative Declaration and documents incorporated therein by reference, any written comments received and responses provided, the proposed Mitigation Monitoring & Reporting Program and other substantial evidence (within the meaning of Public Resources Code § 21080(e) and § 21082.2) within the record and/or provided at the public hearing, hereby finds and determines as follows:

Review Period: That the City has provided the public review period for the Mitigated Negative Declaration for the duration required under CEQA Guidelines Sections 15073 and 15105.

Compliance with Law: That the Mitigated Negative Declaration and Mitigation Monitoring & Reporting Program were 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: That the Mitigated Negative Declaration reflects the independent judgment and analysis of the City of Eastvale.

Mitigation Monitoring Program: That the Mitigation Monitoring & Reporting Program is designed 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.

No Significant Effect: That revisions made to the project plans agreed to by the applicant and mitigation measures imposed as conditions of approval on the project, avoid or mitigate any potential significant effects on the environment identified in the Initial Study to a point below the threshold of significance. Furthermore, after taking into consideration the revisions to the project and the mitigation measures imposed, the Planning Commission finds that there is no substantial evidence, in light of the whole record, from which it could be fairly argued that the project may have a significant effect on the environment. Therefore, the Planning Commission finds that the project will not have a significant effect on the environment.

SECTION 2. MULTIPLE SPECIES HABITAT CONSERVATION PLAN (MSHCP).

The project is found to be consistent with the Riverside County Multiple Species Habitat Conservation Program Plan (MSHCP). The project is located within the MSHCP Cell 786. In addition, the southern portion of the proposed project is included in Subunit 1 (Santa Ana River-Central) of Eastvale Plan area of the MSHCP. This portion of the site is designated as such due to its support of the Santa Ana River riparian corridor. This portion of the proposed project area has been excluded from development. Prior to the issuance of a grading permit, the developer is required to pay the regional impact mitigation fee established by the Riverside County Multiple Species Habitat Conservation Plan. The proposed project represents a less than significant impact to local policies or ordinances protecting biological resources.

SECTION 3. PLANNING COMMISSION ACTION:

The Planning Commission hereby adopts Resolution No. 12-_____ adopting a Mitigated Negative Declaration (attached hereto as Exhibit 1 to this Resolution) and Mitigation Monitoring & Reporting Program (attached hereto as Exhibit 2 to this Resolution) for Conditional Use Permit No. 10-0128.

PASSED, APPROVED AND ADOPTED this 20th day of June, 2012.

Chairperson, Eastvale Planning Commission

APPROVED AS TO FORM:

ATTEST:

John E. Cavanaugh
City Attorney

Ariel Berry
Deputy City Clerk

STATE OF CALIFORNIA
COUNTY OF RIVERSIDE
CITY OF EASTVALE

CERTIFICATION:

I, Ariel Berry, Recording Secretary of the Planning Commission of the City of Eastvale, California, do hereby certify that the foregoing PC Resolution, No. 12-___, was duly adopted by the Planning Commission of the City of Eastvale, California, at a regular meeting thereof held on the 20th day of June, 2012, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ariel Berry, Recording Secretary
City of Eastvale, California

EXHIBIT 1

Initial Study/Mitigated Negative Declaration

(Available on a CD at City Clerk Office)

EXHIBIT 2

Mitigation Monitoring & Reporting Program

(Available on a CD at City Clerk Office)

ATTACHMENT C

**Resolution No.12- ____ - to approve
Conditional Use Permit (CUP) No. 10-0128**

PC RESOLUTION NO. 12-___

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EASTVALE, CALIFORNIA APPROVING CONDITIONAL USE PERMIT NO. 10-0128 FOR THE DEVELOPMENT OF A NEW COMMUNITY PARK LOCATED AT THE SOUTHWEST CORNER OF CITRUS STREET AND HAMNER AVENUE (ASSESSOR'S PARCEL NUMBERS 152-050-035 & -040)

WHEREAS, an application for a Conditional Use Permit (CUP No. 10-0128) to construct the first two phases of a planned 74-acre Eastvale Community Park has been filed by Jurupa Community Services District (JSCS) for the real property located at the southwest corner of Citrus Street and Hamner Avenue, Assessor's Parcel Numbers 152-050-035 & -040; and

WHEREAS, the proposed Conditional Use Permit is considered a "Project" as defined by the California Environmental Quality Act, Public Resources Code §21000 et seq. ("CEQA"); and

WHEREAS, after completion of an Initial Study, the Planning Director determined that the Project required a Mitigated Negative Declaration and Mitigation Monitoring & Reporting Program for the proposed project in compliance with the provisions of CEQA; and

WHEREAS, on May 17, 2012, using the method required under CEQA Guidelines Section 15072(b), the City provided a Notice of Intent (NOI) to adopt the proposed Mitigated Negative Declaration and Mitigation Monitoring & Reporting Program to the State Office of Planning and Research (OPR) and the Riverside County Clerk, and also published said NOI in compliance with State law in the Press Enterprise, a local newspaper of general circulation regarding the 30-day public review period; and

WHEREAS, the City made the proposed Mitigated Negative Declaration and Mitigation Monitoring & Reporting Program available for public review beginning on May 17, 2012 and concluding on June 18, 2012, a period of not less than 30 days as prescribed by law, and which during said public review period, the City received no written comment concerning the proposed Mitigated Negative Declaration and Mitigation Monitoring & Reporting Program; and

WHEREAS, the City of Eastvale Planning Department on June 9, 2012, published a legal notice in compliance with State law concerning Conditional Use Permit No. 10-0128 in the Press Enterprise, a local newspaper of general circulation. In addition, on June 7, 2012, a public hearing notice was mailed to each property owner within a 600-foot radius of the project site, indicating the date and time of the public hearing for consideration of the Mitigated Negative Declaration, Mitigation Monitoring & Reporting Program, and Conditional Use Permit No. 10-0128 accordance with state law; and

WHEREAS, the City of Eastvale Planning Commission conducted a duly noticed public hearing on June 20, 2012 at which public testimony was received concerning Conditional Use Permit No. 10-0128, and at which time the Commission considered the Mitigated Negative Declaration and Mitigation Monitoring Program for the proposed project.

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

SECTION 1. ENVIRONMENTAL FINDINGS.

The Planning Commission, in light of the whole record before it including but not limited to the City's local CEQA Guidelines and Thresholds of Significance, the proposed Mitigated Negative Declaration and documents incorporated therein by reference, any written comments received and responses provided, the proposed Mitigation Monitoring & Reporting Program and other substantial evidence (within the meaning of Public Resources Code § 21080(e) and § 21082.2) within the record and/or provided at the public hearing, hereby finds and determines as follows:

Review Period: That the City has provided the public review period for the Mitigated Negative Declaration for the duration required under CEQA Guidelines Sections 15073 and 15105.

Compliance with Law: That the Mitigated Negative Declaration and Mitigation Monitoring & Reporting Program were 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: That the Mitigated Negative Declaration reflects the independent judgment and analysis of the City of Eastvale.

Mitigation Monitoring Program: That the Mitigation Monitoring & Reporting Program is designed 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.

No Significant Effect: That revisions made to the project plans agreed to by the applicant and mitigation measures imposed as conditions of approval on the project, avoid or mitigate any potential significant effects on the environment identified in the Initial Study to a point below the threshold of significance. Furthermore, after taking into consideration the revisions to the project and the mitigation measures imposed, the Planning Commission finds that there is no substantial evidence, in light of the whole record, from which it could be fairly argued that the project may have a significant effect on the environment. Therefore, the Planning Commission is recommending to the City Council that the project will not have a significant effect on the environment.

SECTION 2. MULTIPLE SPECIES HABITAT CONSERVATION PLAN (MSHCP).

The project is found to be consistent with the Riverside County Multiple Species Habitat Conservation Program Plan (MSHCP). The project is located within the MSHCP Cell 786. In addition, the southern portion of the proposed project is included in Subunit 1 (Santa Ana River-Central) of Eastvale Plan area of the MSHCP. This portion of the site is designated as such due to its support of the Santa Ana River riparian corridor. This portion of the proposed project area has been excluded from development. Prior to the issuance of a grading permit, the developer is required to pay the regional impact mitigation fee established by the Riverside County Multiple Species Habitat Conservation Plan. The proposed project represents a less than significant impact to local policies or ordinances protecting biological resources.

SECTION 3. CONDITIONAL USE PERMIT FINDING

Pursuant to Sections 2.2 of the City of Eastvale Zoning Code, the Planning Commission makes the following finding pertaining to Conditional Use Permit No. 10-0128:

Finding 1: The proposed use is consistent with the General Plan and all applicable provisions of this Code.

Evidence: The General Plan designation of the property Medium Density Residential (MDR) / Open Space Recreational (REC) / Water (W); all of these land use designations allow for the development and operation of a park. The Water (W) designation allows a very limited range of uses due to the potential of flooding. The project is has been designed with the potential of flooding in mind. All proposed buildings are mobile trailers designed to be rolled off site in advance of flooding. Utility connections have been designed with quick release fixtures to accommodate the special needs of the site. Considering all of these aspects, the project furthers the objectives and policies of the General Plan and is compatible with the general land uses as specified in the General Plan.

Finding 2: The establishment, maintenance or operation of the use applied for will not, under the circumstances of the particular case (location, size, design, and operating characteristics), be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the neighborhood or such use, or the general welfare of the City

Evidence: The establishment, maintenance or operation of the parks in residential areas is generally considered a compatible use. This particular site is separated from the adjacent residential neighborhood by Citrus Street and is located approximately 13-feet below grade of the adjacent street and residential neighborhood. The project has been designed or conditioned to mitigate all potential impacts as a result of the project to less than significant levels. A Mitigation Monitoring and Reporting Program has been prepared of the project which contains these measures. The greatest potential impact of this project comes from the fielding lighting which will allow for evening practices. The project lighting has been designed to be contained within the boundaries of the park, while still providing ample light for the play fields, parking lot, trails and pathways. The light fixtures, which will be placed on poles up to 80 feet high, will be visible from homes backing up to Citrus Street. Their illumination will have dissipated before reaching the project boundary.

A Plan of Operation for the project has been established that addresses the regulation of uses within the park and security maintenance and operational practices that will ensure that the facility will not adversely impact the adjacent residential neighborhood.

Therefore, under the circumstances of this particular case it is determined that the project will not be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the neighborhood or the general welfare of the City.

SECTION 4. PLANNING COMMISSION ACTION:

The Planning Commission hereby adopts Resolution No. 12-_____ approving Conditional Use Permit No. 10-0128, subject to the Conditions of Approval attached hereto as Exhibit A to this Resolution.

PASSED, APPROVED AND ADOPTED this 20th day of June, 2012.

Bill Link
Chairman, Planning Commission

APPROVED AS TO FORM:

ATTEST:

John E. Cavanaugh
City Attorney

Ariel Berry
Deputy City Clerk

STATE OF CALIFORNIA
COUNTY OF RIVERSIDE
CITY OF EASTVALE

CERTIFICATION:

I, Ariel Berry, Recording Secretary of the Planning Commission of the City of Eastvale, California, do hereby certify that the foregoing PC Resolution, No. 12-___, was duly adopted by the Planning Commission of the City of Eastvale, California, at a regular meeting thereof held on the 20th day of June, 2012, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ariel Berry, Recording Secretary
City of Eastvale, California

EXHIBIT 1

**Conditions of Approval
(included as Attachment A to the Staff Report)**

ATTACHMENT D
Plan of Operation

Eastvale Community Park

Plan of Operation

Introduction

The Eastvale Community Park is located within the City of Eastvale in northwestern Riverside County. Specifically, the Project is bounded by Hamner Avenue to the east, the Santa Ana River to the south, Scholar Way to the west, and Citrus Street to the north. Eastvale Community Park is a planned component of the Comprehensive Parks Plan for the Eastvale area and will be identified in the Parks and Recreation Master Plan. The mission is to efficiently and effectively utilize available resources in the development and maintenance of quality park facilities and provide safe, fun, and diverse recreational opportunities that enrich the quality of life for residents and visitors alike. The Eastvale Community Park is a vital component of this mission as it provides much needed amenities to the southeastern corner of the Service Area.

The Park will be constructed in two phases covering 74 acres of land. Phase 1 is approximately 46 acres, and will include:

- Flexible open turf area for a variety of field configuration options;
- Restroom/ Concession building complex of four pit-set modular buildings, and additional storage area screened by 10' tall decorative concrete block walls;
- Multi-use plaza with thirteen picnic tables under shade trees;
- Pervious parking for approximately 562 parking spaces and 15 handicap assessable spaces;
- Drop-off zone near Restroom / Concession building complex;
- California-friendly landscape with low volume irrigation;
- Addition of approximately 1725 LF segment of multi-use trail, aligned to connect with Santa Ana River Multi-Use Trail upon completion of adjacent segments;
- Field and parking lot lighting for night time use of the facilities; and,
- Bollard lighting on the ADA path of travel from the corner of Citrus St. and Hamner Ave. and along the Santa Ana River Trail.

Phase 2, consisting of an additional 28 acres of land, will be more clearly defined at a later date, as driven by availability of funding and land ownership. Because the development of the second phase has not been determined, the anticipated amenities can be described loosely as follows:

- Additional open turf sports fields,
- Pervious parking area for approximately 474 parking spaces, and 6 handicap assessable spaces;
- Ancillary restroom building to serve the westernmost fields,
- Field and parking lot lighting for night time use of the facilities, consistent with the intensity and distribution pattern of Phase one; and,
- Additional multi-use trail segment to link Phase 1 multi-use trail with future segments of the Santa Ana River Multi-Use Trail toward the west

Expected Hours of Operation

Monday- Sunday: 8:00 am to 10:00 pm

If operating hours for a specific event exceed these times, a City of Eastvale Temporary Event Permit will be required.

Programming

While ultimate use will be determined by community need, we anticipate the following usage:

- Recreational use by public
- Walking/jogging trail
- Community events
- Soccer league play
- Soccer tournaments
- Football practice

With the exception of JCSD sponsored activities, every organization wishing to utilize the park for sports leagues, tournaments, or special events must be approved through the JCSD Parks and Recreation Department User Group and/or Special Event application process. During this process the applicant receives the rules and regulations for use of the park. This process includes the utilization of the concession stand. It is the responsibility of the applicant to obtain the health permit and to ensure all the rules and regulations of said permit are being met.

Due to the growing nature of the youth and adult sports leagues, park usage will be heavy on week nights between 4-9:30pm. During the spring and summer months, participation will be slightly lower than the fall and winter months. Saturdays will be heavily used throughout the year with the exception of field rehabilitation. Typical Sunday field usage will not be programmed after 12pm to allow for community use of the fields, with the exception of approximately 15 Sunday's per year.

If the use of the park falls outside "typical usage" the user will be required to obtain a City of Eastvale Temporary Event Permit. This includes the following conditions:

- Extended morning or evening hours;
- Use of amplified sound for concerts, fairs or festivals;
- Overnight use of the park;
- Events that require security, crowd control, or parking control; and,
- Food vendors (other than the approved concession building) and sales / promotional / game booths.

A Joint-Use Agreement will be completed with the adjacent Silver Lakes facility. This agreement will comply with normal operating procedures.

Security Measures

JCSD staff will open and close the gates to the park daily. JCSD will determine if additional staffing is needed based upon specific activities held at the park. JCSD employs a full-time Park Ranger who will work a varied shift including nights and weekends. They also have a contract with the Riverside County Sheriff's Department for a dedicated Deputy assigned to Eastvale parks. This position also works a variety of nights and weekends.

A Knox-Box type entry system will be installed on the driveway gates as access for emergency vehicles.

Signs will be posted throughout the parking lot alerting patrons that the gates will be locked at 10pm. If staff is on site preparing to lock the gates and there is a car in the parking lot they will attempt to locate the owner of the car. Safety will be the primary concern if this case arises.

If there are any security issues that arise on the park premises, patrons will be directed to call the police.

Lights will be set to shut off at 10pm, with the exception of security lighting.

Area Details

Citrus Street parking lot entry points: Gates at the driveway entrances will allow the Park to be secured from vehicle access outside the hours of operation, or as needed for special functions or maintenance activities. Gates will be locked in the open position during park hours, and will be opened and closed by JCSD staff as needed. The parking access points will be paved with asphalt and have concrete curbs, providing ample traction and an even surface for the vehicles to navigate the slope between Citrus Street and the parking lots. In addition to the ADA-accessible path of travel from the intersection of Citrus Street and Hamner Avenue, one non-ADA accessible sidewalk will be constructed at each driveway entrance to provide safer pedestrian access to the park site.

Parking Lots: The Phase 1 parking lots will be constructed of a Class II Recycled road base material with concrete curbs and landscaped planters. Trees will be planted to provide shade to the parked vehicles. Split-rail PVC fencing and a 10' wide decomposed granite path will visually delineate the parking lot from the sports fields.

Sports Fields: Will be planted with Ballfield Mix 2-A hydro-seed, which is a mixture of Perennial Ryegrass and improved turf type Bermuda grass. This mix is designed for a shorter cutting height with a high density surface and increased wear tolerance, ideal for athletic use. This mix also provides a green color all year round.

Lighting: The Park will include a no-spill Musco Light Structure Green sports lighting system, with poles at 80' maximum height above sports field playing surface. There will be additional fixtures mounted to the back side of the light poles to provide light to the parking lots.

Restroom/ Concession Buildings: A series of four pit-set modular buildings, each measuring approximately 12' wide by 34' long by 10' high, will allow restrooms to be placed on site while complying with Riverside County Flood Control requirements. Because the buildings are pit-set, they will not require stairs or ramps to reach the floor level, allowing for full ADA access.

Building Plaza: Adjacent to the restroom and concession buildings will be a plaza, including picnic tables surrounded by shade trees. The plaza surface will be decomposed granite. Bicycle racks, trash receptacles, and drinking fountains will be provided at the perimeter of the plaza.

Storage Container Enclosure: A series of 10' tall decorative block walls will surround the additional storage area provided to securely store soccer goals, field equipment, and related items at the park site. Decorative full-height steel gates will provide stylized scenes of the Santa Ana River and adjacent topography.

Trash Enclosure: Will be constructed with decorative block screen walls and box-rib steel gates per JCSD Park Standards.

Multi-Use trail: Will be constructed along the Santa Ana River- adjacent edge of the sports fields. The multi-use trail will consist of a 12' wide asphalt paved path, a 15' wide decomposed granite path for equestrian use, with a landscaped median between the two parallel paths. The multi-use trail will match the specifications of the existing segments of the Santa Ana River Multi-Use trail that have been developed further to the west by JCSD.

Connection to Silverlakes Facility: a tunnel under Hamner Avenue to be built by the City of Norco will provide pedestrian, equestrian, and maintenance equipment connectivity between the Eastvale Community Park and the larger Silverlakes Sports Complex facility, as well as a linkage to future segments of the Santa Ana River Multi-Use Trail toward the east. This project will not include construction of the tunnel but has been designed to link with that facility when constructed, by another entity.

Landscape: All project landscape will be California-friendly trees, shrubs, and groundcover, with the exception of the sports turf. All areas will be irrigated with low-volume irrigation, in compliance with State of California AB1881 and County of Riverside Ordinance No. 859 requirements.

Emergency Flooding Plan

A series of four pit-set modular buildings will allow restrooms and concessions to be placed on site while complying with Riverside County Flood Control requirements. If there is a water emergency the following procedures will be implemented.

- JCSD will be placed on the County of San Bernardino's call out list for the releasing of water from the Seven Oaks Dam.
- JCSD will monitor rising water conditions during a storm and determine when to remove modular buildings.
- JCSD will turn off the water, sewer and electricity to the modular buildings utilizing the quick connects.
- JCSD employs personnel with Class "A" Drivers Licenses that would be available during an emergency to pick up the modular buildings and move them to JCSD yard.
- JCSD will train personnel on the removal of the modular buildings.
- JCSD will utilize lockable bollards for easy access to the modular buildings.
- JCSD will utilize approved vehicular access points onto Citrus Street for removal of the modular buildings.

ATTACHMENT E

Full size Development Plans
(provided under a separate cover)

7.2 - CHANGE OF ZONE NO. 10-0058 AND CONDITIONAL USE PERMIT NO. 10-0058 – NEW DAY CHRISTIAN CHURCH



City of Eastvale

Planning Commission Staff Report

June 20, 2012

Project: New Day Christian Church
Request: Approval of a Change of Zone and Conditional Use Permit for the development of a Church on 2-acres, including three class rooms, a nursery, associated parking and landscaping
File: Planning Application No. 10-0058
Location: North of A Street (future Schleisman Road) and West of Hamner Ave.
APN: 152-050-046
Planner: Jerry Guarracino, Senior Planner

Applicant's Representative:

Focus Building Solutions
Mr. Joseph Um, Architect
27013 Langside Avenue, Unit G
Santa Clarita, CA 91351

Property Owner/Applicant:

New Day Christian Church of Corona Valley
Steven and Deborah Lynn, trustees of the
Lynn Family Trust
2191 5th Street, Suite 108
Norco, CA 92860

STAFF RECOMMENDATION

That the Planning Commission adopt the attached Resolution recommending that the City Council adopt a Notice of Exemption and approve Conditional Use Permit No. 10-0058, subject to conditions of approval and recommend that the City Council approve Change of Zone No. 10-0058, in the following sequence:

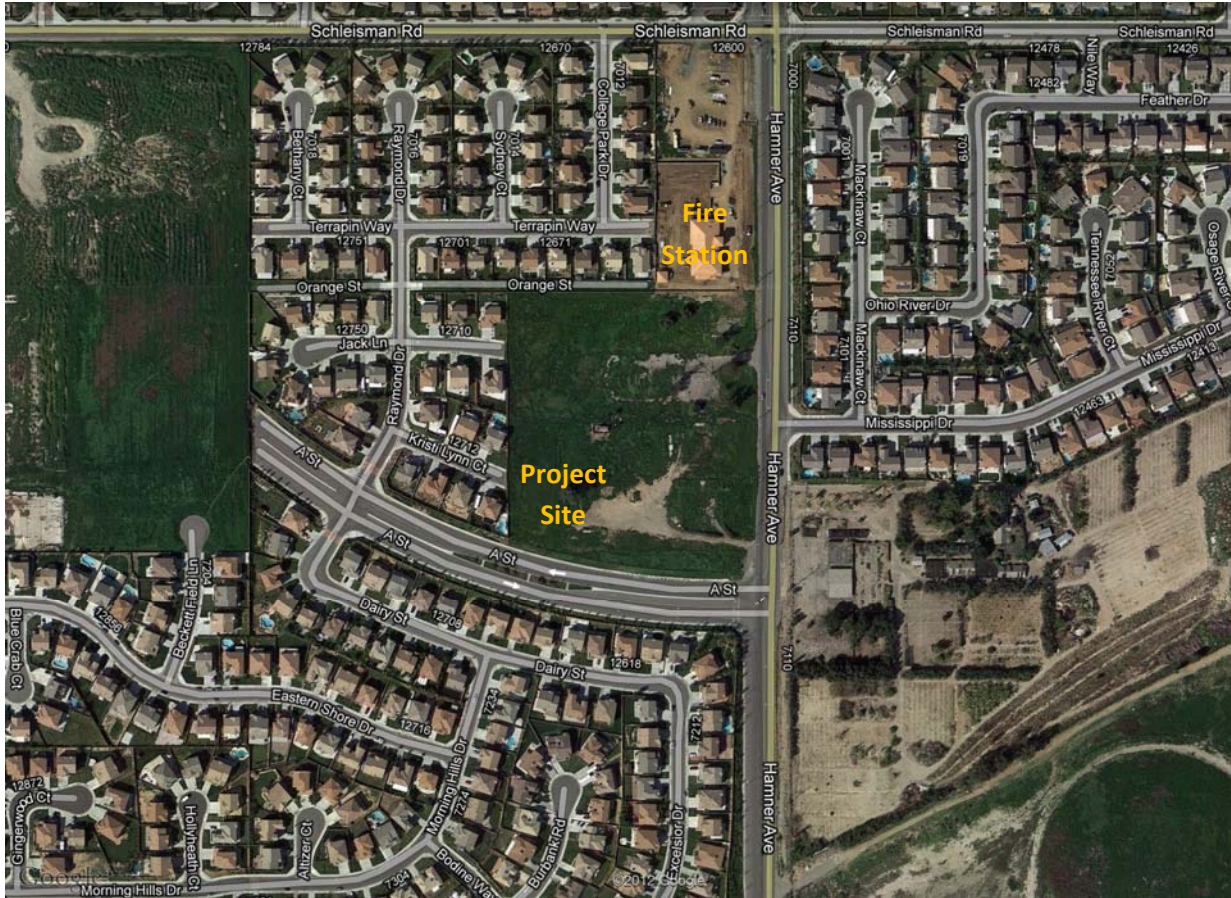
1. Resolution No. 2012-__ recommending approval of a Notice of Exemption in compliance with the review requirements contained in the California Environmental Quality Act (CEQA) and approval of Conditional Use Permit No. 10-0058, subject to the attached conditions of approval; and,
2. Move to recommend that the City Council approve Change of Zone No. 10-0058, from A-2-5 and A-2-10 Heavy Agriculture to R-1 One Family Dwelling.

BACKGROUND

The project site is currently vacant except for a cellular phone tower and its accessory building. The cellular tower, the accompanying building will remain in place when the proposed church is built. The proposed project will occupy the southern half of the site from the cell tower to "A" Street. Existing single family homes surround the site on the north, west and across "A" to the south. To the west is a vacant site that is designated for commercial development. See Figure 1 - Aerial Photograph. To the north is the new Riverside County fire station.

Two streets in the adjacent neighborhood, Kristi Lynn Court and Jack Lane, terminate abruptly at the site's western property line. Neither of these streets are proposed to be extended or improved as a result of this project. The streets currently terminate at a metal guard rail at the end of the street right-of-way; with a wooden fence beyond that, located on the project's west property line.

Figure 1 – Aerial Photograph



PROJECT DESCRIPTION

Zone Change

The proposed Project requests a zone change from A-2-5 and A-2-10, Heavy Agriculture District to R-1, One-Family Dwelling. The project site is currently zoned as Heavy Agriculture, which is inconsistent with the General Plan designation of Medium Density Residential (MRD). The Change of Zone will result in a project site with zoning that is consistent with the General Plan. See Figure 2 - Existing Zoning and Figure 3 - Proposed Zoning. The R-1 zoning is most compatible with the surround single family development and recently completed Fire station northeast of the project site.

Figure 2 – Existing Zoning



Figure 3 – Proposed Zoning



Conditional Use Permit

Churches in residential zones require approval of a Conditional Use Permit (CUP). The purpose of the Conditional Use Permit is for the individual review of uses, typically having unusual site development features or operating characteristics, to ensure compatibility with uses in the surrounding area. The project site is located between an existing residential neighborhood to the west and a commercial site to the east. In this case the church site provides a good transition from future commercial use on the corner of “A” Street and Hamner Avenue and the existing residential uses to the north and west. Generally, churches are compatible with the residential uses, provided they are adequately parked and appropriate operational controls are in place to limit noise during period of peak use.

Project Improvements

The development area for the project will cover 2.03 acres, with the balance of the 4.36 acre property remaining vacant. Development of the remainder of the site may happen as a future phase, which will require an amendment to the CUP and additional environmental review. The proposed project includes the construction of an 8,530 square foot church with a 3,350 square foot ‘net assembly area’ i.e., sanctuary. The remaining 5,180 square feet will be used for classrooms, administrative functions, lobby, restrooms and storage.

Access to the project site will occur at two points along “A” Street, which is improved to its ultimate width and has existing curb, sidewalk and gutter improvements. Water and sewer service to the project will be brought onto the site from existing facilities under A Street.

The proposed project includes 95 parking spaces, four handicap accessible spaces, seven bicycle spaces and one 35' x 10' loading area. Other site improvements include landscaping and an outdoor plaza. See Figure 4 – Site Context Plan.

The proposed improvements in the initial phase of development are concentrated on the south half of the project site. The two driveways proposed on “A” provide for traffic flow within the parking area for members of the congregation; and for emergency and fire vehicles. Reciprocal access easement between the project site and adjacent commercial site mean that the two parcels will eventually share driveway and internal circulation between “A” Street and Hamner. This reciprocal access will facilitate development of the rear portion of the site at some future time. See the attached landscape-site plans shown in Figure 5.

Project Programming

The hours of operation for this facility will vary from week to week but general usage patterns can be identified. Monday through Saturday; 9:00 am to 10:00 pm, are generally periods of low to moderate activity. Moderate to heavy usage of the facility is anticipated on Sunday from 7:00 am to 10:00 pm.

The proposed facility will provide sanctuary space, for worship services with a potential occupancy of about 300 people. Initially the Church will have two worship services on Sunday at 8:45 and 10:30 am. A third service may be added in the future, which could take place in the early evening on Saturday or Sunday. The balance of the project is devoted to class room and nursery space to support an extensive Kids program. The Classrooms will also be use through out the week by various members of the congregation for meeting and study sessions. The facilities may also be made available for civic agency use, free of charge.

Based on the Project Operation Letter (See Attachment C) provide by the applicant the proposed facility will provide a venue for Weddings, memorial services, indoor concerts and musicals. The outdoor plaza in front of the church will be an informal meeting and gathering spot. This area may also be use periodically for outdoor children’s events and as an acoustical music venue; these activities may take place in the daytime or evening hours.

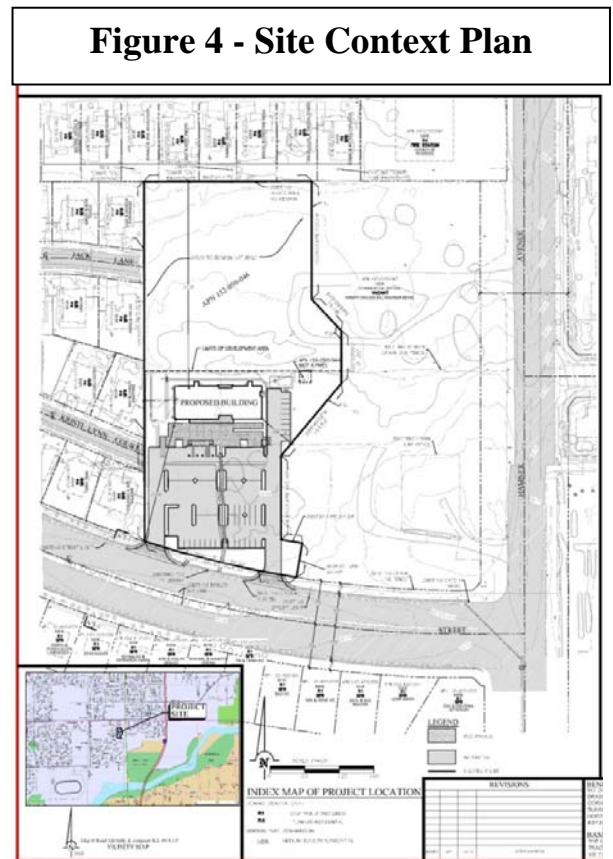


Figure 5 – Landscaped Site Plan

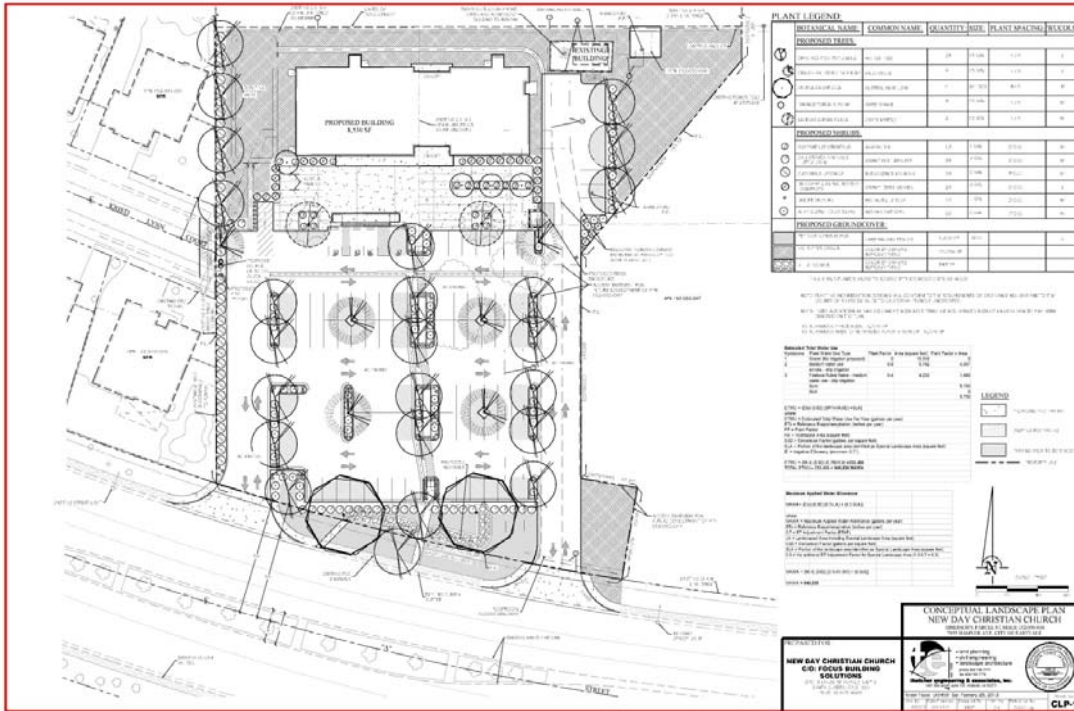
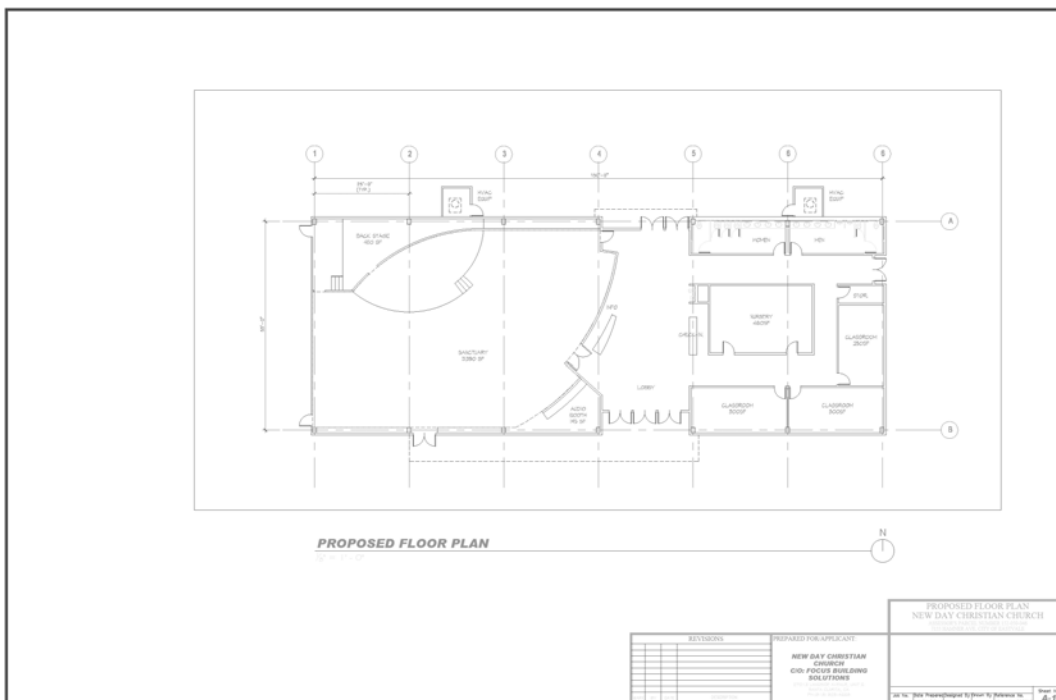


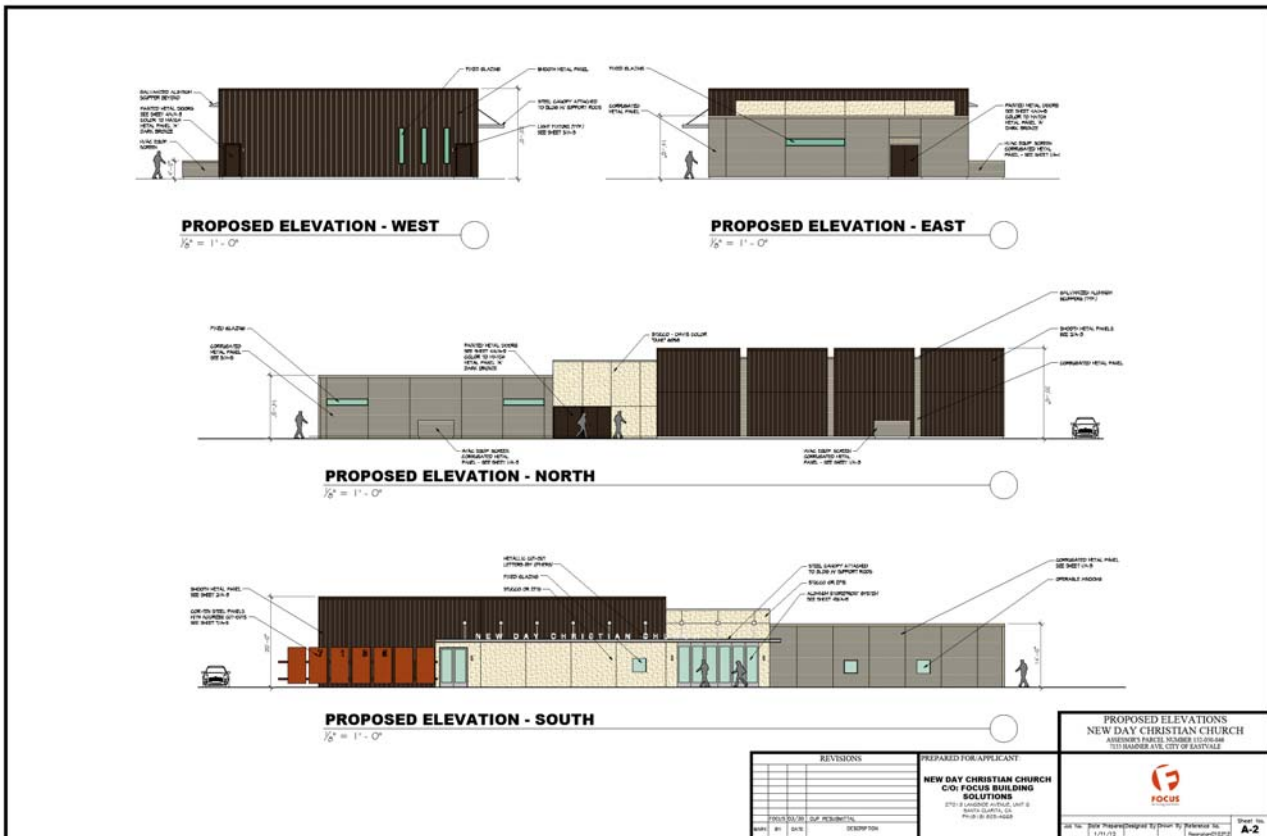
Figure 6 – Floor Plan



Architecture

The proposed single story building features clean lines and a low profile (20' maximum height) design that conveys a modern aesthetic. Architectural interest is achieved through the use of layered building materials such as corten steel panels, corrugated metal, glass, stucco and aluminum to provide texture and visual depth to the elevations. In keeping with the intended use; the building is focused inward, resulting in fewer windows and greater privacy for adjacent homeowners. As a transitional use between commercial and residential development the proposed architecture is acceptable. See Figure 7 - Building Elevations.

Figure 7 – Building Elevations



Parking

Parking for churches is based on **net assembly area** used simultaneously for assembly purposes. The Zoning Code requires one space per 35 square feet of “net assembly area,” which is defined as the area of a structure which does not include foyers, corridors, restrooms, kitchens, storage and other areas not used for the assembly of people. Per the proposed floor plan, the 3,350 square foot net assembly area requires 96 parking spaces, and the revise site plan provides a total of 96 spaces. The assembly area and classrooms will likely not be in use simultaneously. Per the Zoning Code, the amount of parking provided satisfies code requirements.

Neighborhood Compatibility

Religious facilities are a regular companion to residential uses while often serving as a community meeting point for the neighborhood. While the uses are typically compatible, some of the unintended impacts associated with traffic and parking can be disruptive to normally quiet neighborhoods. In this instance, the proposed church does not gain access from residential streets, but from "A" Street which is a major roadway; as a result traffic and noise impacts to the surrounding neighborhood is expected to be minimal. Further, the proposed project will also serve as a transition from the surrounding residential neighborhoods and any commercial development which may occur along the west side of Hamner Avenue north of "A" Street.

Lighting and outdoor activities associated with the church might also disturb the neighborhood. While any exterior noise would be subject to the community noise standards, security and parking lot lighting has the potential to introduce glare into the rear yards of the homes along Kristi Lynn Court. The project has been conditioned to ensure that all parking lot lighting and building security lighting is shielded to prevent unwanted glare.

Fire Department Review

As of the writing of this report, the Riverside County Fire Department has not provided their approval for the revised site plan. Staff has been in touch with the Fire Department, and we believe the plan will satisfy Department's requirements. We expect to have Conditions of Approval from the Fire Department by the Planning Commission meeting on June 20, 2012. Staff will provide those to the Commission under separate cover.

ENVIRONMENTAL ANALYSIS

The proposed project will develop half of a currently vacant lot within the City of Eastvale and it is surrounded by existing residential development to the north, south and west. The undeveloped lot bordering the project to the east is currently zoned and designated for commercial use. The project will not lead to any significant impacts to local traffic, noise, air quality, or water quality. All local utility and safety agencies have indicated that they will be able to provide adequate services to the proposed project. The project satisfies the requirements for Statutory Exemption pursuant to Section 15332 In-Fill Development Projects and is determined to be exempt from further environmental review requirements contained in the California Environmental Quality Act (CEQA). It is important to note that while a project requesting a zone change would not typically qualify for this particular exemption from CEQA, the requested zone change is being made to update the City's zoning map to reflect the general plan, and the expectation of future use. The proposed church is a permitted use subject to plot plan approval in the existing zone district and a conditional use in the proposed zone district. In consideration of this, Staff has determined that further environmental analysis is unnecessary. See Exhibit 2 of Attachment B, Notice of Exemption; the Biological Resources Assessment; Drainage Study; and Preliminary Water Quality Management Plan are attached by reference and are on file with the Planning Department.

COMMUNICATIONS FROM THE PUBLIC

The City has received one email during the development review period for the project. A copy of the e-mail is provide in Attachment E - Communications from the Public

REQUIRED PROJECT FINDINGS

CEQA

1. **Finding:** Proposed project is exempt from CEQA pursuant to Section 15332 In-Fill Development Projects.

Evidence:

Compliance with Law: That the Notice of Exemption was prepared 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.).

Independent Judgment: That the Notice of Exemption reflects the independent judgment and analysis of the City of Eastvale.

Change of Zone

Pursuant to Sections 1.7 of the City of Eastvale Zoning Code, the Planning Commission makes the following finding pertaining to Change of Zone No. 10-0058:

2. **Finding:** The change of zone is consistent with the General Plan goals, policies and implementation programs.

Evidence: The proposed zone change reflects the shift from an agricultural community to an urban city. The zone change is consistent with the General Plan land use designation for the site.

Conditional Use Permit

Pursuant to Sections 2.2 of the City of Eastvale Zoning Code, the Planning Commission makes the following finding pertaining to Conditional Use Permit No. 10-0058:

3. **Finding:** The proposed use is consistent with the General Plan and all applicable provisions of this Code.

Evidence: The proposed use is listed as a conditional use in the proposed R-1 zone district. The proposed zoning district is consistent with the existing land use designation for the property. As noted in the discussion, the site has adequate parking and conditions have been placed on the site plan to ensure compatibility of the proposed church with the existing adjacent homes.

4. Finding: The establishment, maintenance or operation of the use applied for will not, under the circumstances of the particular case (location, size, design, and operating characteristics), be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the neighborhood or such use, or the general welfare of the City

Evidence: Provision of places of worship within a land use pattern of a community aides in a diverse community and allows for local participation, helps stabilize neighborhoods and generally adds to the sense of community and will not be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the neighborhood, or the general welfare of the City.

PUBLIC HEARING NOTIFICATION

The proposed project requires a 10-day public hearing notification period for property owners located within a 600-foot radius of the project site. The notification was sent on June 7, 2012 for the Planning Commission meeting on June 20, 2012. See Attachment F - Distribution Map.

PLANNING COMMISSION OPTIONS

The following options are available to the Planning Commission:

1. Approve the proposed project including exemption from CEQA, zone change, and conditional use permit with conditions as recommended by City Staff or as modified by the Commission following the public hearing; or,
2. Return the proposed project to staff for consideration of one or more items to be resolved and scheduled for subsequent consideration by the Commission; or,
3. Deny the proposed project.

Prepared By,

Reviewed By,

Jerry Guarracino
Senior Planner

Eric Norris
Planning Director

ATTACHMENTS:

- A. Conditions of Approval
- B. Planning Commission Resolution No. 12-__ to recommend approval a Notice of Exemption in compliance with the review requirements contained in the California Environmental Quality Act (CEQA) and approval of Conditional Use Permit No. 10-0058, subject to the attached conditions of approval
 - Exhibit 1 – Conditions Of Approval (Attached to staff report)
 - Exhibit 2 - Notice of Exemption
- C. Planning Commission Resolution No. 12-__ recommending City Council approval of Change Of Zone No. 10-0058

Exhibit 1 – Conditions Of Approval (Attached to staff report)

- D. Ordinance No. 2012-____ Approving Change of Zone No.10-0058
- E. Project Operations Letter
- F. Distribution Map
- G. Communications from the Public

The following attachments are on file with the Planning Department:

- Biological Resources Assessment
- Drainage Study
- Preliminary Water Quality Management Plan

ATTACHMENT A

Conditions Of Approval

FINAL CONDITIONS OF APPROVAL			
Planning Application Number: Project No. 10-0058 (Conditional Use Permit No. 10-0058 and Change of Zone No. 10-0058)			
Assessor's Parcel Numbers: 152-050-046			
Approval Date: June 20, 2012			
<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (Date and Signature)</u>
General Conditions			
1	In compliance with Section 15075 of the CEQA Guidelines, a Notice of Exemption (NOE) shall be filed with the Riverside County Clerk no later than June 25, 2012 (within five (5) days of project approval). The applicant shall submit to the Planning Department a check or money order made payable to the Riverside County Clerk in the amount of \$64.00 no later than June 19, 2012 .	June 25, 2012	Planning Dept.
2	The applicant shall review all conditions and sign below verifying the "Acceptance of the Conditions of Approval" and return the signed page to the Eastvale Planning Department. <hr/> Applicant Signature: _____ Date: _____		Planning Dept.
3	The applicant shall indemnify, protect, defend, and hold harmless, the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, from any and all claims, demands, law suits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative dispute resolutions procedures (including, but not limited to arbitrations, mediations, and other such procedures), (collectively "Actions"), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul, the any action of, or any permit or approval issued by, the City and/or any of its officials, officers,	On-Going	Planning Dept.

	employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by the voters of the City), for or concerning the project, whether such Actions are brought under the California Environmental Quality Act, the Planning and Zoning Law, the Subdivisions Map Act, Code of Civil Procedure Section 1085 or 1094.5, or any other state, federal, or local statute, law, ordinance, rule, regulation, or any decision of a court of competent jurisdiction. It is expressly agreed that the City shall have the right to approve, which approval will not be unreasonably withheld, the legal counsel providing the City's defense, and that applicant shall reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. City shall promptly notify the applicant of any Action brought and City shall cooperate with applicant in the defense of the Action.			
4	The project shall be developed in accordance with the development plans (site plan, landscape plans, conceptual grading plan, elevations, etc.) as approved by the Planning Commission on June 20, 2012. The applicant may request approval for any modifications/revisions to the approved project as outlined in the Eastvale Zoning Code..	On-Going	Planning, Public Works, and Building Depts.	
5	Failure to comply with the conditions specified herein as the basis for approval of application and issuance of permit constitutes cause for the revocation of said permit. Unless otherwise provided for in a special condition to this Use Permit, all conditions must be completed prior to or concurrently with the establishment of the granted use.	On-Going	Planning Dept.	
6	Operating hours shall be 7:00 am to 10:00 pm daily. The Planning Director may modify these hours of operation without a public hearing; in response to complaints of noise or other disturbance to the adjacent residential neighborhood.	On-Going	Planning Dept.	
7	The wood fence on the west property line at the terminus of Kristi Lynn Court shall be replaced with split face block wall	Prior to Issuance of Certificates of Occupancy	Planning Dept	

8	No exterior amplified speaker systems or amplified music systems shall be utilized on the site between the hours of 10:00 pm to 8:00 am.	On-Going	Code Enforcement.	
9	The applicant shall comply with the mitigation measures called for in the Mitigated Negative Declaration adopted for the project and summarized in the Mitigation Monitoring and Reporting Program, included herein by reference.	On-Going	Planning, Public Works, and Building Depts.	
10	No grading shall be performed without the prior issuance of a grading permit by the City.	On-Going	Public Works/Building	
11	Written permission shall be obtained from the affected property owners allowing the proposed grading and/or facilities to be installed outside of the project boundaries.	On-Going	Public Works/Building	
12	The applicant's contractor is required to submit for a haul route permit for the hauling of material to and from the project site. Said permit will include limitations of haul hours, number of loads per day and the posting of traffic control personnel at all approved entrances/exits onto public roads. This permit shall be in place prior to the issuance of the grading permit and the mobilization of equipment on the project site	On-Going	Public Works/Building	
13	The Applicant shall dedicate, design and construct all improvements in accordance the City of Eastvale Road Improvement Standards & Specification, Improvement Plan Check Policies and Guidelines, as further conditioned herein and to the satisfaction of the City Engineer. Specifically, parkway improvements on "A" Street shall be improved as the roadway adjacent to this first phase of work is already improved.	On-Going	Public Works/Building	
14	A separate encroachment permit shall be obtained for the construction of the two driveway/street entries. Design of these entries as shown are not acceptable and final design shall be to the satisfaction of the City Engineer. Options may include "street cut" and not standard driveway design, widening the easternmost driveway to accommodate future joint access and/or reducing driveway apron widths.	On-Going	Public Works/Building	

15	All grading shall conform to the California Building Code, Ordinance 457, and all other relevant laws, rules, and regulations governing grading in the City of Eastvale. Prior to commencing any grading which includes 50 or more cubic yards, the applicant shall obtain a grading permit from the PW Department.	On-Going	Public Works/Building	
16	All necessary measures to control dust shall be implemented by the applicant during grading to the satisfaction of the City Engineer. A PM10 plan may be required at the time a grading permit is issued.	On-Going	Public Works/Building	
17	Graded slopes shall be limited to a maximum steepness ratio of 2:1 (horizontal to vertical) unless otherwise approved by the City Engineer.	On-Going	Public Works/Building	
18	Erosion control – landscape plans, required for manufactured slopes greater than 3 feet in vertical height, are to be signed by a registered landscape architect and bonded per the requirements of Ordinance 457 (refer to dept. form 284-47). Planting shall occur within 30 days of meeting final grades to minimize erosion and to ensure slope coverage prior to the rainy season. The Applicant shall plant & irrigate all manufactured slopes steeper than a 4:1 (horizontal to vertical) ratio and 3 feet or greater in vertical height with grass or ground cover; slopes 15 feet or greater in vertical height shall be planted with additional shrubs or trees or as approved by the City Engineer.	On-Going	Public Works/Building	
19	Should this project lie within any assessment/benefit district, the project proponent shall, prior to acceptance of improvements, make application for and pay for their reapportionment of the assessments or pay the unit fees in the benefit district unless said fees are otherwise deferred.	On-Going	Public Works/Building	
20	All flood control plans to be reviewed shall be submitted through the City of Eastvale, unless otherwise directed by the City Engineer.	On-Going	Public Works/Building	
21	Any subsequent expansion of the proposed structure or addition of semi permanent or portable units in the future will trigger the requirement to gain secondary access directly from Hamner Avenue and the improvement of the Hamner Avenue frontage in accordance with City Standards for widths and improvements.	On-Going	Public Works/Building	

Prior to Issuance of Grading Permits			
22	Pre-construction presence/absence surveys for burrowing owl within the survey area where suitable habitat is present shall be conducted for all covered activities through the life of the permit. Surveys shall be conducted within 30 days prior to disturbance. Take of active nests shall be avoided. Passive relocation (use of one way doors and collapse of burrows) shall occur when owls are present outside the nesting season. (Mitigation Measure, Biological Resources No. MM Bio 1)	Prior to Issuance of Grading Permit	Planning Dept.
23	Construction activities shall be restricted to the hours of 7:00 a.m. to 7:00p.m. <u>Monday through Saturday, except nationally recognized holidays.</u> There shall be no construction permitted on Sunday.	During Grading	Public Works/Building
24	The applicant shall provide a plan, acceptable to the Building and Safety Department for interim street cleaning services during the construction of the project.	During Construction	Building and Public Works Dept.
25	Prior to the issuance of a grading permit, the applicant shall submit a geotechnical soils reports to the City Engineer for review and approval prior to issuance of grading permit. All grading shall be in conformance with the recommendations of the geotechnical/soils reports as approved by City of Eastvale.	Prior to Issuance of Grading Permit	Public Works/Building
26	Prior to issuance of grading permits the Applicant shall provide the Engineering Department evidence of compliance with the National Pollutant Discharge Elimination System (NPDES) and obtain a construction permit from the State Water Resource Control Board (SWRRCB).	Prior to Issuance of Grading Permit	Public Works/Building
27	Prior to the issuance of a grading permit, the applicant shall have obtained approval for the import/export location from the City of Eastvale. Additionally, if either location was not previously approved by an Environmental Assessment, prior to issuing a grading permit, a Grading Environmental Assessment shall be submitted to the Planning Director for review and comment and to the City Engineer for approval.	Prior to Issuance of Grading Permit	Public Works/Building
28	Prior to the issuance of a grading permit, the applicant shall submit a Final Water Quality Management Plan (WQMP), in conformance with the requirements of the	Prior to Issuance of Grading Permit	Public Works/Building

	Santa Ana Regional Water Quality Control Board. All stormwater quality treatment devices shall be located outside of the ultimate public right of way. The applicant shall design the stormwater quality treatment devices to accommodate all project runoff, ensuring post-construction flows and volumes do not exceed pre-construction levels, in accordance with City of Eastvale’s Hydrology Manual, Stormwater Quality Best Management Practice Design Handbook, Improvement Standards, and to the satisfaction of the City Engineer. These BMPs shall be consistent with the Final WQMP and installed to the satisfaction of the City Engineer.			
29	Prior to the issuance of grading permit, the applicant shall prepare and submit a comprehensive drainage study and plan that includes, but is not limited to: definition with mapping of the existing watersheds; a detailed pre- and post-project hydrologic and hydraulic analysis of the project and project impacts; definition of the local controlling 100-year frequency water levels existing and with project; the proposed method of flow conveyance to mitigate the potential project impacts with adequate supporting calculations; any proposed improvements to mitigate the impacts of increased runoff from the project and any change in runoff; including quality, quantity, volume, and duration in accordance with City of Eastvale’s Hydrology Manual, Improvement Standards, as needed and to the satisfaction of the City Engineer.	Prior to Issuance of Grading Permit	Public Works/Building	
30	Prior to improvement plan acceptance, the applicant shall dedicate a public utility easement adjacent to all public and private streets for overhead and/or underground facilities and appurtenances to the satisfaction of the City Engineer.	Prior to Issuance of Grading Permit	Public Works/Building	
31	Prior to improvement plan acceptance, the applicant shall submit landscaping and irrigation plans within the public right-of-way to the Planning Department. These plans shall include water usage calculations, estimate of irrigation and the location of all existing trees that will remain. All plans and calculations shall be designed and calculated per the City of Eastvale Road Improvement Standards & Specification, Improvement Plan Check Policies and Guidelines, City Codes and to the satisfaction of the City Engineer.	Prior to Issuance of Grading Permit	Public Works/Building	

32	Prior to improvement plan acceptance, the applicant shall execute a maintenance agreement for the stormwater quality control treatment device to the satisfaction of the City Engineer.	Prior to Issuance of Grading Permit	Public Works/Building	
Prior to Issuance of Building Permits				
33	Applicant shall screen all trash storage areas from public viewing areas. The trash enclosure shall provide a separate pedestrian entrance with self-closing gate.	Prior to Issuance of Building Permits	Planning Dept.	
34	An exterior lighting plan shall accompany the building permit for approval by the City Planner. All exterior lighting shall be shielded and directed to avoid glare onto adjacent properties. All fixtures shall be full cut-off fixtures thereby eliminating unnecessary illumination of the night sky.	Prior to Issuance of Building Permits	Building Dept/ Planning Dept..	
35	Prior to the issuance of building permits for any signs, the applicant shall submit for Planning Department review and approval a sign application for all on site signage consistent with the development plans approved on June 20, 2012 or as approved by the Planning Director.	Prior to Issuance of Building Permits	Planning Dept.	
36	Prior to the issuance of a building permit, the applicant shall submit two (2) sets of detailed landscaping and irrigation plans to the Planning Department for review and approval. The landscape and irrigation plans shall be prepared by a registered Landscape Architect and comply with the all applicable provisions of Ordinance No. 859 and the "County of Riverside Guide to California Friendly Landscaping". The continued maintenance of all landscaped areas shall be the responsibility of the applicant.	Prior to Issuance of Building Permits	Planning Dept.	
37	Prior to issuance of building permits the applicant shall demonstrate compliance with other agency Conditions of Approval as called for in the agency letters attached and made a part of these conditions of approval.	Prior to Issuance of Building Permits	Planning Dept.	
38	Prior to the issuance of any building permit, the property owner shall obtain a grading permit and/or approval to construct from the City Engineer.	Prior to Issuance of Building Permits	Public Works/Building	

39	Prior to the issuance of a building permit, Improvement plans shall be approved by the City Engineer and all improvements to be constructed shall be secured by the Applicant, where applicable. Applicant will design and construct the necessary improvements at the termination of Kristi Lynn Court to the satisfaction of the City Engineer and Planning Director. Improvements may include barricade(s), masonry walls and gates as may be required by the service utilities. The existing wood fence shall be removed.	Prior to Issuance of Building Permits	Public Works/Building/ Planning Dept.	
40	Prior to issuance of a building permit the applicant shall provide will serve letters from the appropriate water and sewer agencies.	Prior to Issuance of Building Permits	Public Works/Building	
41	Prior to issuance of a building permit the applicant shall annex into all applicable Community Service Areas and Landscaping Maintenance District for landscaping, lighting, drainage and maintenance to the satisfaction of the City Engineer or otherwise form a District where one is not currently in place.	Prior to Issuance of Building Permits	Public Works/Building	
42	Prior to issuance of a building permit the applicant shall pay the appropriate impact mitigation fee to the Riverside County Flood Control and Water Conservation District.	Prior to Issuance of Building Permits	Public Works/Building	
43	Prior to issuance of a building permit, or as specified by ordinance, the applicant shall pay all necessary impact and mitigation fees required. These fees include, but are not limited to, fees associated with Transportation Uniform Mitigation Fee (TUMF), Quimby (parkland in-lieu) Fee, and City Development Impact Fees.	Prior to Issuance of Building Permits	Public Works/Building	
44	Prior to final inspection of a building permit the applicant shall construct the permanent stormwater quality treatment devices to accommodate all project runoff from in accordance with City of Eastvale's Hydrology Manual, Stormwater Quality Best Management Practice Design Handbook, Improvement Standards, and to the satisfaction of the City Engineer. All stormwater quality treatment devices shall be constructed outside of the ultimate public right of way.	Prior to Issuance of Building Permits	Public Works/Building	

Prior to Issuance of Certificates of Occupancy				
45	Prior to the issuance of a certificate of occupancy, the applicant shall have complied with all conditions of approval (dated June 20, 2012).	Prior to Issuance of Certificates of Occupancy	Planning Dept.	
46	<p>Prior to the issuance of a certificate of occupancy, all required landscape planting and irrigation shall have been installed consistent with the approved construction plans and shall be in a condition acceptable to the Planning Director. The plants shall be healthy and free of weeds, disease, or pests. The irrigation system shall be properly constructed and in good working order.</p> <p>The applicant shall contact the Planning Department to schedule the following inspections:</p> <ul style="list-style-type: none"> • Irrigation inspection(s) prior to filling trenches • Plant material inspection(s) prior to planting to check for plant size and vigor • Final inspection(s). 	Prior to Issuance of Certificates of Occupancy	Planning Dept.	
During Grading and Construction				
RIVERSIDE COUNTY FIRE DEPARTMENT				
47	The applicant shall comply with the Fire Department conditions of approval (to be incorporated prior to City Council consideration)	TBD	RCFD/ Building and Public Works Dept./Planning	
Other Agency Approvals - See Attached:				

The following items are noted for the Applicant's information. These items are required by the City, other local agencies, state or federal agencies, and are not conditions of approval of the project.

General Compliance Items/Requirements and Information

1. No grading shall be performed without the prior issuance of a grading permit by the City. All grading shall conform to the California Building Code, Ordinance 457, and all other relevant laws, rules, and regulations governing grading in the City of Eastvale.
2. Written permission shall be obtained from the City and from affected property owners allowing the proposed grading and/or facilities to be installed outside of the project boundaries.
3. The Applicant shall be responsible for all costs associated with off-site right-of-way acquisition, including any costs associated with the eminent domain process, if necessary.
4. The developer's contractor is required to submit for a haul route permit for the hauling of material to and from the project site. Said permit will include limitations of haul hours, number of loads per day and the posting of traffic control personnel at all approved entrances/exits onto public roads. This permit shall be in place prior to the issuance of the grading permit and the mobilization of equipment on the project site.
5. The Developer shall dedicate, design and construct all improvements in accordance the City of Eastvale Road Improvement Standards & Specification, Improvement Plan Check Policies and Guidelines, as further conditioned herein and to the satisfaction of the City Engineer.
6. All necessary measures to control dust shall be implemented by the developer during grading to the satisfaction of the City Engineer. A PM10 plan may be required at the time a grading permit is issued.
7. Graded slopes shall be limited to a maximum steepness ratio of 2:1 (horizontal to vertical) unless otherwise approved by the City Engineer.
8. Grading in excess of 199 cubic yards will require performance security to be posted with the City.
9. Erosion control – landscape plans, required for manufactured slopes greater than 3 feet in vertical height, are to be signed by a registered landscape architect and bonded per the requirements of Ordinance 457 (refer to dept. form 284-47). Planting shall occur within 30 days of meeting final grades to minimize erosion and to ensure slope coverage prior to the rainy season. The Developer shall plant & irrigate all

manufactured slopes steeper than a 4:1 (horizontal to vertical) ratio and 3 feet or greater in vertical height with grass or ground cover; slopes 15 feet or greater in vertical height shall be planted with additional shrubs or trees or as approved by the City Engineer.

10. Should this project lie within any assessment/benefit district, the project proponent shall, prior to acceptance of improvements, make application for and pay for their reapportionment of the assessments or pay the unit fees in the benefit district unless said fees are otherwise deferred.
11. All flood control plans to be reviewed shall be submitted through the City of Eastvale, unless otherwise directed by the City Engineer.
12. Three sets of complete plan drawing, which include architectural, structural, mechanical, plumbing, electrical, Title 24 Energy, Green Building Code Compliance, Precise Grading Plan showing disable access compliance shall be submitted to Building Department for review and approval. Plans shall be designed under the applicable provisions of the 2010 edition California Building, Plumbing, Mechanical, Electrical, Energy and Green Building Codes and shall be stamped and signed by an appropriate registered professional responsible for their preparation.
13. The developer shall obtain City approval for any modifications or revisions to the approval of this project. Deviations not identified on the plans may not be approved by the City, potentially resulting in the need for the project to be redesigned. Amended entitlement approvals may be necessary as a result.

Prior to the Issuance of Grading Permits:

14. Prior to the issuance of a grading permit, it shall be the sole responsibility of the developer to obtain any and all easements and/or permissions necessary to perform the grading required for the project. A notarized letter of permission from all affected property owners or easement holders, or encroachment permit, is required for all off-site grading.
15. Prior to the issuance of grading permits, the project specific SWPPP shall be approved by the Resource Agency and submitted to the City Engineer.
16. Prior to issuance of grading permits the Developer shall provide the Public Works Department evidence of compliance with the National Pollutant Discharge Elimination System (NPDES) and obtain a construction permit from the State Water Resource Control Board (SWRRCB).
17. Prior to the issuance of a grading permit, the developer shall have obtained approval for the import/export location from the City of Eastvale.

18. Prior to the issuance of a grading permit, the developer shall submit a Final Water Quality Management Plan (WQMP), in conformance with the requirements of the Santa Ana Regional Water Quality Control Board. All stormwater quality treatment devices shall be located outside of the ultimate public right of way. The developer shall design the stormwater quality treatment devices to accommodate all project runoff, in accordance with Hydrology Manual, Stormwater Quality Best Management Practice Design Handbook, Improvement Standards as adopted by the City of Eastvale, and to the satisfaction of the City Engineer. These BMPs shall be consistent with the Final WQMP and installed to the satisfaction of the City Engineer.
19. Prior to improvement plan acceptance, the developer shall dedicate a public utility easement adjacent to all public and private streets for overhead and/or underground facilities and appurtenances to the satisfaction of the City Engineer.
20. Prior to improvement plan acceptance, the developer shall submit landscaping and irrigation plans within the public right-of-way to the Planning Department. These plans shall include water usage calculations, estimate of irrigation and the location of all existing trees that will remain. All plans and calculations shall be designed and calculated per the Road Improvement Standards & Specification, Improvement Plan Check Policies and Guidelines as adopted by the City of Eastvale, City Codes and to the satisfaction of the City Engineer.
21. Prior to improvement plan acceptance, the developer shall execute a maintenance agreement for the stormwater quality control treatment device to the satisfaction of the City Engineer.
22. The grading plan shall include the following information in the Notes Section of the Grading Plan: *"No grubbing/clearing of the site shall occur prior to scheduling the pre-grading meeting with Engineering. All project sites containing suitable habitat for burrowing owls, whether owls were found or not, require a 30-day preconstruction survey that shall be conducted within 30 days prior to ground disturbance to avoid direct take of burrowing owls. If the results of the survey indicate that no burrowing owls are present on-site, then the project may move forward with grading, upon Planning Department approval. If burrowing owls are found to be present or nesting on-site during the preconstruction survey, then the following recommendations must be adhered to: Exclusion and relocation activities may not occur during the breeding season, which is defined as March 1 through August 31, with the following exception: From March 1 through March 15 and from August 1 through August 31 exclusion and relocation activities may take place if it is proven to the City and appropriate regulatory agencies (if any) that egg laying or chick rearing is not taking place. This determination must be made by a qualified biologist."*
23. The grading plan shall include the following information in the Notes Section of the Grading Plan: *"If at any time during excavation/construction of the site, archaeological/cultural resources, or any artifacts or other objects which reasonably appears to be evidence of cultural or archaeological resource are discovered, the property owner shall immediately advise the City of such and the City shall cause all further excavation or other disturbance of the affected area to immediately cease. The Planning Director at his/her sole discretion may require the property owner to deposit a sum of money it deems reasonably necessary to allow the City to consult and/or authorize an*

independent, fully qualified specialist to inspect the site at no cost to the City, in order to assess the significance of the find. Upon determining that the discovery is not an archaeological/cultural resource, the Planning Director shall notify the property owner of such determination and shall authorize the resumption of work. Upon determining that the discovery is an archaeological/cultural resource, the Planning Director shall notify the property owner that no further excavation or development may take place until a mitigation plan or other corrective measures have been approved by the Planning Director.”

24. If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to Public Resource Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within a reasonable timeframe. Subsequently, the Native American Heritage Commission shall identify the "most likely descendant." The most likely descendant shall then make recommendations and engage in consultation concerning the treatment of the remains as provided in Public Resources Code Section 5097.98.
25. The applicant shall comply with all provisions and procedures of the Eastvale Building Department related to the plan check review process (Please contact City of Eastvale, Building Official, 951-361-0900).

Prior to the Issuance of Building Permits:

26. Prior to the issuance of a building permit Improvement plans shall be approved by the City Engineer and all improvements to be constructed shall be secured by the Developer.
27. Prior to issuance of a building permit the developer shall provide will serve letters from the appropriate water and sewer agencies.
28. Prior to issuance of a building permit the developer shall install all street name signs at intersections adjacent to the project, public or private and/or replace street name signs in accordance with the City of Eastvale Standard Details and to the satisfaction of the City Engineer.
29. Prior to issuance of a building permit the developer shall annex into all applicable Community Service Areas and Landscaping Maintenance District for landscaping, lighting, drainage and maintenance to the satisfaction of the City Engineer or otherwise form a District where one is not currently in place.

30. Prior to issuance of a building permit or as provided by City Ordinance or Policy, the developer shall pay all necessary impact and mitigation fees required. These fees include, but are not limited to, fees associated with Transportation Uniform Mitigation Fee (TUMF), Quimby (parkland in-lieu) Fee, Riverside County Fire Department, Riverside County Sheriff Department, Riverside County Flood Control and Water Conservation District, and City Development Impact Fees.

31. Prior to issuance of a building permit the developer shall construct the stormwater quality treatment devices to accommodate all project runoff from in accordance with City of Eastvale's Hydrology Manual, Stormwater Quality Best Management Practice Design Handbook, Improvement Standards, and to the satisfaction of the City Engineer. All stormwater quality treatment devices shall be constructed outside of the ultimate public right of way.

WARREN D. WILLIAMS
General Manager-Chief Engineer



1995 MARKET STREET
RIVERSIDE, CA 92501
951.955.1200
FAX 951.788.9965
www.rcflood.org

137962

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

City of Eastvale
Planning Department
8080 Hamner Avenue, Suite 103
Eastvale, California 91752

Attention: TERRY GUARRACINO

Ladies and Gentlemen:

Re: CUP 10-0058

The District does not normally recommend conditions for land divisions or other land use cases in incorporated cities. The District also does not plan check city land use cases, or provide State Division of Real Estate letters or other flood hazard reports for such cases. District comments/recommendations for such cases are normally limited to items of specific interest to the District including District Master Drainage Plan facilities, other regional flood control and drainage facilities which could be considered a logical component or extension of a master plan system, and District Area Drainage Plan fees (development mitigation fees). In addition, information of a general nature is provided.

The District has not reviewed the proposed project in detail and the following checked comments do not in any way constitute or imply District approval or endorsement of the proposed project with respect to flood hazard, public health and safety or any other such issue:

- No comment.
- This project would not be impacted by District Master Drainage Plan facilities nor are other facilities of regional interest proposed.
- This project involves District Master Plan facilities. The District will accept ownership of such facilities on written request of the City. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection and administrative fees will be required. EASTVALE MDP LINE E-3
- This project proposes channels, storm drains 36 inches or larger in diameter or other facilities that could be considered regional in nature and/or a logical extension of the adopted Master Drainage Plan. The District would consider accepting ownership of such facilities on written request of the City. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection and administrative fees will be required.
- This project is located within the limits of the District's EASTVALE Area Drainage Plan for which drainage fees have been adopted; applicable fees should be paid by cashier's check or money order only to the Flood Control District or City prior to issuance of grading permits. Fees to be paid should be at the rate in effect at the time of issuance of the actual permit.
- An encroachment permit shall be obtained for any construction related activities occurring within District right of way or facilities. For further information contact the District's encroachment permit section at 951.955.1206.

GENERAL INFORMATION

This project may require a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board. Clearance for grading, recordation or other final approval should not be given until the City has determined that the project has been granted a permit or is shown to be exempt.

If this project involves a Federal Emergency Management Agency (FEMA) mapped flood plain, then the City should require the applicant to provide all studies, calculations, plans and other information required to meet FEMA requirements, and should further require that the applicant obtain a Conditional Letter of Map Revision (CLOMR) prior to grading, recordation or other final approval of the project, and a Letter of Map Revision (LOMR) prior to occupancy.

If a natural watercourse or mapped flood plain is impacted by this project, the City should require the applicant to obtain a Section 1602 Agreement from the California Department of Fish and Game and a Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers, or written correspondence from these agencies indicating the project is exempt from these requirements. A Clean Water Act Section 401 Water Quality Certification may be required from the local California Regional Water Quality Control Board prior to issuance of the Corps 404 permit.

Very truly yours,

MEKBET DEGAGA
Engineering Project Manager

Date: 5/1/2012

c: Riverside County Planning Department
Attn: Kristi Lovelady

ATTACHMENT B

**Planning Commission Resolution No. 12-__
to
Recommend approval of Notice of Exemption;
and
Approval of Conditional Use Permit No. 10-0058
(Subject to the attached conditions of approval)**

PC RESOLUTION NO. 12-___

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EASTVALE, CALIFORNIA RECOMMENDING CITY COUNCIL APPROVAL OF A CATEGORICAL EXEMPTION IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR CHANGE OF ZONE NO. 10-0058 AND CONDITIONAL USE PERMIT NO. 10-0058 AND APPROVAL OF CONDITIONAL USE PERMIT NO. 10-0058 FOR THE DEVELOPMENT OF THE NEW DAY CHURCH LOCATED ON THE NORTH OF A STREET AND APPROXIMATELY 400 FEET WEST OF HAMNER AVENUE, AT THE EASTERN TERMINUS OF KRISTI LYNN COURT (ASSESSOR'S PARCEL NUMBER 152-050-046)

WHEREAS, applications for a Change of Zone (CZ No. 10-0058) from A-2-5 and A-2-10 (Heavy Agriculture District) to R-1 (One-Family Dwelling) and Conditional Use Permit (CUP No. 10-0058) for the development of a church, has been filed by New Day Christian Church of Corona Valley for the real property located at north of A street and approximately 400 feet west of Hamner Avenue, at the eastern terminus of Kristi Lynn Court, Assessor's Parcel Number 152-050-046; and

WHEREAS, the proposed Change of Zone and Conditional Use Permit is considered a "Project" as defined by the California Environmental Quality Act, Public Resources Code §21000 et seq. ("CEQA"); and

WHEREAS, the Planning Commission determined that the Project qualifies for a Class 32 Categorical Exemption from the provisions of CEQA per Section 15332 (In-Fill Development Projects) of the CEQA Guidelines; and

WHEREAS, the City of Eastvale Planning Department on June 9, 2012, published a legal notice in the Press Enterprise, a local paper of general circulation, indicating the date and time of the public hearing in compliance with state law concerning Change of Zone No. 10-0058 and Conditional Use Permit No. 10-0058, and mailed said public hearing notice to each property owner within a 600-foot radius of the project site in accordance with state law; and

WHEREAS, the City of Eastvale Planning Commission conducted a duly noticed public hearing on June 20, 2012, at which time they received public testimony concerning Change of Zone No. 10-0058 and Conditional Use Permit No. 10-0058, and considered the CEQA Categorical Exemption for the proposed project.

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

SECTION 1. ENVIRONMENTAL FINDINGS

Pursuant to the California Environmental Quality Act, within the meaning of Public Resources Code Sections 21080(e) and 21082.2 within the record and/or provided at the public hearing, the Planning Commission hereby finds and recommends that the City Council determines that the project was adequately analyzed according to the CEQA Guidelines and qualified for a Categorical Exemption under Section 15332, In-Fill Development, as supported by the following Findings and Evidence:

1. Finding: The proposed change in zoning from A-2-5 to R-1 is consistent with the general plan land use designation for the property and will have no significant effect on the environment.

Evidence: The change in zoning district removes agricultural uses which are no longer appropriate given the size of the site and the surrounding residential and commercial land uses. The R-1 zoning is consistent with the site's medium density residential land use designation in the adopted General Plan.

2. Finding: The project is consistent with the density allowed in the Medium Density Residential General Plan land use designation and all applicable General Plan policies as well as with both the existing A-2-5 Heavy Agriculture and proposed R-1 One- Family Dwellings zone classification and regulations.

Evidence: The proposed use is allowable subject to a conditional use in the proposed R-1 zone. The zoning classification is consistent with the existing land use designation for the property.

3. Finding: The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses.

Evidence: The project site is 4.36 acres in size. The site is entirely surrounded by urban uses of similar scale and intensity.

4. Finding: The project site has no value as habitat for endangered, rare, or threatened species.

Evidence: The site was evaluated by a biologist who determined that there is no habitat for any such species, and the proposed improvements will not remove any special habitat. (see Staff Report Attachment, Biological Resources Assessment)

5. Finding: Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

Evidence: The proposed church will use construction techniques and materials consistent with commercial development in Eastvale. The operation of the facility will be similar to other public gathering locations and will not generate substantial traffic, noise or air quality impacts. Design of the landscaping and drainage improvements will meet city standards regarding stormwater runoff. Water and wastewater usage will be similar to other commercial and professional office uses and is expected to be of minimal impact.

6. Finding: The site can be adequately served by all required utilities and public services.

Evidence: Urban uses are currently developed up to the site on three side and all utilities are available to the site and are adequately sized to serve the project.

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. CONDITIONAL USE PERMIT FINDING

Pursuant to the Eastvale Zoning Code, and in light of the record before it, including the staff report dated June 20, 2012, and all evidence and testimony heard at the public hearing of this item, the Planning Commission hereby finds and recommends that the City Council determines as follows:

Finding: The proposed use is consistent with the General Plan and all applicable provisions of this Code.

Evidence: The General Plan land use is Medium Density Residential which allows churches with a Conditional Use Permit, The project is a church and subject to approval of the proposed CUP (based on the

project design and conditions of approval) the project will be consistent with the General Plan and all applicable provisions of this Code.

Finding: The establishment, maintenance or operation of the use applied for will not, under the circumstances of the particular case (location, size, design, and operating characteristics), be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the neighborhood or such use, or the general welfare of the City.

Evidence: The applicant has demonstrated that the proposed use will not be detrimental to the health, safety, or general welfare of the community. The proposed church is consistent with the surrounding development style and intensity. Conditions of approval have been included to address any potential visual and noise impacts.

SECTION 4. PLANNING COMMISSION ACTION

The Planning Commission hereby adopts Resolution No. 12-____ recommending City Council approval of the California Environmental Quality Act Categorical Exemption for Change of Zone No. 10-0058 and Conditional Use Permit No. 10-0058 and approval of Conditional Use Permit No. 10-0058, subject to conditions attached hereto as Exhibit 1.

PASSED, APPROVED, AND ADOPTED this 20th day of June, 2012.

William Link, Chairperson
Eastvale Planning Commission

**APPROVED AS TO FORM AND
LEGAL CONTENT:**

ATTEST:

John E. Cavanaugh
City Attorney

Ariel Berry
Deputy City Clerk

STATE OF CALIFORNIA
COUNTY OF RIVERSIDE
CITY OF EASTVALE

CERTIFICATION

I, Ariel Berry, Recording Secretary of the Planning Commission of the City of Eastvale, California, do hereby certify that the foregoing PC Resolution, No. 12-____, was duly adopted by the Planning Commission of the City of Eastvale, California, at a regular meeting thereof held on the 20th day of June, 2012, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ariel Berry, Recording Secretary
City of Eastvale, California

Exhibit 1

Conditions Of Approval (Attached to staff report)

Exhibit 2

Notice of Exemption

CITY OF EASTVALE, CA NOTICE OF EXEMPTION

TO BE SENT TO:

- | | |
|---|--|
| <input checked="" type="checkbox"/> County of Riverside County Clerk
P.O. Box 12004
Riverside, CA 92502 | <input type="checkbox"/> Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044 |
|---|--|

PROJECT CASE NO: 10-0058

PROJECT APPLICANT/SPONSOR: New Day Christian Church / Focus Building Services

PROJECT LOCATION: North Side of A St between Raymond Dr and Hammer Ave ,
Eastvale, CA 92880

APN(s): 152-050-046

PROJECT DESCRIPTION: Proposed project will construct an 8,350 square-foot church on a parcel of 4.35 acres. The project applicant is currently applying to have the project site rezoned from A-2-5 (Heavy Agriculture) to R-1 (One-Family Dwellings). Upon approval of this application,, the proposed project will require the approval of a conditional use permit pursuant to Sec. 18.29 of the city's zoning ordinance.

The project or activity identified above is determined to be exempt from further environmental review requirements contained in the California Environmental Quality Act (CEQA).

EXEMPTION STATUS:

- Ministerial (*Sec. 21080(b)(1); Sec. 15268*)
- Declared Emergency (*Sec. 21080(b)(3); Sec. 15269(a)*)
- Statutory Exemption (*Sec. .*)
- ✓ Categorical Exemption Class 3 (*Sec 15332In-Fill Development Projects*).
- Other: (*Sec. .*)

REASONS TO SUPPORT EXEMPTION FINDINGS: Proposed project will: be consistent with the applicable general plan designation and plan policies as well as the applicable zoning designation and regulations (following conditional permitting), be less than 5 acres and within the City of Eastvale's city limits, not occur on a site that has any value as a habitat for endangered, rare or threatened species, not result in any significant effects related to traffic, noise, air quality or water quality and, be adequately served by all required utilities and public services.

LEAD AGENCY CONTACT: **PHONE NUMBER:** (951) 361-0900

CITY OF EASTVALE PLANNING DEPARTMENT
Eric Norris, Planning Director

ATTACHMENT C

Resolution No. 12- __ Recommending CC Approval of Change of Zone No. 10-0058

PC RESOLUTION NO. 12-___

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EASTVALE, CALIFORNIA RECOMMENDING CITY COUNCIL ADOPTION OF AN ORDINANCE FOR APPROVAL OF CHANGE OF ZONE NO. 10-0058 FROM A-2-5 AND A-2-10 (HEAVY AGRICULTURE DISTRICT) TO R-1 (ONE-FAMILY DWELLING) TO ACCOMMODATE THE DEVELOPMENT OF A NEW CHURCH LOCATED NORTH OF “A” STREET AND APPROXIMATELY 400 FEET WEST OF HAMNER AVENUE, AT THE EASTERN TERMINUS OF KRISTI LYNN COURT (ASSESSOR’S PARCEL NUMBER 152-050-046)

WHEREAS, applications for a Change of Zone (CZ No. 10-0058) from A-2-5 and A-2-10 (Heavy Agriculture District) to R-1 (One-Family Dwelling) and Conditional Use Permit (CUP No. 10-0058) for the development of a church, has been filed by New Day Christian Church of Corona Valley for the real property located north of “A” street and approximately 400 feet west of Hamner Avenue, at the eastern terminus of Kristi Lynn Court, Assessor’s Parcel Number 152-050-046; and

WHEREAS, the proposed Change of Zone and Conditional Use Permit is considered a “Project” as defined by the California Environmental Quality Act, Public Resources Code §21000 et seq. (“CEQA”); and

WHEREAS, the Planning Commission determined that the Project qualifies for a Class 32 Categorical Exemption from the provisions of CEQA per Section 15332 (In-Fill Development Projects) of the CEQA Guidelines; and

WHEREAS, the City of Eastvale Planning Department on June 9, 2012, published a legal notice in the Press Enterprise, a local paper of general circulation, indicating the date and time of the public hearing in compliance with state law concerning Change of Zone No. 10-0058 and Conditional Use Permit No. 10-0058, and mailed said public hearing notice to each property owner within a 600-foot radius of the project site in accordance with state law; and

WHEREAS, the City of Eastvale Planning Commission conducted a duly noticed public hearing on June 20, 2012, at which time they received public testimony concerning Change of Zone No. 10-0058 and Conditional Use Permit No. 10-0058, and considered the CEQA Categorical Exemption for the proposed project.

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

SECTION 1. ENVIROMENTAL FINDINGS

Pursuant to the California Environmental Quality Act, within the meaning of Public Resources Code Sections 21080(e) and 21082.2 within the record and/or provided at the public hearing, the Planning Commission hereby finds and recommends that the City Council determines that the project was adequately analyzed according to the CEQA Guidelines and qualified for a Categorical Exemption under Section 15332, In-Fill Development, as supported by the following Findings and Evidence:

1. **Finding:** The proposed change in zoning from A-2-5 to R-1 is consistent with the general plan land use designation for the property and will have no significant effect on the environment.

Evidence: The change in zoning district removes agricultural uses which are no longer appropriate given the size of the site and the surrounding residential and commercial land uses. The R-1 zoning is consistent with the site's medium density residential land use designation in the adopted General Plan.

2. **Finding:** The project is consistent with the density allowed in the Medium Density Residential General Plan land use designation and all applicable General Plan policies as well as with both the existing A-2-5 Heavy Agriculture and proposed R-1 One- Family Dwellings zone classification and regulations.

Evidence: The proposed use is allowable subject to a conditional use in the proposed R-1 zone. The zoning classification is consistent with the existing land use designation for the property.

3. **Finding:** The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses.

Evidence: The project site is 4.36 acres in size. The site is entirely surrounded by urban uses of similar scale and intensity.

4. **Finding:** The project site has no value as habitat for endangered, rare, or threatened species.

Evidence: The site was evaluated by a biologist who determined that there is no habitat for any such species, and the proposed improvements will not remove any special habitat. (see Staff Report Attachment, Biological Resources Assessment)

5. **Finding:** Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

Evidence: The proposed church will use construction techniques and materials consistent with commercial development in Eastvale. The operation of the facility will be similar to other public gathering locations and will not generate substantial traffic, noise or air quality impacts. Design of the landscaping and drainage improvements will meet city standards regarding stormwater runoff. Water and wastewater usage will be similar to other commercial and professional office uses and is expected to be of minimal impact.

6. **Finding:** The site can be adequately served by all required utilities and public services.

Evidence: Urban uses are currently developed up to the site on three side and all utilities are available to the site and are adequately sized to serve the project.

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. CHANGE OF ZONE FINDING.

Pursuant to Section 20.3 of the City of Eastvale Zoning Ordinance, the Planning Commission recommends that the City Council makes the following findings pertaining to Change of Zone No. 10-0058:

Finding: The proposed Change of Zone is in conformance with the adopted General Plan for the City.

Evidence: The General Plan Land Use Designation for the project is Medium Density Residential (MDR) which allows for the development of single family residential homes. The proposed R-1 zone is consistent with the MDR general plan land use designation. The 4.36 acres site is larger than the minimum lot size of 7,200 square feet required for R-1 zone districts. Given this, the proposed change of zone is consistent with the City's General Plan.

SECTION 4. PLANNING COMMISSION ACTION

The Planning Commission hereby adopts Resolution No. 12-____ recommending City Council Adopt Ordinance No. ____ (attached hereto as Exhibit 1) for the approval of Change of Zone No. 10-0058.

PASSED, APPROVED, AND ADOPTED this 20th day of June, 2012.

William Link, Chairperson
Eastvale Planning Commission

**APPROVED AS TO FORM AND
LEGAL CONTENT:**

ATTEST:

John E. Cavanaugh
City Attorney

Ariel Berry
Deputy City Clerk

STATE OF CALIFORNIA
COUNTY OF RIVERSIDE
CITY OF EASTVALE

CERTIFICATION

I, Ariel Berry, Recording Secretary of the Planning Commission of the City of Eastvale, California, do hereby certify that the foregoing PC Resolution, No. 12-____, was duly adopted by the Planning Commission of the City of Eastvale, California, at a regular meeting thereof held on the 20th day of June, 2012, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ariel Berry, Recording Secretary
City of Eastvale, California

Exhibit 1

Conditions of Approval (Attached to the Staff Report)

ATTACHMENT D

Ordinance No. 2012-____ Approving Change of Zone No.10-0058

ORDINANCE NO. 2012-_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EASTVALE, CALIFORNIA APPROVING CHANGE OF ZONE 10-0058 FROM A-2-5 AND A-2-10 (HEAVY AGRICULTURE DISTRICT) TO R-1 (ONE-FAMILY DWELLING) TO ACCOMMODATE THE DEVELOPMENT OF A NEW CHURCH LOCATED AT NORTH OF A STREET AND APPROXIMATELY 400 FEET WEST OF HAMNER AVENUE, AT THE EASTERN TERMINUS OF KRISTI LYNN COURT (ASSESSOR'S PARCEL NUMBER 152-050-046)

SECTION 1. The City Council, in light of the whole record before it including but not limited to the City's local California Environmental Quality Act ("CEQA") Guidelines and Thresholds of Significance, the proposed Categorical Exemption and documents incorporated therein by reference, any written comments received and responses provided, and other substantial evidence (within the meaning of Public Resources Code § 21080(e) and § 21082.2) within the record and/or provided at the public hearing, City Council determines that the project was adequately analyzed according to the CEQA Guidelines and qualified for a Categorical Exemption under Section 15332, In-Fill Development, as supported by the following Findings and Evidence:

1. **Finding:** The proposed change in zoning from A-2-5 and A-2-10 to R-1 is consistent with the general plan land use designation for the property and will have no significant effect on the environment.

Evidence: The change in zoning district removes agricultural uses which are no longer appropriate given the size of the site and the surrounding residential and commercial land uses. The R-1 zoning is consistent with the site's medium density residential land use designation in the adopted General Plan.

2. **Finding:** The project is consistent with the density allowed in the Medium Density Residential General Plan land use designation and all applicable General Plan policies and proposed R-1 One-Family Dwellings zone classification and regulations.

Evidence: The proposed use is listed as allowable use subject to a conditional use permit in the proposed R-1 zone. The zoning classification are consistent with the existing land use designation for the property.

3. **Finding:** The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses.

Evidence: The project site is 4.36 acres in size. The site is entirely surrounded by urban uses of similar scale and intensity.

4. **Finding:** The project site has no value as habitat for endangered, rare, or threatened species.

Evidence: The site was evaluated by a biologist who determined that there is no habitat for any such species, and the proposed improvements will not remove any special habitat. (see Staff Report Attachment, Biological Resources Assessment)

5. **Finding:** Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

Evidence: The proposed church will use construction techniques and materials consistent with commercial development in Eastvale. The operation of the facility will be similar to other public gathering locations and will not generate substantial traffic, noise or air quality impacts. Design of the landscaping and drainage improvements will meet city standards regarding stormwater runoff. Water and

wastewater usage will be similar to other commercial and professional office uses and is expected to be of minimal impact.

6. **Finding:** The site can be adequately served by all required utilities and public services.

Evidence: **Evidence:** Urban uses are currently developed up to the site on three side and all utilities are available to the site and are adequately sized to serve the project.

SECTION 2. 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. Pursuant to Section 20.3 of the City of Eastvale Zoning Code, the City Council makes the finding below pertaining to Change of Zone No. 10-0058:

Finding: The proposed Change of Zone is in conformance with the adopted General Plan for the City.

Evidence: The General Plan Land Use Designation for the project is Medium Density Residential (MDR) which allows for the development of single family residential homes. The proposed R-1 zone is consistent with the MDR general plan land use designation. The 4.36 acres site is larger than the minimum lot size of 7,200 square feet required for R-1 zone districts. Given this, the proposed change of zone is consistent with the City's General Plan.

SECTION 4. The Official Zoning Map for the City of Eastvale is hereby amended to change the zoning of Assessor's Parcel Number 152-050-046 from A-2-5 and A-2-10 (Heavy Agriculture District) to R-1 (One-Family Dwelling).

SECTION 5. This Ordinance shall take effect and be in full force and operation thirty (30) days after adoption.

SECTION 6. If any section, subsection, subdivision, sentence, clause, or portion of this ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the ordinance. The City Council hereby declares that it would have adopted this ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 7. The City Clerk shall certify to the adoption of this ordinance and shall cause the same to be published in accordance with law.

PASSED, APPROVED AND ADOPTED this 25nd day of July 2012.

Jeff DeGrandpre, Mayor

Attest:

Judy Haughney, City Clerk

Approved as to form:

John E. Cavanaugh, City Attorney

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

I, Judy L. Haughney, CITY CLERK OF THE CITY OF EASTVALE, DO HEREBY CERTIFY that the foregoing Ordinance Number 2012-___ was duly and regularly adopted by the City Council of the City of Eastvale at a regular meeting held the 25nd day of July, 2012, by the following called vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

City Clerk, Judy L. Haughney

ATTACHMENT E

Project Operations Letter



March 27, 2012

APR 16 2012

CITY OF EASTVALE

To Whom it May Concern,

This letter is for the purpose of providing a general use outline for the proposed building for New Day Christian Church.

- Our Weekend Program will include Children and Teen Bible School classes, as well as Adult Worship Services. We currently have 8:45 and 10:30 am programming, but may add a third am service, 5 pm service, and/or Saturday evening 5 pm service.
- We will have Weddings, Memorial Services, Indoor Concerts or Musicals from time to time on the weekends and weekdays.
- We will have Sunday afternoon and/or evening church meetings, events, or programs. Nothing is occurring in regards to this kind of usage at this time.
- We will have Saturday daytime and/or evening meetings, programs, or events. Currently our Prayer Team meets every Saturday morning. Our Women's and Men's Ministries have periodic Men's breakfasts and Women's Luncheons and the like. Quarterly, our Children's Ministry offers Family Programming on Saturday afternoons and evenings. We will be offering CPR Training on site this April. We anticipate providing such programs and events in our permanent church facility, as well.
- We will have weekday daytime and/or evening meetings, classes, events, programs (for Adults, Teens, & Children), or special services. Currently our Teen Ministry meets on site on Wednesday evenings. Our Leadership Team meetings and Adult Bible Study groups meet in homes. Quarterly, our Men's Ministry has a Worship Night on site. And our Women's Ministry offers a monthly Bible Study on site. And quarterly we currently offer spiritual development courses on site. We also, periodically, offer such things as Parenting Classes.
- We will offer, periodically, weekend and weekday daytime, afternoon, or evening outdoor Children's events and acoustic music venues. We currently do this, on site, about once a quarter.
- We will have weekday office hours from approximately 9 am to 5 pm.
- During summer months we will have some week long conferences and special programming. Currently we offer Vacation Bible School.
- We will make the facility available for civic agency use, free of charge. We believe in working hand in hand with our local government and agencies for the good and betterment of the community.

Sincerely,
Pastor Ed Moreno

ATTACHMENT F

Distribution Map

SUSAN W. CASE, INC.
917 GLENNEYRE ST # 7
LAGUNA BEACH CA 92651
PHONE 949-494-6105 FAX 949-494-7418
susancaseinc@yahoo.com

Certification of Preparation

The attached list represents the names and addresses of all property owners located within 1000 feet of the exterior boundaries of the property located at

7155 Hammer Ave, Eastvale

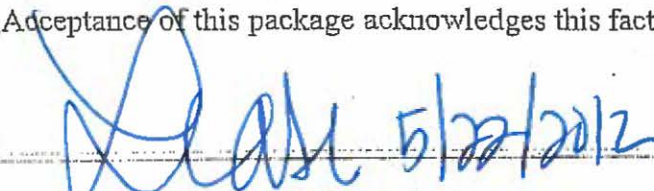
APN: 152-050-46

This information was obtained through First American Core Logic, a data source utilizing the county assessor rolls and other available sources.

This information is generally deemed reliable, but is not guaranteed. Return of property addresses that are deemed undeliverable by the United States Postal Service is, therefore, a possibility.

Susan W. Case, Inc. is not responsible for providing further investigation of said labels.

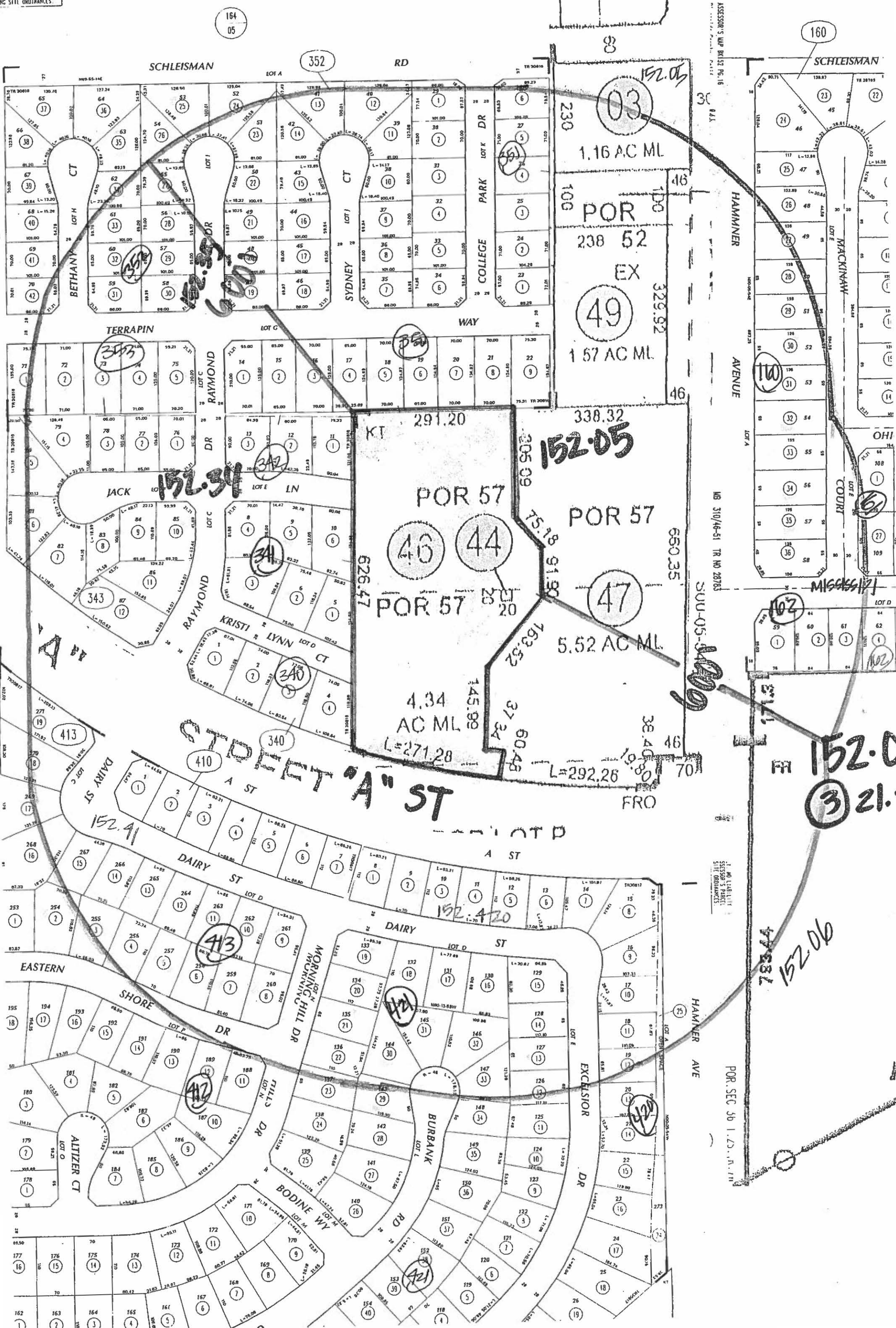
Acceptance of this package acknowledges this fact.

 5/22/2012

Susan W. Case, Inc.

NO LIABILITY
SHOWN - ASSESSOR'S PARCEL
BUILDING SITE ORDINANCES.

POR. SEC 36 T.2S., R.7W



164
05

160

352

03

1.16 AC ML

POR 52

EX

49

1.57 AC ML

KT 291.20

152.05

POR 57

POR 57

43

44

POR 57

47

5.52 AC ML

4.34
AC ML

L=271.28

75.18

91.98

37.34

60.45

L=292.26

38.40

46

70

FRO

STREET "A" ST

152.0

3 21.7

152.06

ASSESSOR'S MAP BR 152 PG. 16

MB 310/46-51 TR NO 20783

SUU-05-1009

NO LIABILITY
SHOWN - ASSESSOR'S PARCEL
BUILDING SITE ORDINANCES.

POR. SEC 36 T.2S., R.7W

ATTACHMENT G

Communications from the public

From: Lilly [sassy1137@att.net]
Sent: Tuesday, May 15, 2012 6:42 PM
To: Eric Norris
Subject: Re: Church on hamner and A street

My name is Mauricio Alaniz and I am a resident of Eastvale. Don't waist space and money by allowing a church to be built. Thank you

To whom it may concern:

I speak for the silent majority. Please pass this message onto the city of Eastvale. Nobody wants or cares for a local church as we are not a third world country nor do we need someone else's beliefs to be spread into part of this communities beauty. If you want to practice religion, they can practice in the privacy of your own home so we don't have to single out any one practice by building a shrine of what they believe. Religion has only caused wars and mass confusion. Project stop the violence.

7.3 - CONDITIONAL USE PERMIT NO.
12-0043 – TARGET ALCOHOL SALES



City of Eastvale

Planning Commission Staff Report

June 20, 2012

Project: Target - Alcohol Sales
Request: Approval of a Conditional Use Permit to sell beer, wine and distilled spirits for off-site consumption
File: Planning Application No. 12-0043
Location: Eastvale Gateway - Northeast corner of Limonite Ave. and Hamner Ave.
APN: 160-030-033
Planner: Jerry Guarracino, Senior Planner

Applicant's Representative:

Hinman & Carmichael LLP
Ms. Beth Aboulafia
260 California Street
San Francisco, CA 94111

Property Owner/Applicant:

Target Corporation
Ms. Carole Helmin
1000 Nicollet Mall, TPN-0910
Minneapolis, MN 55403

STAFF RECOMMENDATION

That the Planning Commission adopt the attached Resolution recommending that the City Council take the following actions:

1. Make a finding that the project is determined to be exempt from further environmental review requirements contained in the California Environmental Quality Act (CEQA).
2. Recommend that the City Council approve Conditional Use Permit No. 12-0043, subject to conditions of approval.
3. Make a finding of Public Necessity or Convenience pursuant to Section 23598 of the Business and Professions Code.

SUMMARY

The applicant, Target Corporation, is requesting approval of a Conditional Use Permit (CUP) to sell beer, wine, and distilled spirits from an existing Target store located at 12471 Limonite Avenue.

The store currently sells beer and wine only. However, the store was recently remodeled to include an expanded grocery area and the applicant is requesting to add the sale of distilled spirits to provide their grocery customers a more complete shopping experience. The sale of alcoholic beverages will take place in the existing building.

The Department of Alcoholic Beverage Control has determined that the census tract where the Target store is located is considered to be over-concentrated with off-site-sale liquor licenses;

therefore, a finding of Public Convenience and Necessity (PCN) is being requested for this location. Without the PCN, the state will not issue the liquor license.

BACKGROUND

The Target store, at 123,764 square feet, was built in 2005. In 2011, the Target store completed a remodel, which included a significant expansion of the market section of the store. The new market section includes additional grocery aisles and refrigerated cases that accommodate a wider range of grocery products, fresh meats, and vegetables.

Target now sells beer and wine in compliance with a Type 20 Off-Sale Beer and Wine License. The applicant proposes to expand the alcoholic beverages selection to include distilled spirits with a Type 21 Off-Sale General License. According to the applicant, the sale of distilled spirits will further increase the range of products available in the market section of the store and thereby reduce the number of shopping trips for their customers.

PROJECT DESCRIPTION

Target is applying for a CUP for the sale of beer and wine (previously allowed without a CUP); and to add the sale of distilled spirits. Because the store is located in an area of “undue concentration” of off-sale licenses under Section 23958.4 of the Business and Professions Code, Target is also requesting a determination that issuance of the license will serve public convenience or necessity.

Surrounding Land Uses:

A list of adjacent land use and zoning for the project site and surrounding properties is provided in Table 1.

Table 1: Adjacent Land Use and Zoning

Location	Existing Land Use	General Plan Designation	Zoning Designation
Project Site	Target Store in Eastvale Gateway North	Commercial Retail (CR)	Specific Plan (SP)
North	Swan Lake Mobile Home Park	Medium High Density Residential (MHDR)	Mobile Home Subdivision and Park (R-T)
South	Eastvale Gateway South Retail Center	Commercial Retail (CR)	Specific Plan (SP)
East	Retail / I-15	Commercial Retail (CR)	Specific Plan (SP)
West	Retail	Commercial Retail (CR)	Specific Plan (SP)

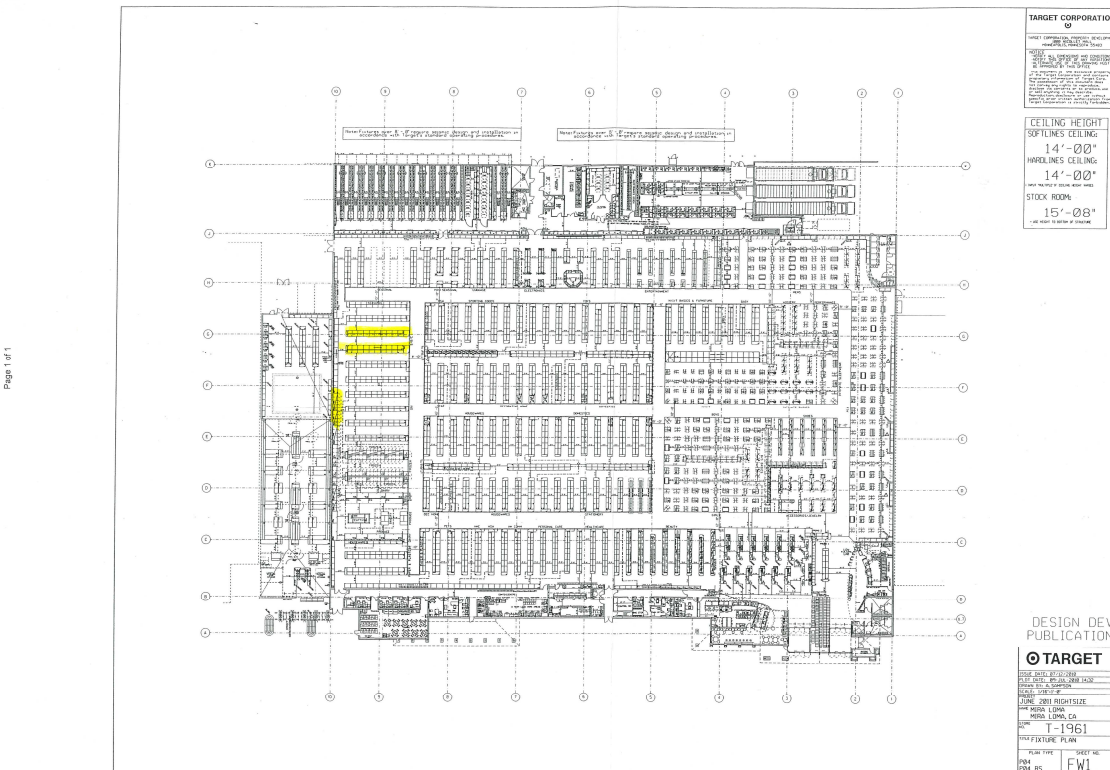
PROJECT ANALYSIS

At the time the Target store was approved, the existing beer and wine sales did not require a CUP, due to the size of the store. With the recent expansion of the market section of the store, Target is requesting a CUP to expand its selection of alcoholic beverage offerings to include

distilled spirits. The CUP would also address a requirement of the new Zoning Code, which will require a CUP for all alcohol sales.

The sale of alcoholic beverages will take place within an existing retail building and will be one component of a diverse mix of general retail and grocery items sold by the applicant. According to the applicant, the floor space devoted to the display and marketing of alcoholic beverages will be less than 1,000 square feet, or approximately 0.8 percent of the total floor area of the store, as shown in yellow in Figure 1.

Figure 1 – Floor Plan



The Target store has been selling beer and wine under a Type 20 license issued by the Department of Alcoholic Beverage Control since Target originally opened. During that time the store has been operating in compliance with the department's Retail Operating Standards. If a CUP is granted to allow the sale of distilled spirits, Target would need to secure and maintain a Type 21 license from the Department of Alcoholic Beverage Control. The Retail Operating Standards, as shown in Attachment B, are the same for both license types. Therefore, allowing the sale of distilled spirits is unlikely to cause any disruption in the operation of the adjacent businesses within the Eastvale Gateway Shopping Center itself or within the surrounding area.

Within the commercial district at the corner of Hamner Avenue and Limonite Avenue, there are currently four retailers (including Target) with either a Type 20 or Type 21 licenses from the Department of Alcoholic Beverage Control. They include:

Target	Type 20 (Beer/Wine)
Vons	Type 21 (Beer/Wine/Distilled Spirits)
Walgreens	Type 20 (Beer/Wine)
Ralphs	Type 21 (Beer/Wine/Distilled Spirits)

The proposed use is not located near any public schools, parks, or other uses which would be harmed by the proposed sale of alcoholic beverages.

The applicant is requesting approval to sell alcoholic beverages during the hours it is open to the public, and within the limits established by the Department of Alcoholic Beverage Control for a Type 21 license, i.e., no sales after 2:00 a.m. The store's normal hours of operation are currently 8 a.m.-11 p.m. Monday through Saturday and 8 a.m.-10 p.m. on Sunday.

ENVIRONMENTAL ANALYSIS

The proposed project is a request to allow the sale of beer, wine, and distilled spirits at the existing Target store located in the Eastvale Gateway North retail center. The proposed project modifies the types of alcohol allowed for sale within an existing building. There will be no physical changes to the exterior of the building necessary to support the change in sales. The project satisfies the requirements for Statutory Exemption pursuant to Section 15061(3) General Rule and is determined to be exempt from further environmental review requirements contained in the California Environmental Quality Act (CEQA).

PUBLIC HEARING NOTIFICATION

The proposed project requires a 10-day public hearing notification period for property owners located within a 1,000-foot radius of the project site. The notification was sent on June 7, 2012, for the Planning Commission meeting on June 20, 2012. In addition, per the commission's request, the notification was also sent to commercial tenants within the project site and a 1,000-foot radius. An illustration of the notification area is provided as Attachment D.

REQUIRED PROJECT FINDINGS

CEQA

Finding: The proposed project is exempt from further environmental review requirements contained in CEQA pursuant to Section 15061(3) General Rule.

Evidence: The proposed project modifies the types of alcohol allowed for sale within an existing building. There will be no physical changes to the exterior of the building necessary to support the change in sales.

1. Compliance with Law: That the Notice of Exemption 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.
2. Independent Judgment: That the Notice of Exemption reflects the independent judgment and analysis of the City of Eastvale.

Conditional Use Permit

Pursuant to Sections 2.2 of the City of Eastvale Zoning Code, the Planning Commission makes the following finding pertaining to CUP No. 12-0043:

Finding 1: The proposed use is consistent with the General Plan and all applicable provisions of this code.

Evidence: The General Plan land use designation for the site is Commercial Retail (as modified by Specific Plan 266). The intent of the Commercial Retail Land Use Designation is to enable the establishment and operation of the community serving commercial, service, and office businesses. The project consists of the sales of alcoholic beverages at a Target store located in an existing shopping center. The design, layout, access, and circulation of the center is configured to accommodate the needs of adjacent retail uses in the commercial center. Considering all these aspects, the project furthers the objectives and policies of the General Plan and is compatible with the general land uses as specified in the plan.

Finding 2: The establishment, maintenance, or operation of the use applied for will not, under the circumstances of the particular case (location, size, design, and operating characteristics), be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the neighborhood or such use, or the general welfare of the City.

Evidence: The existing Target store is a modern big box retail establishment, which is integrated into a large commercial center with adequate parking, circulation, and access to major roadway systems that provide local and regional connectivity. The store currently sells beer and wine and there is no indication of any detrimental effects to persons working or residing in the area. The project is not located near any public parks and schools. The project would allow the sale of distilled spirits in addition to the current sale of beer and wine from the existing Target store, which is not expected to be detrimental to the health, safety, peace, morals, comfort, or general welfare of the City.

Public Convenience or Necessity

Finding 1: Section 23598 of the Business and Professions Code provides that the Department of Alcoholic Beverage Control shall deny an application for a license for the off-site sale of alcoholic beverages if issuance of the license would result in an undue or over-concentration of

licenses within a census tract, unless the license is approved by the local government with a finding of Public Convenience or Necessity. These additional requirements by the Department of Alcoholic Beverage Control do not alter or overrule the provisions and requirements of the zoning ordinance; they are in addition to the local City zoning requirements. Target falls under this requirement.

Evidence: The Target store currently sells beer and wine under a valid Type 20 license; the proposed project would also allow the sale of distilled spirits pursuant to a Type 21 license. While it is true that the census tract in which the Target store is located has an over-concentration of licenses for off-site sales of alcoholic beverages, the proposed use would not increase that number because the use already exists within the census tract.

In 2011, the Target store completed a remodel, which included a significant expansion of the market section of the store. The new market section includes additional grocery aisles and refrigerated cases that accommodate a wider range of grocery products, fresh meats, and vegetables. The sale of beer, wine, and distilled spirits is consistent with the product mix regularly found in supermarkets and represent a small portion of a wider product mix that is intended to fulfill the needs of the grocery shopper. The wider product mix may result in the generation of fewer shopping trips which would provide a public convenience.

RECOMMENDATIONS

Staff recommends that the Planning Commission take the following actions in the order presented:

1. Approve the attached Resolution No. 2012-___ recommending that the City Council adopt a notice of exemption in compliance with the review requirements contained in the California Environmental Quality Act (CEQA), approve Conditional Use Permit No. 12-0043, subject to the attached conditions of approval, and make a finding of Public Convenience or Necessity, pursuant to Section 23598 of the Business and Professions Code.

Prepared By,

Reviewed By,

Jerry Guarracino
Senior Planner

Eric Norris
Planning Director

Attachments:

- A. Conditions of Approval
- B. Department of Alcoholic Beverage Control – Retail Operating Standards
- C. Resolution of Approval
- D. Public Hearing Notification – Radius map
- E. Notice of Exemption

ATTACHMENT A

Conditions of Approval

CONDITIONS OF APPROVAL				
Planning Application Number: Project No. 12-0043 (Conditional Use Permit No. 12-0043)				
Assessor's Parcel Number: 160-030-033				
Approval Date: June 20, 2012				
Conditions of Approval		Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
General Conditions/Requirements				
1.	In compliance with Section 15075 of the CEQA Guidelines, a Notice of Exemption (NOE) shall be filed with the Riverside County Clerk no later than June 25, 2012 (within five (5) days of project approval). The applicant shall submit to the Planning Department a check or money order made payable to the Riverside County Clerk in the amount of \$64.00 no later than June 19, 2012 .	June 25, 2012	Planning Dept.	
2.	The applicant shall review and sign below verifying the "Acceptance of the Conditions of Approval" and return the signed page to the Eastvale Planning Department.		Planning Dept.	
	<div style="display: flex; justify-content: space-between;"> Applicant Signature Date </div>			
3.	The applicant shall indemnify, protect, defend, and hold harmless the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, from any and all claims, demands, law suits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative, or adjudicatory in nature), and alternative dispute resolutions procedures (including but not limited to arbitrations, mediations, and other such procedures) (collectively "Actions"), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul any action of, or any permit or approval issued by, the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by the voters of the City), for or concerning the project, whether such Actions are brought under the California Environmental Quality Act, the Planning and Zoning Law, the Subdivisions Map Act, Code of Civil Procedure Section 1085 or 1094.5, or	Ongoing	Planning Dept.	

	any other state, federal, or local statute, law, ordinance, rule, regulation, or any decision of a court of competent jurisdiction. It is expressly agreed that the City shall have the right to approve, which approval will not be unreasonably withheld, the legal counsel providing the City's defense, and that applicant shall reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. City shall promptly notify the applicant of any Action brought and City shall cooperate with applicant in the defense of the Action.			
4.	The sale of alcoholic beverages shall be in accordance with the Conditional Use Permit application approved by the Planning Commission on June 20, 2012. The applicant may request approval for any modifications or revisions to the approved project as outlined in the Eastvale Zoning Code.	Ongoing	Planning Dept.	
5.	The applicant shall comply with the Retail Operating Standards of the State of California Department of Alcoholic Beverage Control as included on Page 3 of these Conditions of Approval or as updated by the State of California.	Ongoing	Planning Dept.	
6.	Sale of alcoholic beverages shall take place during normal store operating hours, within the limits established by the State of California Department of Alcoholic Beverage Control regulations.	Ongoing	Planning Dept.	

The following items are noted for the applicant's information. These items are generally required for all projects by City ordinances, other local agencies, and state or federal agencies.

General Compliance Items/Requirements and Information

1. The applicant shall comply with all provisions and procedures of the Eastvale Building Department related to the plan check review process. (Please contact the Building Department at 951-361-0900.)

IMPACT

Informed Merchants Preventing
Alcohol-Related Crime Tendencies

State of California
Department of Alcoholic Beverage Control

Retail Operating Standards

To the licensee: This law applies to stores (license Types 20 and 21), bars and taverns (license Types 40, 42, 48, and 61), but does not apply to bona fide eating places (license Types 41 and 47), convention centers, exhibit halls, auditoriums, ball parks, stadiums, coliseums, hotels, motels, a certain marine park, wineries, or beer manufacturers.

25612.5. Retail Operating Standards.

... (1) A prominent, permanent sign or signs stating "**NO LOITERING IS ALLOWED ON OR IN FRONT OF THESE PREMISES**" shall be posted in a place that is clearly visible to patrons of the licensee. The size, format, form, placement, and languages of the sign or signs shall be determined by the department. This paragraph shall apply to a licensee only upon written notice to the licensee from the department. The department shall issue this written notice only upon a request, from the local law enforcement agency in whose jurisdiction the premises are located, that is supported by substantial evidence that there is loitering adjacent to the premises. (Emphasis added.)

(2) A prominent, permanent sign or signs stating "**NO OPEN ALCOHOLIC BEVERAGE CONTAINERS ARE ALLOWED ON THESE PREMISES**" shall be posted in a place that is clearly visible to patrons of the licensee. The size, format, form, placement, and languages of the sign or signs shall be determined by the department. This paragraph shall apply to a licensee only upon written notice to the licensee from the department. The department shall issue this written notice only upon a request, from the local law enforcement agency in whose jurisdiction the premises are located, that is supported by substantial evidence that there is drinking in public adjacent to the premises. (Emphasis added.)

(3) No alcoholic beverages shall be consumed on the premises of an off-sale retail establishment, and no alcoholic beverages shall be consumed outside the edifice of an on-sale retail establishment.

(4) The exterior of the premises, including adjacent public sidewalks and all parking lots under the control of the licensee, shall be illuminated during all hours of darkness during which the premises are open for business in a manner so that persons standing in those areas at night are identifiable by law enforcement personnel. However, the required illumination shall be placed so as to minimize interference with the quiet enjoyment of nearby residents of their property.

(5) Litter shall be removed daily from the premises, including adjacent public sidewalks and all parking lots under the control of the licensee. These areas shall be swept or cleaned, either mechanically or manually, on a

weekly basis to control debris.

(6) Graffiti shall be removed from the premises and all parking lots under the control of the licensee within 72 hours of application. If the graffiti occurs on a Friday or weekend day, or on a holiday, the licensee shall remove the graffiti within 72 hours following the beginning of the next weekday.

(7) No more than 33 percent of the square footage of the windows and clear doors of an off-sale premises shall bear advertising or signs of any sort, and all advertising and signage shall be placed and maintained in a manner that ensures that law enforcement personnel have a clear and unobstructed view of the interior of the premises, including the area in which the cash registers are maintained, from the exterior public sidewalk or entrance to the premises. However, this latter requirement shall not apply to premises where there are no windows, or where existing windows are located at a height that precludes a view of the interior of the premises to a person standing outside the premises.

(8) Upon request of the local law enforcement agency in whose jurisdiction the licensed premises are located or at the discretion of the department, each public telephone located on off-sale premises (or located in an adjacent area under the control of the off-sale licensee) shall be equipped with devices or mechanisms that prevent persons from calling into that public telephone.

(9) Every licensed retailer who sells or rents video recordings of harmful matter, as defined by Section 313 of the Penal Code, shall create an area within his or her business establishment for the placement of video recordings of harmful matter and for any material that advertises the sale or rental of these video recordings. This area shall be labeled "adults only." The licensed retailer shall make reasonable efforts to arrange the video recordings in this area in such a way that minors may not readily access the video recordings or view the video box covers. The failure to create and label the "adults only" area is an infraction punishable by a fine of not more than one hundred dollars (\$100). The failure to place a video recording or advertisement, regardless of its content, in this area shall not constitute an infraction.

(10) A copy of the applicable operating standards shall be available during normal business hours for viewing by the general public.

ATTACHMENT B

Department of Alcoholic Beverage Control – Retail Operating Standards

IMPACT

Informed Merchants Preventing
Alcohol-Related Crime Tendencies

State of California
Department of Alcoholic Beverage Control

Retail Operating Standards

To the licensee: This law applies to stores (license Types 20 and 21), bars and taverns (license Types 40, 42, 48, and 61), but does not apply to bona fide eating places (license Types 41 and 47), convention centers, exhibit halls, auditoriums, ball parks, stadiums, coliseums, hotels, motels, a certain marine park, wineries, or beer manufacturers.

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(2) A prominent, permanent sign or signs stating "**NO OPEN ALCOHOLIC BEVERAGE CONTAINERS ARE ALLOWED ON THESE PREMISES**" shall be posted in a place that is clearly visible to patrons of the licensee. The size, format, form, placement, and languages of the sign or signs shall be determined by the department. This paragraph shall apply to a licensee only upon written notice to the licensee from the department. The department shall issue this written notice only upon a request, from the local law enforcement agency in whose jurisdiction the premises are located, that is supported by substantial evidence that there is drinking in public adjacent to the premises. (Emphasis added.)

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(5) Litter shall be removed daily from the premises, including adjacent public sidewalks and all parking lots under the control of the licensee. These areas shall be swept or cleaned, either mechanically or manually, on a

weekly basis to control debris.

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(7) No more than 33 percent of the square footage of the windows and clear doors of an off-sale premises shall bear advertising or signs of any sort, and all advertising and signage shall be placed and maintained in a manner that ensures that law enforcement personnel have a clear and unobstructed view of the interior of the premises, including the area in which the cash registers are maintained, from the exterior public sidewalk or entrance to the premises. However, this latter requirement shall not apply to premises where there are no windows, or where existing windows are located at a height that precludes a view of the interior of the premises to a person standing outside the premises.

(8) Upon request of the local law enforcement agency in whose jurisdiction the licensed premises are located or at the discretion of the department, each public telephone located on off-sale premises (or located in an adjacent area under the control of the off-sale licensee) shall be equipped with devices or mechanisms that prevent persons from calling into that public telephone.

(9) Every licensed retailer who sells or rents video recordings of harmful matter, as defined by Section 313 of the Penal Code, shall create an area within his or her business establishment for the placement of video recordings of harmful matter and for any material that advertises the sale or rental of these video recordings. This area shall be labeled "adults only." The licensed retailer shall make reasonable efforts to arrange the video recordings in this area in such a way that minors may not readily access the video recordings or view the video box covers. The failure to create and label the "adults only" area is an infraction punishable by a fine of not more than one hundred dollars (\$100). The failure to place a video recording or advertisement, regardless of its content, in this area shall not constitute an infraction.

(10) A copy of the applicable operating standards shall be available during normal business hours for viewing by the general public.

ATTACHMENT C

Resolution No. 12-__

**Recommending Approval of a Categorical Exemption; and
Approval of Conditional Use Permit No. 12-0043; and
Making a Finding of Public Convenience or Necessity**

PC RESOLUTION NO. 12-___

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EASTVALE, CALIFORNIA, APPROVING CATEGORICAL EXEMPTION IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR CONDITIONAL USE PERMIT NO. 12-0043 AND APPROVING CONDITIONAL USE PERMIT NO. 12-0043 AND MAKING A FINDING OF PUBLIC NECESSITY OR CONVENIENCE PURSUANT TO SECTION 23598 OF THE BUSINESS AND PROFESSIONS CODE; TO SELL BEER, WINE, AND DISTILLED SPIRITS FOR OFF-SITE CONSUMPTION AT AN EXISTING TARGET LOCATED AT 12471 LIMONITE AVENUE. (ASSESSOR'S PARCEL NUMBER 160-030-033)

WHEREAS, applications for Conditional Use Permit (No. 12-0043) for the sale of beer, wine, and distilled spirits for off-site consumption has been filed by Target Corporation for the real property located at 12471 Limonite Avenue, Assessor's Parcel Number 160-030-033; and

WHEREAS, the State Department of Alcoholic Beverage Control has determined that the census tract where the store is located is over-concentrated with off-site-sale liquor licenses; and

WHEREAS, the proposed Conditional Use Permit is considered a "Project" as defined by the California Environmental Quality Act ("CEQA"), Public Resources Code §21000 et seq.; and

WHEREAS, the Planning Commission determined that the Project qualifies for a Class 32 Categorical Exemption from the provisions of CEQA per Section 15061 (3) (General Rule) of the CEQA Guidelines; and

WHEREAS, the City of Eastvale Planning Department on June 9, 2012, published a legal notice in the *Press Enterprise*, a local paper of general circulation, indicating the date and time of the public hearing in compliance with state law concerning Conditional Use Permit No. 12-0043, and mailed said public hearing notice to each property owner within a 1,000-foot radius of the project site in accordance with state law, and per the Planning Commission's request, notification was also sent to commercial tenants within the project site and within a 1,000-foot radius; and

WHEREAS, the City of Eastvale Planning Commission conducted a duly noticed public hearing on June 20, 2012, at which time it received public testimony concerning Conditional Use Permit No. 12-0043, and considered the CEQA Categorical Exemption for the proposed project.

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

SECTION 1. ENVIRONMENTAL FINDINGS

Pursuant to the California Environmental Quality Act, within the meaning of Public Resources Code Sections 21080(e) and 21082.2 within the record and/or provided at the public hearing, the Planning Commission hereby finds and determines that the project was adequately analyzed according to the CEQA Guidelines and qualified for a Categorical Exemption under Section 15061 (3), General Rule, as supported by the following Findings and Evidence:

1. **Finding:** The proposed project is exempt from further environmental review requirements contained in CEQA pursuant to Section 15061(3) General Rule.

Evidence: The proposed project modifies the types of alcohol allowed for sale within an existing building. There will be no physical changes to the exterior of the building necessary to support the change in sales. The Notice of Exemption 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. The Notice of Exemption reflects the independent judgment and analysis of the City of Eastvale.

SECTION 2. MULTIPLE SPECIES HABITAT CONSERVATION PLAN

The project, the sale of alcoholic beverages, will be conducted within an existing building and will not involve any new construction or development of vacant or unimproved land and is therefore not subject to the Multiple Species Habitat Conservation Plan.

SECTION 3. CONDITIONAL USE PERMIT FINDING

Pursuant to the Eastvale Zoning Code, and in light of the record before it, including the staff report dated June 20, 2012, and all evidence and testimony heard at the public hearing of this item, the Planning Commission hereby finds and determines as follows:

2. **Finding:** The proposed use is consistent with the General Plan and all applicable provisions of this code.

Evidence: The General Plan land use designation for the site is Commercial Retail (as modified by Specific Plan 266). The intent of the Commercial Retail Land Use Designation is to enable the establishment and operation of community serving commercial, service, and office businesses. The project consists of the sales of alcoholic beverages at a Target store located in an existing shopping center. The design, layout, access, and circulation of the center are configured to accommodate the needs of adjacent retail uses in the commercial center. Considering all these aspects, the project furthers the objectives and policies of the General Plan and is compatible with the general land uses as specified in the plan.

3. **Finding:** The establishment, maintenance, or operation of the use applied for will not, under the circumstances of the particular case (location, size, design, and operating

characteristics), be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the neighborhood or such use, or the general welfare of the City.

Evidence: The existing Target store is a modern big box retail establishment, which is integrated into a large commercial center with adequate parking, circulation, and access to major roadway systems that provide local and regional connectivity. The store currently sells beer and wine and there is no indication of any detrimental effects to persons working or residing in the area. The project is not located near any public parks and schools. The project would allow the sale of distilled spirits in addition to the current sale of beer and wine from the existing Target store, which is not expected to be detrimental to the health, safety, peace, morals, comfort, or general welfare of the City.

SECTION 4. PUBLIC CONVENIENCE OR NECESSITY

1. Finding: Section 23598 of the Business and Professions Code provides that the Department of Alcoholic Beverage Control shall deny an application for a license for the off-site sale of alcoholic beverages if issuance of the license would result in an undue or over-concentration of licenses within a census tract, unless the license is approved by the local government with a finding of Public Convenience or Necessity. These additional requirements by the Department of Alcoholic Beverage Control do not alter or overrule the provisions and requirements of the zoning ordinance; they are in addition to the local City zoning requirements.

Evidence: The Target store currently sells beer and wine under a valid Type 20 license; the proposed project would also allow the sale of distilled spirits pursuant to a Type 21 license. While it is true that the census tract in which the Target store is located has an over-concentration of licenses for off-site sales of alcoholic beverages, the proposed use would not increase that number because the use already exists within the census tract.

In 2011, the Target store completed a remodel, which included a significant expansion of the market section of the store. The new market section includes additional grocery aisles and refrigerated cases that accommodate a wider range of grocery products, fresh meats, and vegetables. The sale of beer, wine, and distilled spirits is consistent with the product mix regularly found in supermarkets and represent a small portion of a wider product mix that is intended to fulfill the needs of the grocery shopper. The wider product mix may result in the generation of fewer shopping trips, which would provide a public convenience.

SECTION 5. PLANNING COMMISSION ACTION

The Planning Commission hereby adopts Resolution No. 12-____to approve a Categorical Exemption per the California Environmental Quality Act for Conditional Use Permit No. 12-0043 and approve Conditional Use Permit No. 12-0043, subject to conditions attached hereto as Exhibit 1.

PASSED, APPROVED, AND ADOPTED this 20th day of June, 2012.

William Link, Chairperson
Eastvale Planning Commission

APPROVED AS TO FORM:

ATTEST:

John E. Cavanaugh
City Attorney

Ariel Berry
Deputy City Clerk

STATE OF CALIFORNIA
COUNTY OF RIVERSIDE
CITY OF EASTVALE

CERTIFICATION

I, Ariel Berry, Recording Secretary of the Planning Commission of the City of Eastvale, California, do hereby certify that the foregoing PC Resolution, No. 12-____, was duly adopted by the Planning Commission of the City of Eastvale, California, at a regular meeting thereof held on the 20th day of June, 2012, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ariel Berry, Recording Secretary
City of Eastvale, California

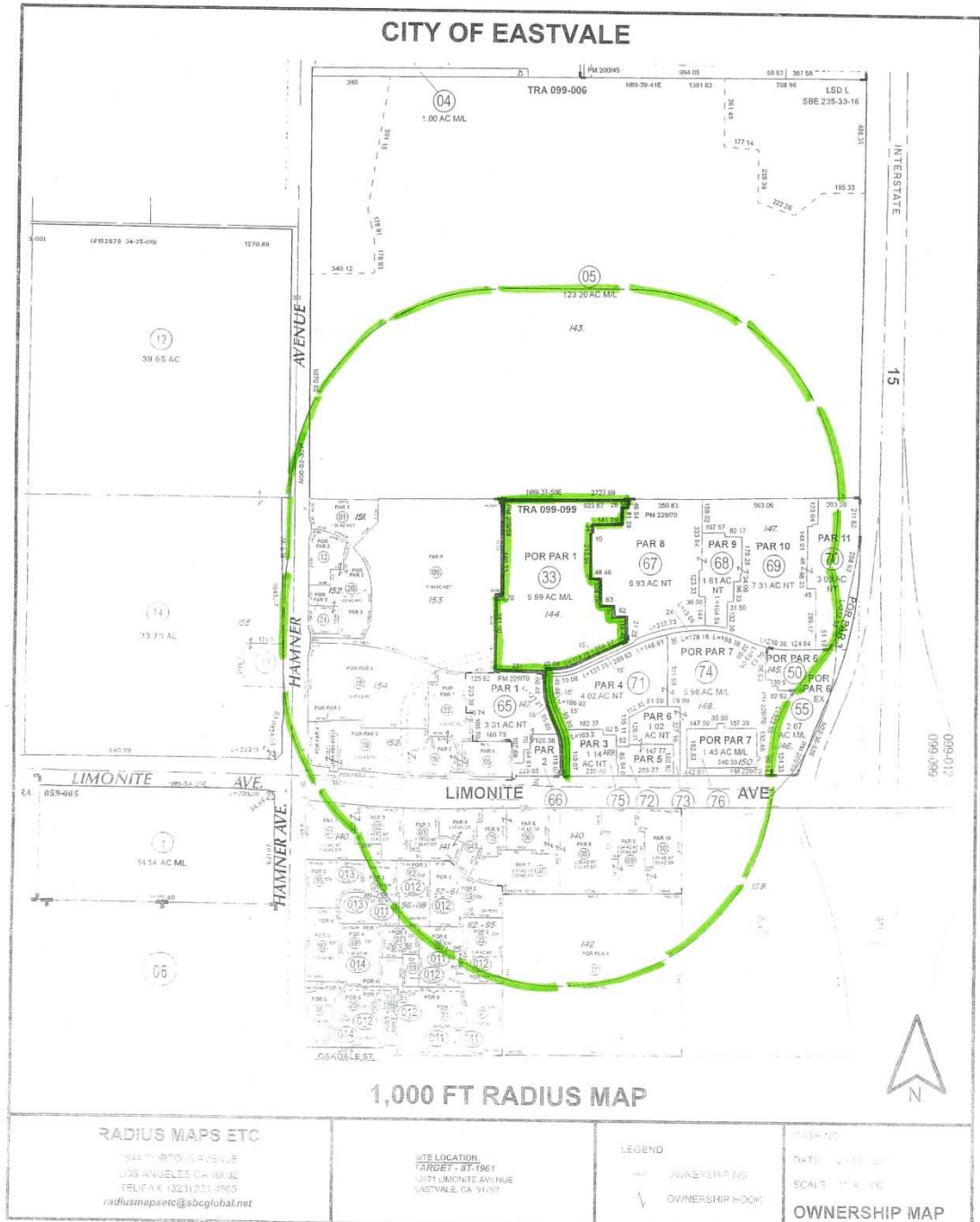
EXHIBIT 1

**Conditions of Approval
(included as Attachment A to the staff report)**

ATTACHMENT D

Public Hearing Notification – Radius map

1,000 Feet Radius Map



ATTACHMENT E

Notice of Exemption

CITY OF EASTVALE, CA

NOTICE OF EXEMPTION

TO BE SENT TO:

County of Riverside County Clerk
P.O. Box 12004
Riverside, CA 92502

Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044

PROJECT CASE NO: 12-0043
PROJECT APPLICANT/SPONSOR: Target Corporation / Carole Helmin, (612) 761-1015
PROJECT LOCATION: 12471 Limonite Avenue, Eastvale, CA 91752
APN(s): 160-030-033
PROJECT DESCRIPTION: The proposed project is a request for a Conditional Use Permit No. 12-0043 to allow the sale of beer, wine, and distilled spirits at the existing Target store located in the Eastvale Gateway North retail center.

The project or activity identified above is determined to be exempt from further environmental review requirements contained in the California Environmental Quality Act (CEQA).

EXEMPTION STATUS:

- Ministerial (*Sec. 21080(b)(1); Sec. 15268*)
- Declared Emergency (*Sec. 21080(b)(3); Sec. 15269(a)*)
- X** Statutory Exemption (*Sec15061(3)) General Rule*)
- Categorical Exemption
- Other: (*Sec. .*)

REASONS TO SUPPORT EXEMPTION FINDINGS: The proposed project modifies the types of alcohol allowed for sale within an existing building. There will be no physical changes to the exterior of the building necessary to support the change in sales.

LEAD AGENCY CONTACT:

PHONE NUMBER: (951) 361-0900

CITY OF EASTVALE PLANNING DEPARTMENT
Eric Norris, Planning Director

7.4 - PLOT PLAN NO. 11-0424 –
RALPHS GAS STATION



City of Eastvale

Planning Commission Staff Report

June 20, 2012

Project: Ralphp Gas Station Expansion (Project No. 11-0424)
Request: Approval of a Plot Plan
Location: 12660 Limonite Avenue, Eastvale, CA
APN: 164-040-007
Planner: Kanika Kith, Associate Planner

Applicant

Ralphp Grocery Company
Mr. Jeffery Olsen
1100 W. Artesia
Compton, CA 90220

Applicant's Representative

Fiedler Group
Mr. Kyle J. Esse
2322 W. 3rd Street
Los Angeles, CA 90057

Property Owner

Cloverdale Marketplace, LLC
Mr. Gary Harada
P.O. Box 6317
Norco, CA 92860

STAFF RECOMMENDATION:

That the Planning Commission adopt the attached Resolution No. 12-__ approving a Categorical Exemption pursuant to the California Environmental Quality Act for Plot Plan No. 11-0424 and approving Plot Plan No. 11-0424, subject to conditions of approval.

BACKGROUND

On August 11, 2003, the Riverside County Board of Supervisors approved the development of the 129,141-square-foot retail center (known as the Cloverdale Marketplace, currently the site of the Ralphp supermarket and gas station). To date, the developer has constructed only Phase I of the project, consisting of 85,443 square feet.

The project site is located at the southwest corner of Limonite and Hamner Avenues. A vicinity map with an aerial image of the project site is shown in Figure 1.

On January 18, 2012, the Planning Commission approved Plot Plan No. 11-0568 and Parcel Map No. 34600, revising the second phase of the project, which now consists of 34,500 square feet of new development, including a day-care center, medical office space, a pizza restaurant, and a multi-tenant retail building.

PROJECT DESCRIPTION

The owner of Ralphp supermarket and gas station is requesting approval for the expansion of the existing gas station to include two additional gas dispensers, construction of approximately 1,333 square feet of additional canopy coverage, and changes to the layout of much of the parking lot. The parking lot modification involves the removal of a nine-space parking and landscape island to the west of the gas station and changes to several parking lanes and landscape planters to replace the nine parking spaces. The changes to the parking lot layout are also intended to improve the parking circulation for the center.

Figure 1: Aerial Photo/Vicinity Map



As shown in Figure 1, the area surrounding the project includes a mix of existing residential and commercial land uses. The area to the west of the site has an approved tract map for single-family residential development. The area to the north of the site, known as the Leal Property, is zoned for business park uses, but no development plan has been approved. The new Eastvale General Plan (scheduled to be adopted on June 13 as of the writing of this staff report) calls for a future plan of development with a mix of retail, office, residential, and civic uses.

PROJECT ANALYSIS

The applicant has designed the project such that the proposed changes would not affect the minimum development standards of the C/1-C/P (Commercial Retail) zone, and the new gas station canopy would look exactly like the existing. The proposed parking lot modifications would result in four additional parking spaces in the center. Overall, staff finds that the proposed project would be an improvement to the existing center for two reasons:

1. The proposed removal of the existing parking and landscape island to the west of the gas station would eliminate cars backing out while other cars are entering the center; and
2. The proposed restriping and angle change of the parking lanes where there is two-way traffic would provide better parking access to customers (customers would be able to park on either side of the parking aisle without having to turn around to the correct position for turning into a parking stall).

A site plan providing an overview of the proposed changes to the existing center is shown in Figure 2. Staff has also included a site plan of the existing center along with Phase II (shown in Figure 3), which was recently approved by the Planning Commission, to illustrate how the proposed project would change the existing parking layout.

Figure 2: Proposed Site Plan – Existing Center Only

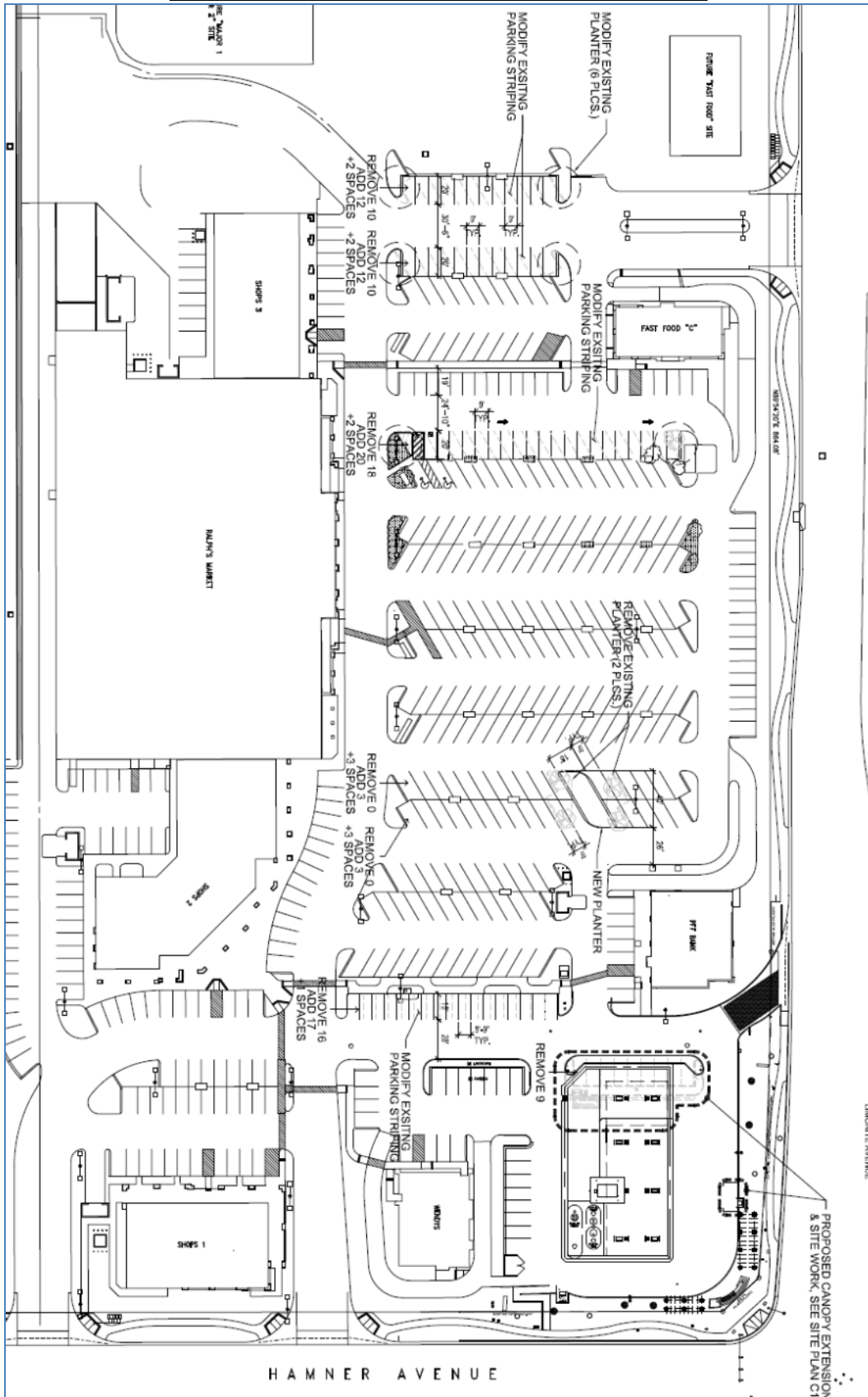
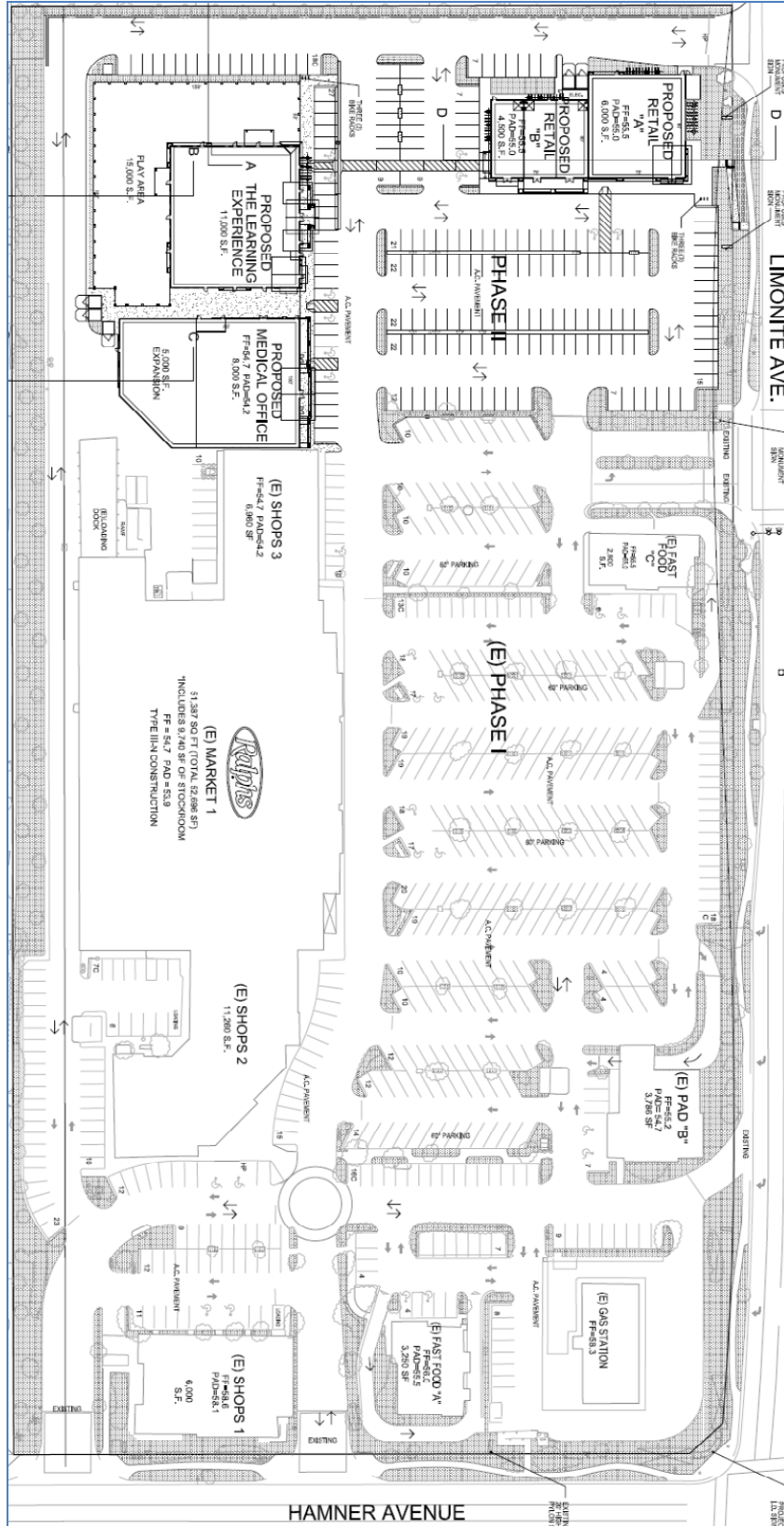
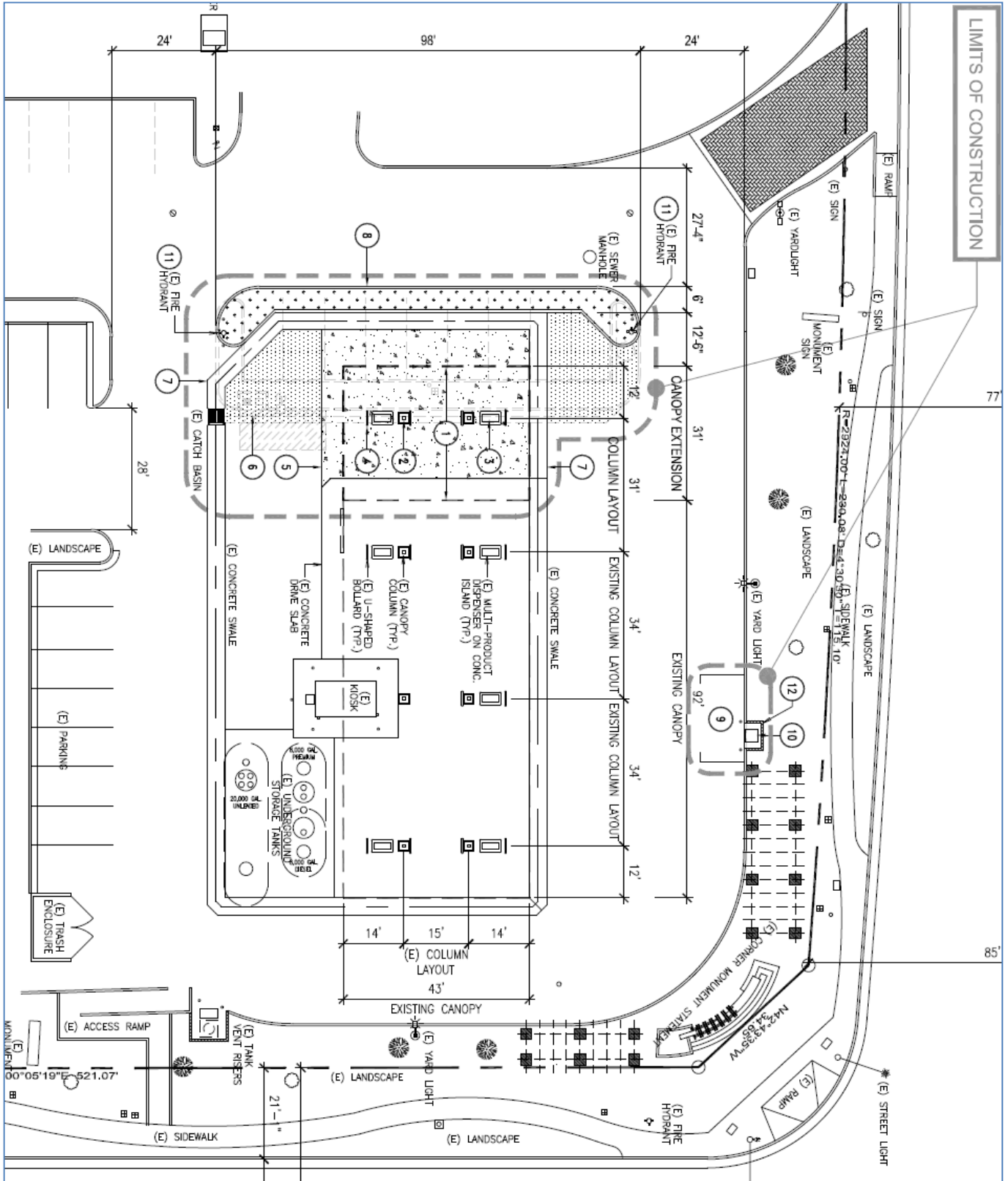


Figure 3: City-Approved Site Plan for Phase II



A site plan showing only the changes in the gas station area is shown in Figure 4.

Figure 4: Gas Station Expansion Site Plan



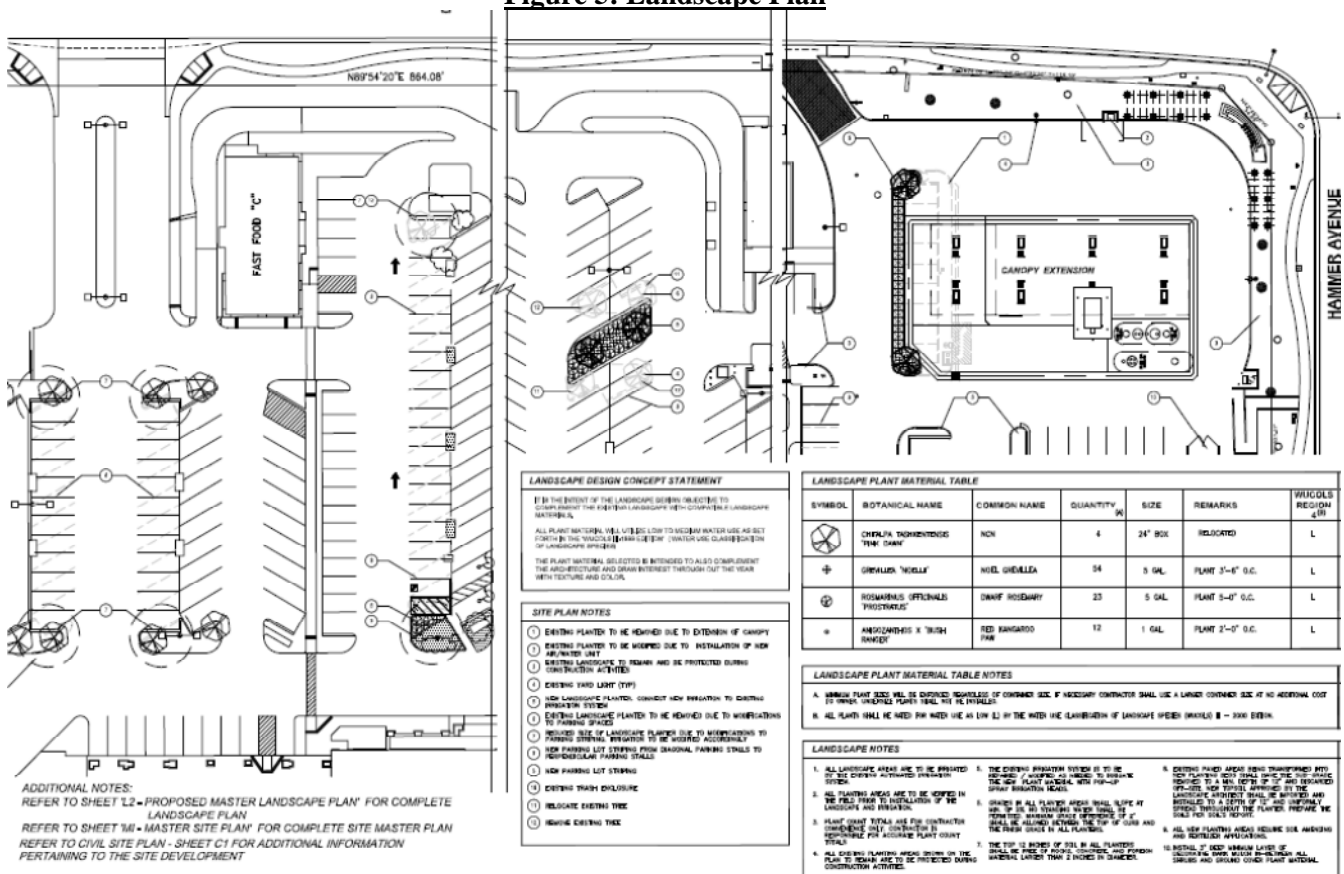
Parking/Circulation

The proposed parking lot modification would result in a net increase of four new parking spaces by modifying several parking lanes throughout Phase I of the existing retail center. The project would not change any of the existing access from Limonite or Hamner avenues and would not affect the development of Phase II.

Landscaping

The proposed changes in the parking layout of the existing center would reduce the total landscape area from 79,998 to 79,575 square feet. However, this reduction would not result in the center having less than the minimum landscape requirements (10 percent landscape coverage and 50 percent shade coverage). As shown in Figure 5, the applicant will be replacing a majority of the removed landscape area and trees. (A full-size landscape plan, along with the site plan, grading, and elevations, is attached as Attachment D to this staff report.)

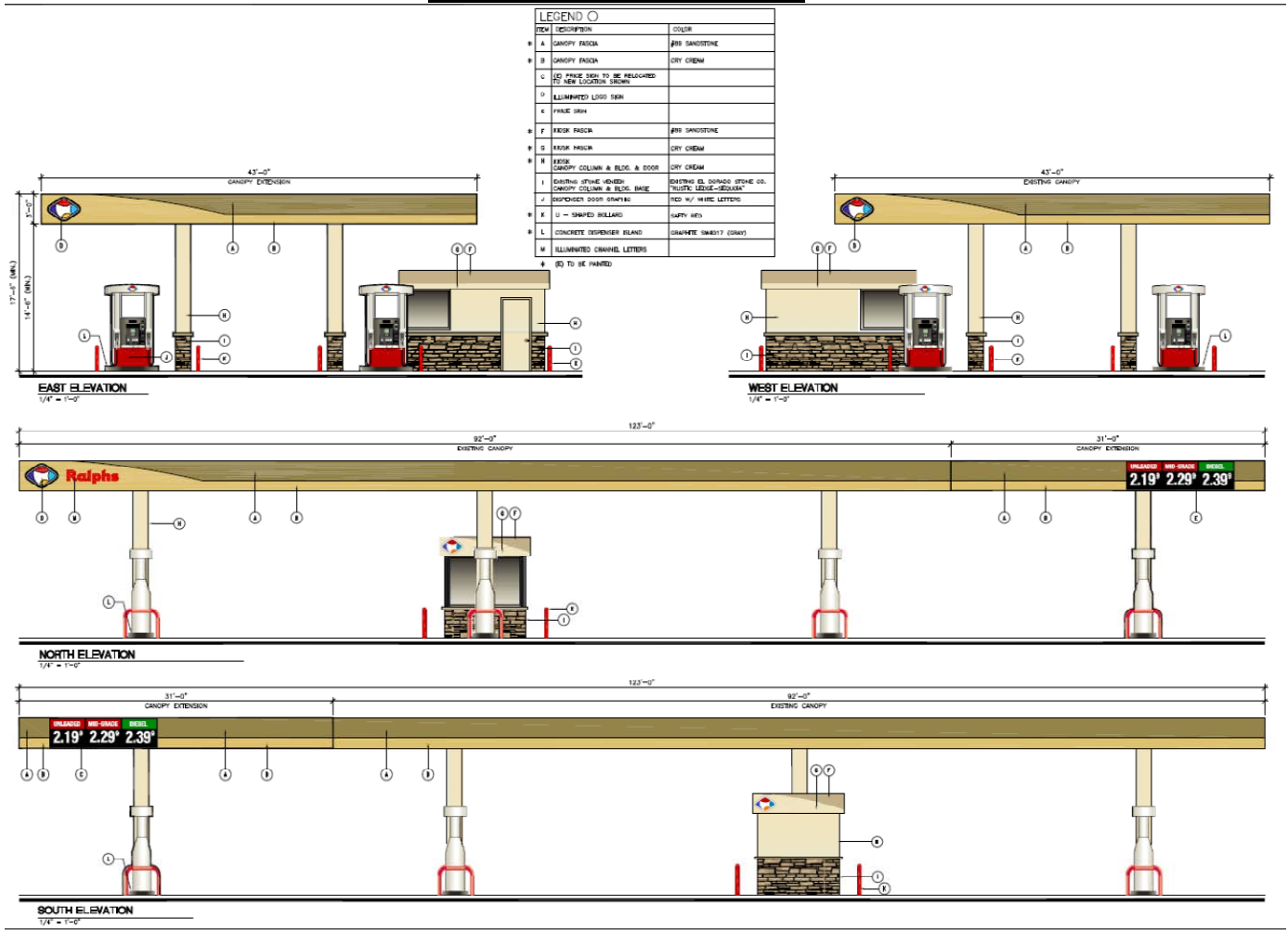
Figure 5: Landscape Plan



Architecture/Aesthetics & Sign

The proposed project also involves expansion of the existing flat roof canopy to provide shade coverage for the two additional gas dispensers. The new canopy will look the same as the existing canopy, but with the new Ralphs colors and an additional Ralphs sign, logo, and gasoline prices attached to the northern elevation of the canopy (facing Limonite Avenue), as illustrated in Figure 6.

Figure 6: Gas Station Elevations



The gasoline price sign as proposed at the north elevation is not consistent with the sign program approved for the center because the sign program allows only one set of gasoline price signs to be located on the south elevation of canopy. The gasoline price sign for the northern side of the station is allowed on the monument sign along Limonite Avenue as illustrated in Figure 7.

Staff find that the signage as proposed on the south and west elevations is consistent with the sign program, but additional sign details, such as the size and materials of the signage, are required for review to determine compliance with the approved sign program. However, that the proposed logo on the west elevation and gasoline price sign on the north elevation are not allowed under the approved sign program, unless the applicant submits for approval of a revised sign program that could be approved by the Planning Director after approval of this plot plan application. Therefore, a condition is included to require the applicant to submit a sign permit application that amends the sign program and provide details for the proposed signage.

Figure 7: Northern Street View of the Gas Station



ENVIRONMENTAL ANALYSIS

This project qualifies for a Class 1 Categorical Exemption from environmental review per the California Environmental Quality Act Guidelines, Section 15301(e) (Existing Facilities). The Class 1 exemption consists of additions to existing structures, provided that the addition would not result in an increase of more than 50 percent of the floor area of the existing structures, or 2,500 square feet, and the project is not located in an environmentally sensitive area. The project qualifies for this exemption because the project is an expansion of an existing gas station to include two additional gas dispensers; construction of approximately 1,333 square feet of additional canopy coverage and a parking lot modification.

REQUIRED PROJECT FINDINGS

CEQA

Pursuant to the California Environmental Quality Act (CEQA), and in light of the whole record before it, including but not limited to the City's local CEQA Guidelines and Thresholds of Significance, the proposed Categorical Exemption 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, the Planning Commission hereby finds and determines as follows:

Finding: The project qualifies for a Class 1 Categorical Exemption from environmental review per the California Environmental Quality Act Guidelines, Section 15301(e) (Existing Facilities).

Evidence: The project is an expansion of an existing gas station to include two additional gas dispensers, construction of approximately 1,333 square feet of additional canopy coverage, and a parking lot modification. The parking lot modification involves the removal of a nine-space parking and landscape island to the west of the gas station and modification of several parking lanes and landscape planters throughout the existing center to replace the removal of nine parking spaces. Therefore, the project qualifies for a Class 1 Categorical Exemption because the proposed addition would not result in an increase of more than 50 percent of the floor area of the existing structure or a total of 2,500 square feet.

Compliance with Law: That the Categorical Exemption 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: That the Categorical Exemption reflects the independent judgment and analysis of the City of Eastvale.

No Significant Effect: That the Planning Commission finds there is no substantial evidence, in light of the whole record, from which it could be fairly argued that the project may have a significant effect on the environment.

PLOT PLAN

Finding 1: The proposed use must conform to all the requirements of the Eastvale General Plan and Zoning Code.

Evidence: The proposed project is an expansion of an existing gas station at a retail center that conforms to the requirements of the General Plan in that the site has a land use designation of Commercial Retail (CR), which allows a variety of commercial retail uses. The project will not change the existing uses of the retail center. The project is also consistent with the requirements of the Zoning Code in that the project has been designed to meet and exceed the minimum development standards of the Commercial Retail (C-1/C-P) zoning district, including but not limited to parking and landscaping.

Finding 2: The overall development of the land shall be designed for the protection of the public health, safety, and general welfare.

Evidence: The proposed project is located in an area zoned for commercial retail uses, including a variety of other commercial-related activities, including the existing gas station, which is being proposed for expansion to include two additional gas dispensers. Further, the project has been designed to meet the minimum development and engineering standards for the C-1/C-P zoning district, which are intended to protect the public health, safety, and welfare. The project also would not change the existing access into the retail center; therefore, it will not conflict with on-street vehicular traffic.

Finding 3: The overall development of the land shall be designed to conform to the logical development of the land and be compatible with the present and future logical development of the surrounding property.

Evidence: The proposed project involves the minor expansion of an existing gas station, which has been designed to conform to the logical development of an existing retail center and is compatible with the present and future development of the retail center and surrounding property. The project also involves modifications to the existing parking lot to improve customer access into the parking spaces. Additionally, the existing retail center has been designed to conform to the logical pattern of development as envisioned by the Eastvale General Plan.

Finding 4: The Plot Plan shall consider the location and need for dedication and improvement of necessary streets and sidewalks, including the avoidance of traffic congestion, and shall take into account topographical and drainage conditions, including the need for dedication and improvements of necessary structures.

Evidence: The project is located at the southwest corner of Limonite and Hamner avenues, and both roadways are fully dedicated and improved to provide adequate circulation to and from the site. The existing improvements on both roads include curb, gutter, and sidewalk. Both streets have also been designed to handle the type and quantity of vehicular traffic associated with the project proposal.

Finding 5: All plot plans which permit the construction of more than one structure on a single legally divided parcel shall, in addition to all other requirements, be subject to a condition which prohibits the sale of any existing or subsequently constructed structures on the parcel until the parcel is divided and a final map recorded in accordance with Ordinance No. 460 in such a manner that each building is located on a separate legally divided parcel.

Evidence: The project site is currently one parcel, and the proposed project does not involve any parcel subdivision.

ALTERNATIVES

The following alternatives are available to the Planning Commission:

1. Approve the project with additional changes and/or conditions;
2. Continue the Public Hearing and direct the applicant to make revisions; or
3. Deny the Plot Plan.

Prepared by

Reviewed by

Kanika Kith
Associate Planner

Eric Norris
Planning Director

Attachments

- A. Conditions of Approval
- B. Planning Commission Resolution No. 12-_____
- C. CEQA Categorical Exemption
- D. Development Plans

ATTACHMENT A

(Conditions of Approval)

CONDITIONS OF APPROVAL

Planning Application Number: Plot Plan No. 11-0424

Assessor's Parcel Number: 164-040-007

Approval Date: June 20, 2012

	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
Conditions of Approval			
General Conditions/Requirements			
1. In compliance with Section 15075 of the CEQA Guidelines, a Notice of Exemption (NOE) shall be filed with the Riverside County Clerk no later than June 25, 2012 (within five (5) days of project approval). The applicant shall submit to the Planning Department a check or money order made payable to the Riverside County Clerk in the amount of \$64.00 no later than June 19, 2012 .	June 25, 2012	Planning Dept.	
2. The applicant shall review and sign below verifying the "Acceptance of the Conditions of Approval" and return the signed page to the Eastvale Planning Department.		Planning Dept.	
<div style="display: flex; justify-content: space-between;"> Applicant Signature Date </div>			
3. The applicant shall indemnify, protect, defend, and hold harmless the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, from any and all claims, demands, law suits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative dispute resolutions procedures (including, but not limited to arbitrations, mediations, and other such procedures) (collectively "Actions"), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul, the any action of, or any permit or approval issued by, the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by the voters of the City), for or concerning the project, whether such Actions are brought under the California Environmental Quality Act, the Planning and Zoning Law, the Subdivisions Map Act, Code of Civil Procedure Section 1085 or 1094.5, or any other state, federal, or local statute, law, ordinance, rule, regulation,	Ongoing	Planning Dept.	

	or any decision of a court of competent jurisdiction. It is expressly agreed that the City shall have the right to approve, which approval will not be unreasonably withheld, the legal counsel providing the City's defense, and that applicant shall reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. City shall promptly notify the applicant of any Action brought and City shall cooperate with applicant in the defense of the Action.			
4.	The project shall be developed in accordance with the Plot Plan application approved by the Planning Commission on June 20, 2012, including the approved site plan, architectural elevations, etc. The applicant may request approval for any modifications or revisions to the approved project as outlined in the Eastvale Zoning Code.	Ongoing	Planning Dept.	
Prior to Issuance of Building Permits				
5.	Prior to the issuance of any building permits, the applicant shall apply and pay the appropriate fee for a sign permit application to amend the Cloverdale Marketplace Sign Program and shall provide details of all proposed signage for City review and approval for compliance with the Cloverdale Marketplace Sign Program.	Prior to Issuance of Building Permits	Planning Department	

The following items are noted for the applicant's information. These items are generally required for all projects by City ordinances, other local agencies, and state or federal agencies.

General Compliance Items/Requirements and Information

1. No obstruction shall be placed on any existing easement. An approval document from easement holders shall be required for any easement encroachment.
2. No grading shall be performed without the prior issuance of a grading permit by the City.
3. Written permission shall be obtained from the affected property owners allowing the proposed grading and/or facilities to be installed outside of the project boundaries.
4. All grading shall conform to the California Building Code, Ordinance 457, and to all other relevant laws, rules, and regulations governing grading in the City of Eastvale. Prior to commencing any grading which includes 50 or more cubic yards, the developer shall obtain a grading permit from the Building Department.

5. All necessary measures to control dust shall be implemented by the applicant during grading to the satisfaction of the City Engineer. A PM₁₀ plan may be required at the time a grading permit is issued.
6. Graded slopes shall be limited to a maximum steepness ratio of 2:1 (horizontal to vertical) unless otherwise approved by the City Engineer.
7. Grading in excess of 199 cubic yards will require performance security to be posted with the City.
8. Erosion control–landscape plans, required for manufactured slopes greater than 3 feet in vertical height, are to be signed by a registered landscape architect and bonded per the requirements of Ordinance 457 (refer to Dept. Form 284-47). Planting shall occur within 30 days of meeting final grades to minimize erosion and to ensure slope coverage prior to the rainy season. The developer shall plant and irrigate all manufactured slopes steeper than a 4:1 (horizontal to vertical) ratio and 3 feet or greater in vertical height with grass or ground cover; slopes 15 feet or greater in vertical height shall be planted with additional shrubs or trees or as approved by the City Engineer.
9. Should this project lie within any assessment/benefit district, the project proponent shall, prior to acceptance of improvements, make application for and pay for their reapportionment of the assessments or pay the unit fees in the benefit district unless said fees are otherwise deferred.
10. All flood control plans to be reviewed shall be submitted through the City of Eastvale, unless otherwise directed by the City Engineer.
11. The applicant shall comply with all provisions and procedures of the Eastvale Building Department related to the plan check review process. (Please contact the Building Department at 951-361-0900.)
12. Prior to the issuance of any permit, or as otherwise allowed per Ordinance, the developer shall pay their Transportation Uniform Mitigation Fee (TUMF) and any Development Impact Fees (DIF) that are in effect at that time.
13. Prior to the issuance of a certificate of occupancy, the applicant shall have complied with all conditions of approval (dated June 20, 2012).
14. Prior to the issuance of a certificate of occupancy, all required landscape planting and irrigation shall have been installed consistent with the approved construction plans and shall be in a condition acceptable to the Planning Director. The plants shall be healthy and free of weeds, disease, or pests. The irrigation system shall be properly constructed and in good working order. The applicant shall contact the Planning Department to schedule the final inspection(s).

ATTACHMENT B

(Planning Commission Resolution)

PC RESOLUTION NO. 12-___

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EASTVALE, CALIFORNIA, APPROVING a CATEGORICAL EXEMPTION IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVING PLOT PLAN NO. 11-0424 FOR AN EXPANSION OF AN EXISTING GAS STATION LOCATED AT THE SOUTHWEST CORNER OF LIMONITE AND HAMNER AVENUES (APN: 164-040-007)

WHEREAS, an application for Plot Plan No. 11-0424 for the expansion of an existing gas station and a parking lot modification at an existing retail center located at the southwest corner of Limonite and Hamner avenues has been filed by Ralphs Grocery Company; and

WHEREAS, the proposed Plot Plan is considered a “Project” as defined by the California Environmental Quality Act, Public Resources Code Section 21000 et seq. (“CEQA”); and

WHEREAS, the Planning Commission determined that the Project qualifies for a Class 1 Categorical Exemption from environmental review pursuant to the California Environmental Quality Act Guidelines, Section 15301(e) (Existing Facilities); and

WHEREAS, the City of Eastvale Planning Department on June 9, 2012, published a legal notice in the Press Enterprise, a local paper of general circulation, indicating the date and time of the public hearing in compliance with state law concerning Plot Plan No. 11-0424, and mailed said public hearing notice to each property owner within a 300-foot radius of the project site in accordance with state law; and

WHEREAS, the City of Eastvale Planning Commission conducted a duly noticed public hearing on June 20, 2012, at which time they received public testimony concerning Plot Plan No. 11-0424 and considered the CEQA Categorical Exemption for the proposed project.

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

SECTION 1. ENVIROMENTAL FINDINGS

Pursuant to the California Environmental Quality Act, within the meaning of Public Resources Code Sections 21080(e) and 21082.2 within the record and/or provided at the public hearing, the Planning Commission hereby finds and determines as follows:

Finding: The project qualifies for a Class 1 Categorical Exemption from environmental review per the California Environmental Quality Act Guidelines, Section 15301(e) (Existing Facilities).

Evidence: The project is an expansion of an existing gas station to include two additional gas dispensers, construction of approximately 1,333 square feet of additional canopy coverage, and a parking lot modification. The parking lot modification involves the removal of a nine-space parking and landscape island to the west of the gas station and modification of several parking lanes and landscape planters throughout the existing center to replace the removal of nine parking spaces. Therefore, the project qualifies for a Class 1 Categorical Exemption because the proposed addition would not result in an increase of more than 50 percent of the floor area of the existing structure or a total of 2,500 square feet.

Compliance with Law: That the Categorical Exemption 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: That the Categorical Exemption reflects the independent judgment and analysis of the City of Eastvale.

No Significant Effect: That the Planning Commission finds there is no substantial evidence, in light of the whole record, from which it could be fairly argued that the project may have a significant effect on the environment.

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. PLOT PLAN FINDINGS

Pursuant to the Eastvale Zoning Code, and in light of the record before it, including the staff report dated June 20, 2012, and all evidence and testimony heard at the public hearing of this item, the Planning Commission hereby finds as follows:

Finding 1: The proposed use must conform to all the requirements of the Eastvale General Plan and Zoning Code.

Evidence: The proposed project is an expansion of an existing gas station at a retail center that conforms to the requirements of the General Plan in that the site has a land use designation of Commercial Retail (CR), which allows a variety of commercial retail uses. The project will not change the existing uses of the retail center. The project is also consistent with the requirements of the Zoning Code in that the project has been designed to meet and exceed the minimum development standards of the Commercial Retail (C-1/C-P) zoning district, including but not limited to parking and landscaping.

Finding 2: The overall development of the land shall be designed for the protection of the public health, safety, and general welfare.

Evidence: The proposed project is located in an area zoned for a commercial retail uses, including a variety of other commercial-related activities, including the existing gas station, which is being proposed for expansion to include two additional gas dispensers. Further, the project has been designed to meet the minimum development and engineering standards for the C-1/C-P zoning district, which are intended to protect the public health, safety, and welfare. The project also would not change the existing access into the retail center; therefore, it will not conflict with on-street vehicular traffic.

Finding 3: The overall development of the land shall be designed to conform to the logical development of the land and to compatible with the present and future logical development of the surrounding property.

Evidence: The proposed project involves the minor expansion to an existing gas station, which has been designed to conform to the logical development of an existing retail center and

compatible with the present and future development of the retail center and surrounding property. The project also involves modifications to the existing parking lot to improve customer access into the parking spaces. Additionally, the existing retail center has been designed to conform to the logical pattern of development as envisioned by the Eastvale General Plan.

Finding 4: The Plot Plan shall consider the location and need for dedication and improvement of necessary streets and sidewalks, including the avoidance of traffic congestion, and shall take into account topographical and drainage conditions, including the need for dedication and improvements of necessary structures.

Evidence: The project is located at the southwest corner of Limonite and Hamner avenues, and both roadways are fully dedicated and improved to provide adequate circulation to and from the site. The existing improvements on both roads include curb, gutter, and sidewalk. Both streets have also been designed to handle the type and quantity of vehicular traffic associated with the project proposal.

Finding 5: All plot plans which permit the construction of more than one structure on a single legally divided parcel shall, in addition to all other requirements, be subject to a condition which prohibits the sale of any existing or subsequently constructed structures on the parcel until the parcel is divided and a final map recorded in accordance with Ordinance No. 460 in such a manner that each building is located on a separate legally divided parcel.

Evidence: The project site is currently one parcel, and the proposed project does not involve any parcel subdivision.

SECTION 4. PLANNING COMMISSION ACTION

The Planning Commission hereby adopts PC Resolution No. 12-____ approving the California Environmental Quality Act Categorical Exemption for Plot Plan No. 11-0424 and approving Plot Plan No. 11-0424, subject to conditions attached hereto as Exhibit 1.

PASSED, APPROVED, AND ADOPTED this 20th day of June, 2012.

William Link, Chairperson
Eastvale Planning Commission

APPROVED AS TO FORM :

ATTEST:

John E. Cavanaugh
City Attorney

Ariel Berry
Deputy City Clerk

STATE OF CALIFORNIA
COUNTY OF RIVERSIDE
CITY OF EASTVALE

CERTIFICATION

I, Ariel Berry, Recording Secretary of the Planning Commission of the City of Eastvale, California, do hereby certify that the foregoing PC Resolution, No. 12-____, was duly adopted by the Planning Commission of the City of Eastvale, California, at a regular meeting thereof held on the 20th day of June, 2012, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ariel Berry, Recording Secretary
City of Eastvale, California

Exhibit 1

Conditions of Approval **(Included as Attachment A)**

ATTACHMENT C

(CEQA Categorical Exemption)

CITY OF EASTVALE, CA

NOTICE OF EXEMPTION

TO BE SENT TO:

County of Riverside County Clerk
P.O. Box 12004
Riverside, CA 92502

Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044

PROJECT CASE NO: Plot Plot No. 11-0424

PROJECT APPLICANT/SPONSOR: Ralphs Grocery Company; Jeffery Olsen, (310) 909-3392

PROJECT LOCATION: 12660 Limonite Avenue, Eastvale, CA 92880

APN(s): 164-040-007

PROJECT DESCRIPTION: The proposed project requires an approved plot plan to expand an existing Ralphs gas station to include two additional gas pumps, increased canopy size, the relocation of an existing air and water station, and the elimination of an existing parking lot aisle west of the gas station.

The project or activity identified above is determined to be exempt from further environmental review requirements contained in the California Environmental Quality Act (CEQA).

EXEMPTION STATUS:

- Ministerial (*Sec. 21080(b)(1); Sec. 15268*)
- Declared Emergency (*Sec. 21080(b)(3); Sec. 15269(a)*)
- Statutory Exemption (*Sec.*)
- ✓ **Categorical Exemption Class 1 (*Sec. 15301(e) Existing Facilities*)**
- Other: (*Sec.*)

FACTS TO SUPPORT EXEMPTION FINDINGS: The project is an expansion of an existing gas station to include two additional gas dispensers, construction of approximately 1,333 square feet of additional canopy coverage, and a parking lot modification. The parking lot modification involves the removal of a nine-space parking and landscape island to the west of the gas station and modification of several parking lanes and landscape planters throughout the existing center to replace the removal of nine parking spaces. Therefore, the project qualifies for a Class 1 Categorical Exemption because the proposed addition would not result in an increase of more than 50 percent of the floor area of the existing structure or a total of 2,500 square feet.

LEAD AGENCY CONTACT:

PHONE NUMBER: (951) 361-0900

CITY OF EASTVALE PLANNING DEPARTMENT
Eric Norris, Planning Director

ATTACHMENT D

Development Plans

SHEET INDEX			
M1	MASTER SITE PLAN	A1	EXTERIOR ELEVATIONS
C1	SITE PLAN	L1	CONCEPTUAL LANDSCAPE PLAN
C2	CONCEPTUAL GRADING PLAN	L2	PROPOSED MASTER LANDSCAPE PLAN



CLIENT:
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 • Engineering
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 • Project Management
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Kroger Co.
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 Fax: (816) 715-5905

NO.	DATE	REVISION DESCRIPTION
1	03/09/12	PLANNING COMMENTS
2	05/15/12	PLANNING COMMENTS

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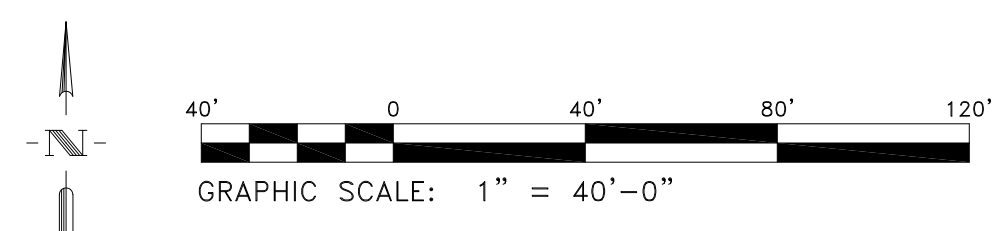
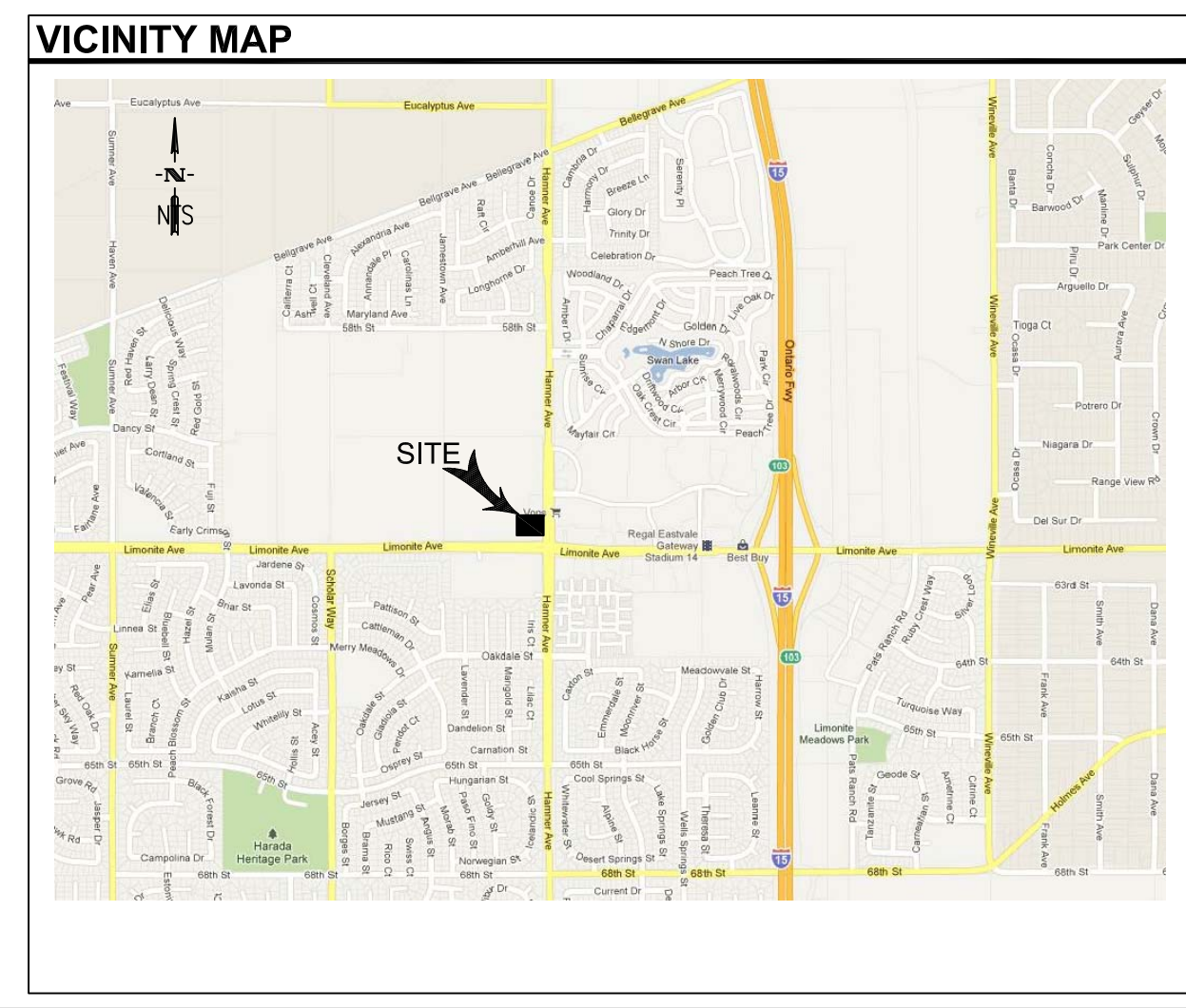
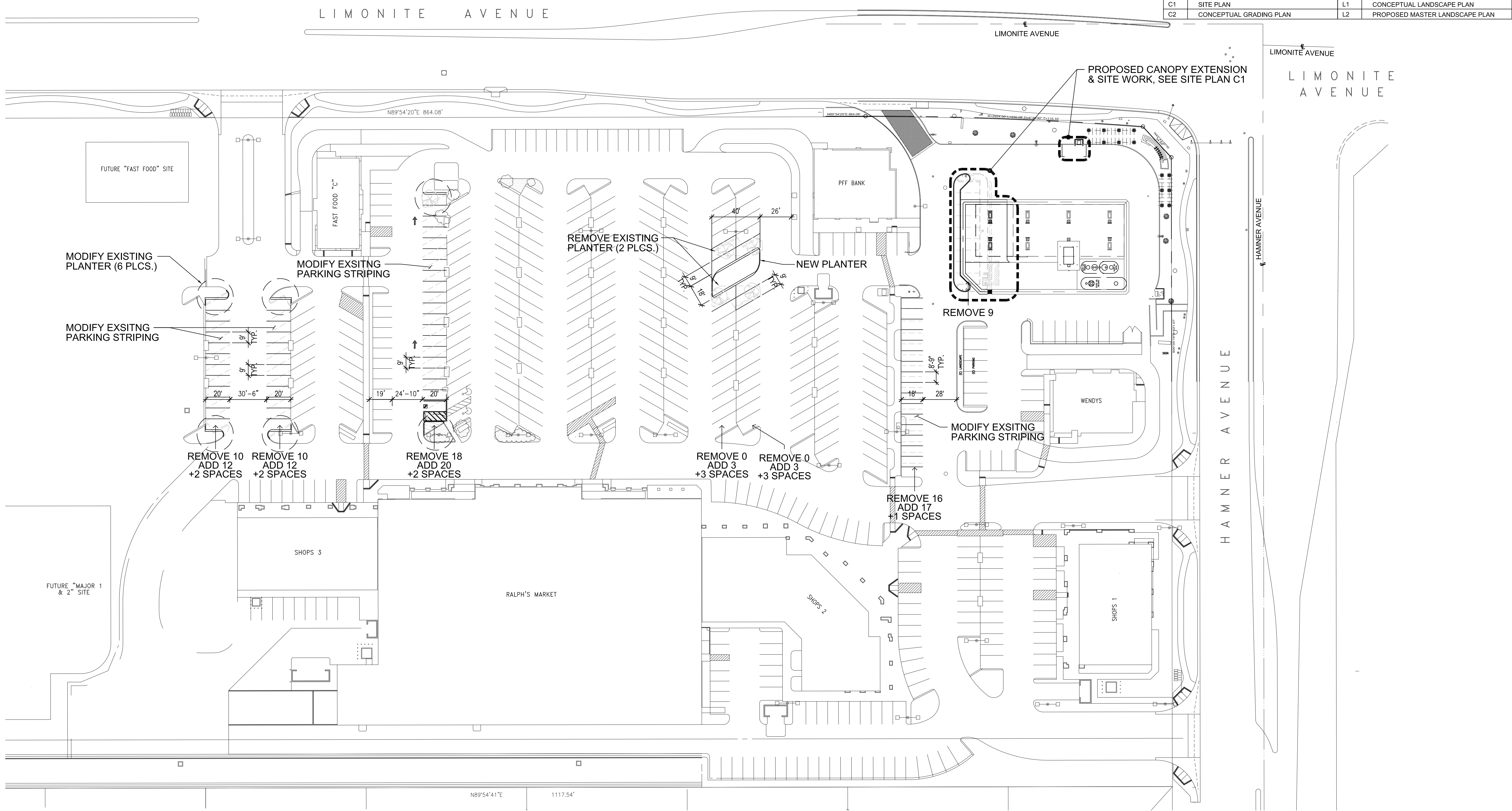
DEVELOPMENT INFORMATION:
RALPHS #45
CANOPY EXTENSION

SITE ADDRESS:
 12660 LIMONITE AVE.
 @ HAMNER AVE.
 EASTVALE, CA

DESIGNED BY: MM FG PM: KJE
 CHECKED BY: CL MEP PM:
 DRAWN BY: MM CONSULTANT PM:
 DATE: 11/16/2011 PROJECT NO: 13336

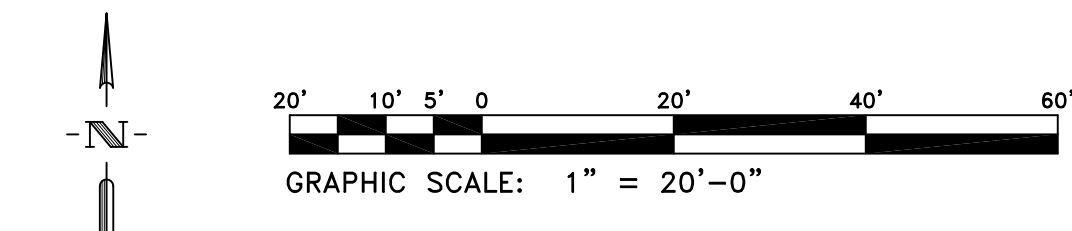
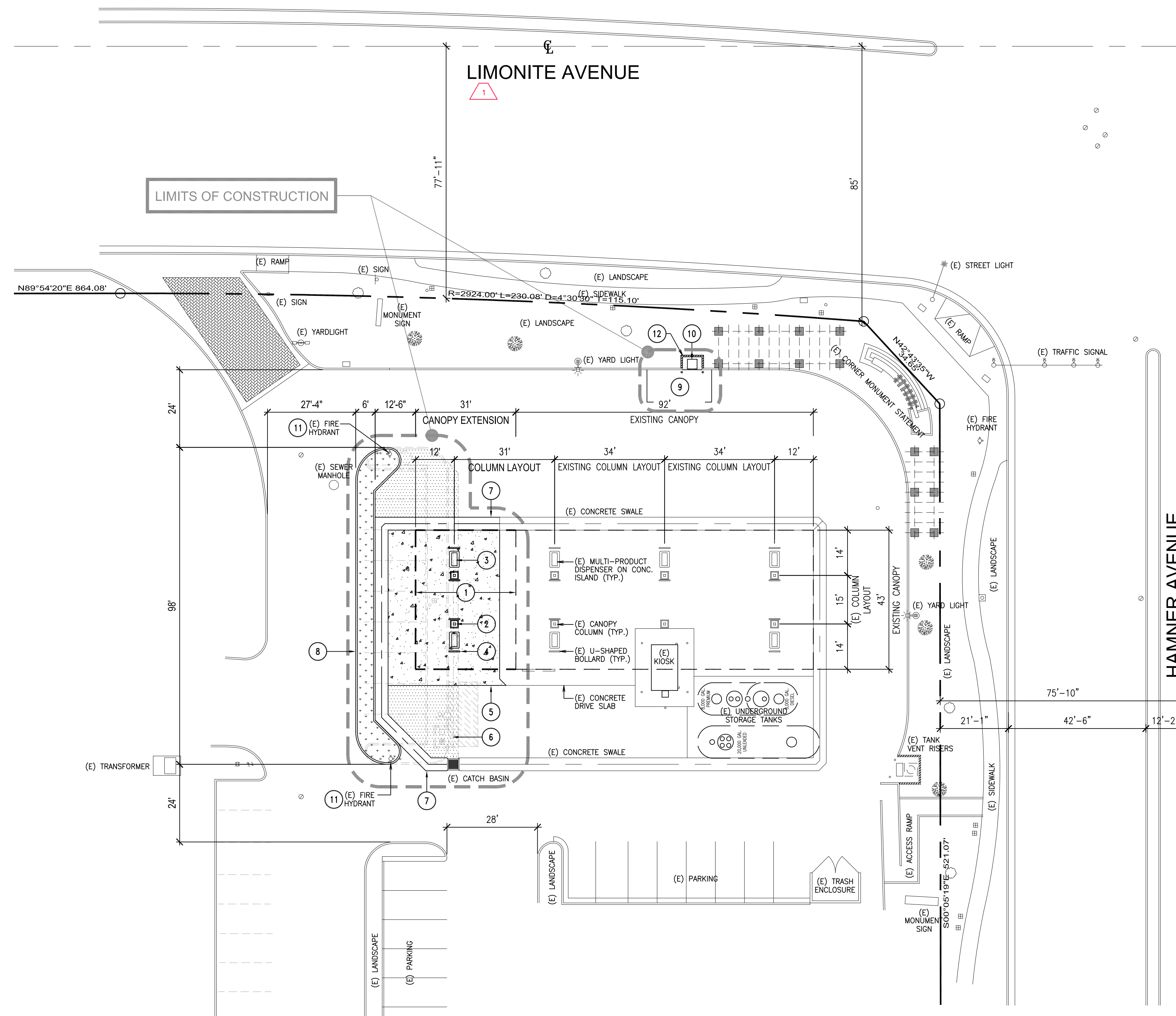
DRAWING TITLE:
MASTER SITE PLAN

SHEET NO:
M1



SITE INFORMATION				
AREA OF PROPERTY	AREA			
LEASE AREA	22,662± SQ. FT.			
UNBUILDABLE AREA, DEDICATIONS, EASEMENTS, RIGHT OF WAY	0 SQ. FT.			
NET BUILDABLE AREA	22,662± SQ. FT.			
ZONING	C1			
EXISTING ZONING	C1			
PROPOSED ZONING	C1			
ASSESSORS PARCEL NUMBER	164-040-005			
DESCRIPTION	SIZE	OCCUPANCY	CONS. TYPE	AREA
KIOSK	EXISTING	M	V	116 SQ. FT.
CANOPY	EXISTING	M	II-N	3,956 SQ. FT.
CANOPY	EXTENSION	M	II-N	1,333 SQ. FT.
TOTAL BUILDING AREA: 5,405 SQ. FT.				
% OF LOT COVERAGE (EXCLUDING CANOPY)	BUILDING AREA	116 SQ. FT.	= 0.5%	
	NET BUILDABLE AREA	22,662± SQ. FT.		
DESCRIPTION	AREA			
TOTAL CENTER AREA:	619,575 SQ. FT.			
TOTAL EXISTING LANDSCAPE AREA:	79,998 SQ. FT.			
LANDSCAPE TO BE REMOVED:	-1,818 SQ. FT.			
NEW LANDSCAPE:	1,395 SQ. FT.			
TOTAL LANDSCAPE:	79,575 SQ. FT.			
TOTAL LANDSCAPE RATIO:	12.9 %			

DESCRIPTION (PROVIDED PARKING)	SIZE	PROVIDED
EXISTING SITE PARKING TO BE REMOVED	EXISTING	-9
NEW PARKING SPACES ADDED AFTER PARKING/PLANTER MODIFICATIONS	SEE PLAN	13
TOTAL ADDITIONAL PARKING SPACES PROVIDED:		4 SPACE(S)



CONSTRUCTION NOTES

- 1 NEW CANOPY EXTENSION
- 2 NEW CANOPY COLUMN
- 3 NEW MULTI-PRODUCT DISPENSER ON CONCRETE ISLAND
- 4 NEW U-SHAPED BOLLARD
- 5 NEW CONCRETE DRIVE SLAB
- 6 REMOVE EXISTING PLANTER, CONCRETE SWALE, AIR/WATER UNIT, YARD LIGHT, PAY PHONE, PARKING STRIPING, AND GUARD POST.
- 7 NEW CONCRETE SWALE
- 8 NEW PLANTER
- 9 NEW PARKING STRIPING
- 10 NEW LOCATION OF EXISTING AIR/WATER UNIT
- 11 EXISTING FIRE HYDRANT AND PROTECTING GUARD POST TO REMAIN
- 12 NEW RETAINING CURB (18" MAX. HT.)

NOTE:
SEE MASTER SITE PLAN SHEET M1 FOR PARKING MODIFICATIONS



INFORMATION PROVIDED BY:
fiedlergroup

- Architecture
- Engineering
- Planning
- Project Management

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Kroger
The Kroger Co.
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NO.	DATE	REVISION DESCRIPTION
1	03/09/12	PLANNING COMMENTS
2	05/15/12	LANDSCAPE

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DEVELOPMENT INFORMATION:
RALPHS #45
CANOPY EXTENSION

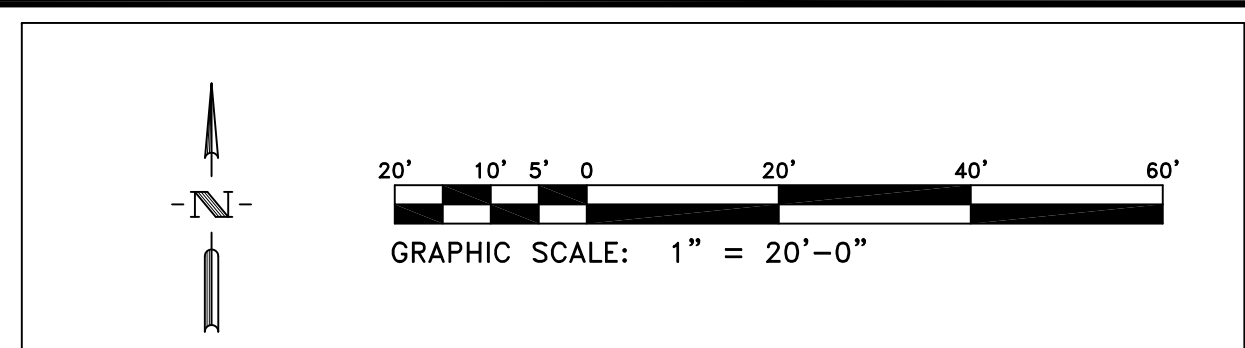
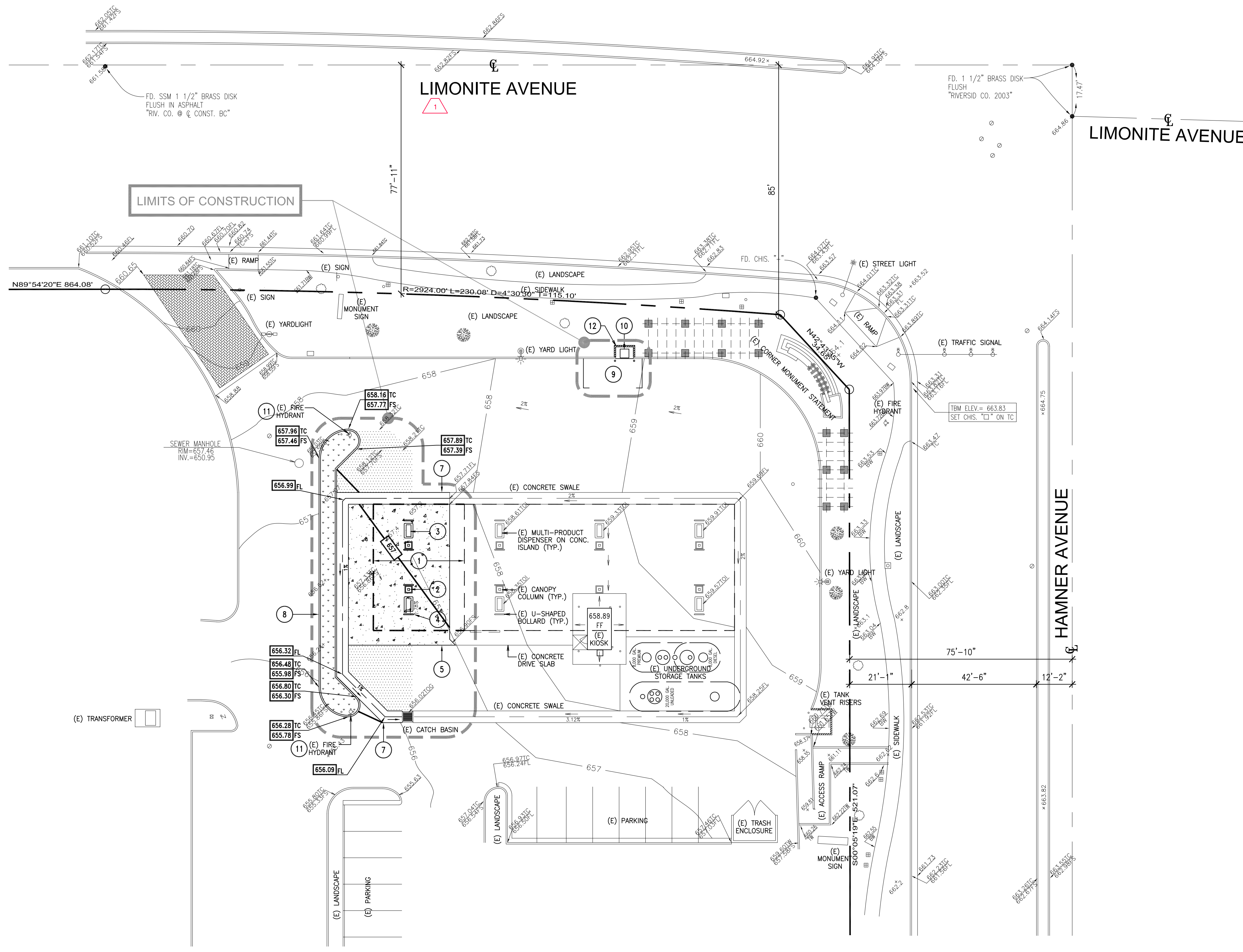
SITE ADDRESS:
12660 LIMONITE AVE.
@ HAMNER AVE.
EASTVALE, CA

DESIGNED BY: MM	FG PM: KJE
CHECKED BY: CL	MEP PM:
DRAWN BY: MM	CONSULTANT PM:
DATE: 11/16/2011	PROJECT NO: 13336

DRAWING TITLE:
SITE PLAN

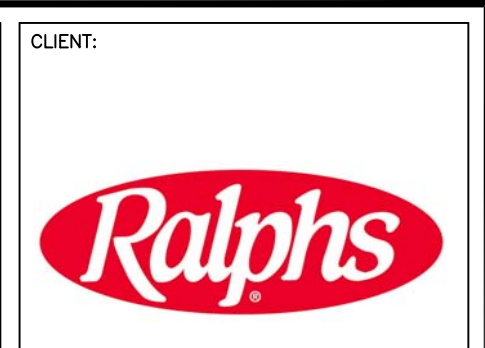
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C1

Project: 13336.dwg Date: 11/16/2011 10:23:00 AM P:\Projects\13336.dwg



- ### CONSTRUCTION NOTES
- NEW CANOPY EXTENSION
 - NEW CANOPY COLUMN
 - NEW MULTI-PRODUCT DISPENSER ON CONCRETE ISLAND
 - NEW U-SHAPED BOLLARD
 - NEW CONCRETE DRIVE SLAB
 - NOT USED
 - NEW CONCRETE SWALE
 - NEW PLANTER
 - NEW PARKING STRIPING
 - NEW LOCATION OF EXISTING AIR/WATER UNIT
 - EXISTING FIRE HYDRANT AND PROTECTING GUARD POST TO REMAIN
 - NEW RETAINING CURB (18" MAX. HT.)
- NOTE:
SEE MASTER SITE PLAN SHEET M1 FOR PARKING MODIFICATIONS

- ### LEGEND
- | | | | |
|--|------------------------|--|------------------|
| | NEW CONCRETE PAVING | | PROPOSED GRADE |
| | NEW LANDSCAPE | | EXISTING GRADE |
| | NEW A.C. PAVING | | PROPOSED CONTOUR |
| | SURFACE FLOW DIRECTION | | EXISTING CONTOUR |



INFORMATION PROVIDED BY:
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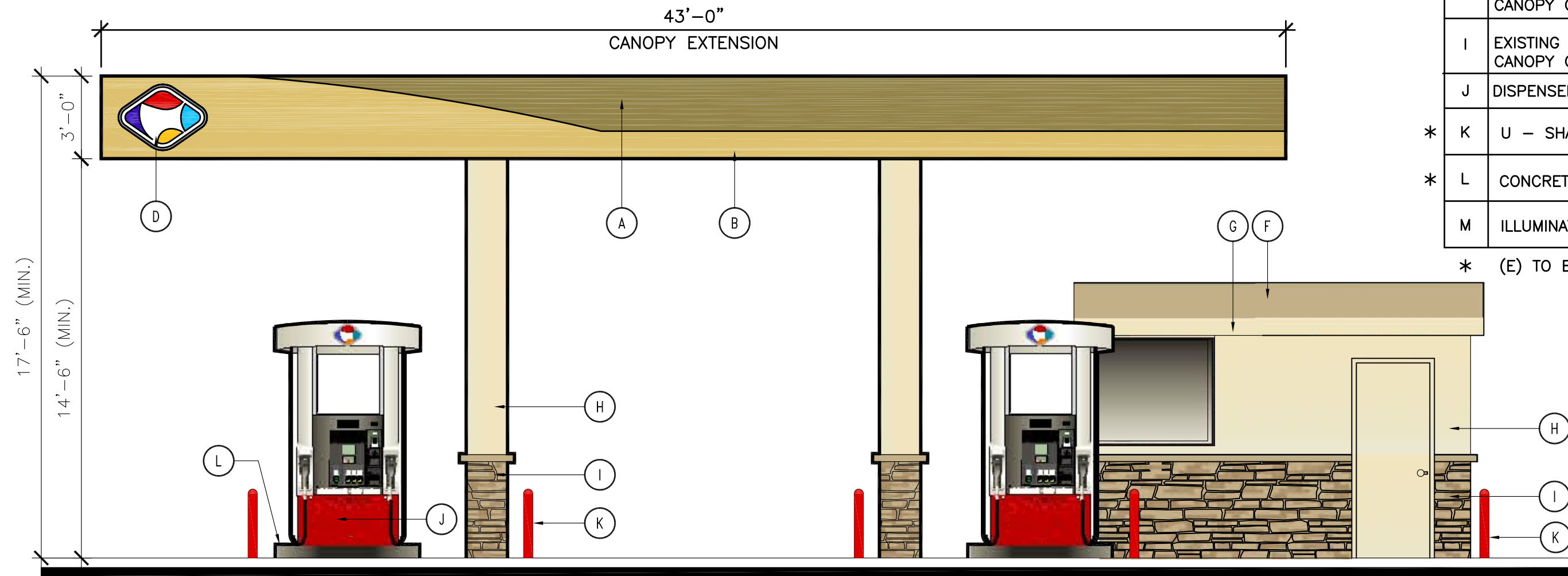
SITE ADDRESS:
 12660 LIMONITE AVE.
 @ HAMNER AVE.
 EASTVALE, CA

DESIGNED BY: MM	FG PM: KJE
CHECKED BY: CL	MEP PM:
DRAWN BY: MM	CONSULTANT PM:
DATE: 11/23/2011	PROJECT NO: 13336

DRAWING TITLE:
CONCEPTUAL GRADING PLAN

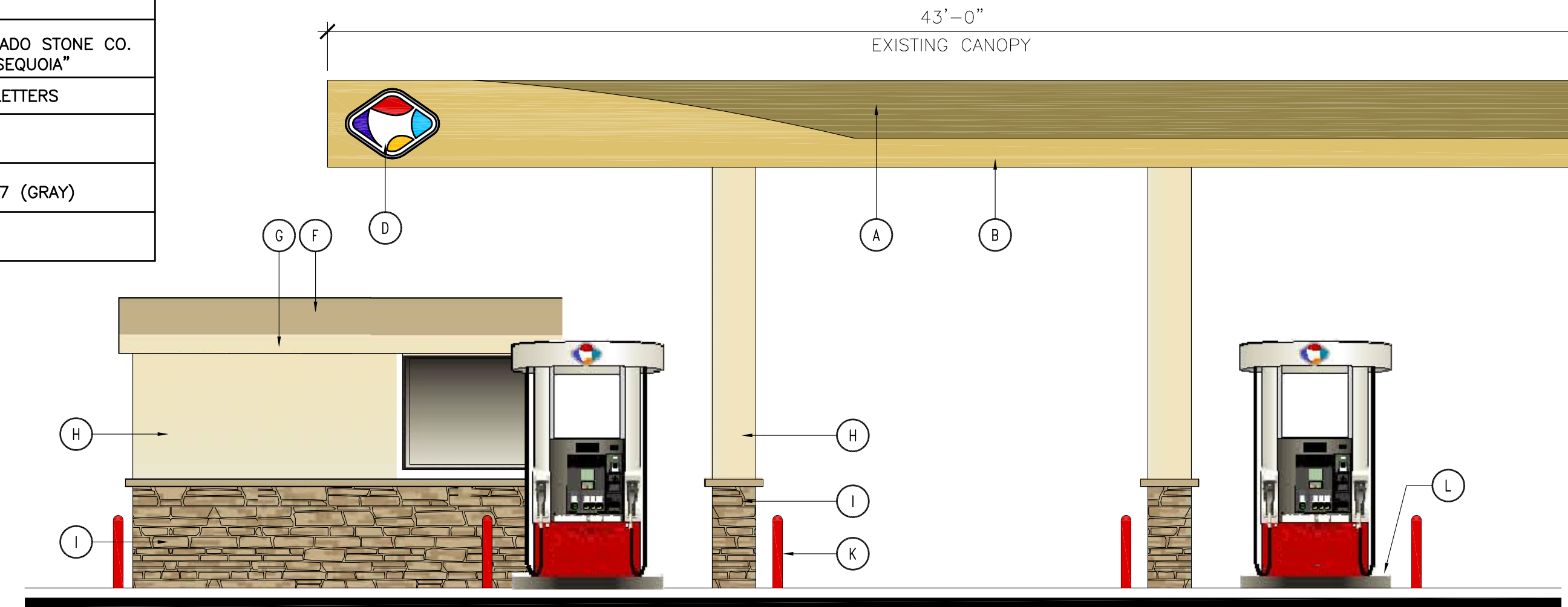
SHEET NO:
C2

LEGEND ○		
ITEM	DESCRIPTION	COLOR
* A	CANOPY FASCIA	#89 SANDSTONE
* B	CANOPY FASCIA	CRY CREAM
C	(E) PRICE SIGN TO BE RELOCATED TO NEW LOCATION SHOWN	
D	ILLUMINATED LOGO SIGN	
E	PRICE SIGN	
* F	KIOSK FASCIA	#89 SANDSTONE
* G	KIOSK FASCIA	CRY CREAM
* H	KIOSK CANOPY COLUMN & BLDG. & DOOR	CRY CREAM
I	EXISTING STONE VENEER CANOPY COLUMN & BLDG. BASE	EXISTING EL DORADO STONE CO. "RUSTIC LEDGE-SEQUOIA"
J	DISPENSER DOOR GRAPHIC	RED W/ WHITE LETTERS
* K	U - SHAPED BOLLARD	SAFTY RED
* L	CONCRETE DISPENSER ISLAND	GRAPHITE SW4017 (GRAY)
M	ILLUMINATED CHANNEL LETTERS	
* (E) TO BE PAINTED		



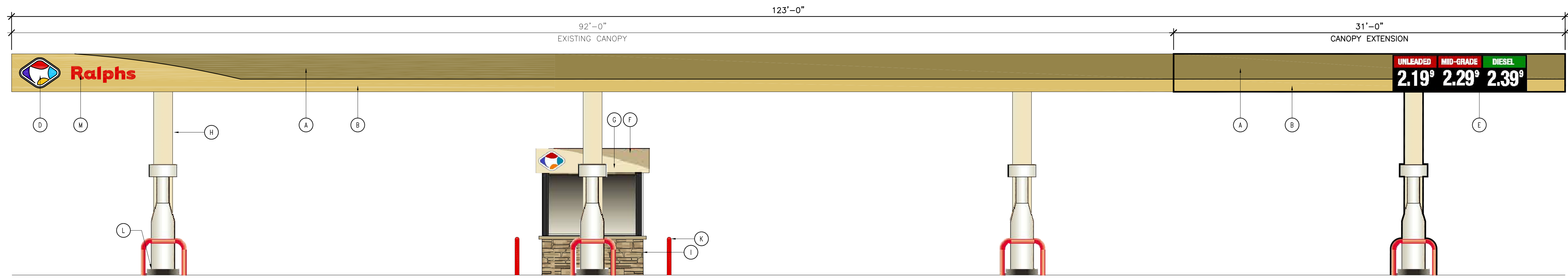
EAST ELEVATION

1/4" = 1'-0"



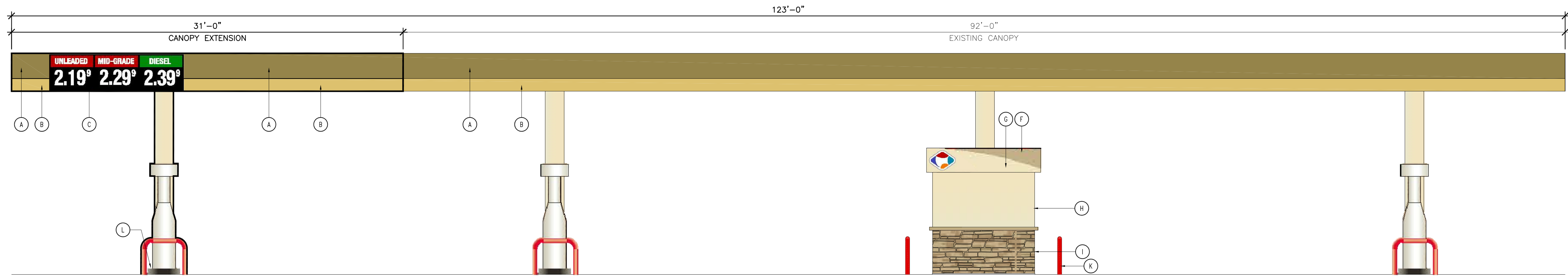
WEST ELEVATION

1/4" = 1'-0"



NORTH ELEVATION

1/4" = 1'-0"



SOUTH ELEVATION

1/4" = 1'-0"

CLIENT:



INFORMATION PROVIDED BY:

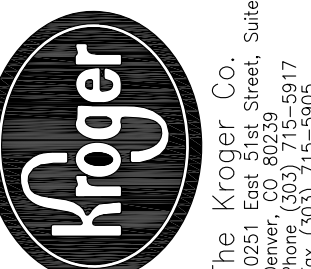


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NO. DATE REVISION DESCRIPTION

1 04/02/12 GENERAL REVISION

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DEVELOPMENT INFORMATION:

RALPHS #45
CANOPY EXTENSION

SITE ADDRESS:

12660 LIMONITE AVE.
@ HAMNER AVE.
EASTVALE, CA

DESIGNED BY: MM FG PM: KJE

CHECKED BY: CL MEP PM:

DRAWN BY: MM CONSULTANT PM:

DATE: 11/16/2011 PROJECT NO: 13336

DRAWING TITLE:

EXTERIOR
ELEVATIONS

SHEET NO:

A1

CLIENT:



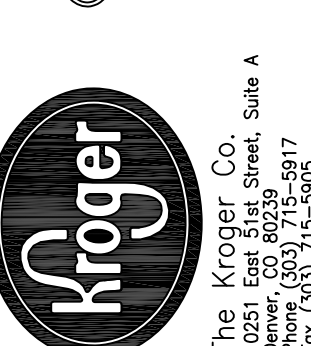
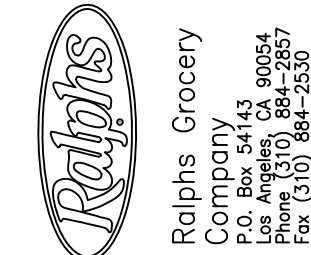
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OWNER:



NO.	DATE	REVISION DESCRIPTION
1	03/09/12	PLANNING COMMENT
2	05/15/12	PLANNING COMMENT

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DEVELOPMENT INFORMATION:

RALPHS #45
 CANOPY EXTENSION

SITE ADDRESS:
 12660 LIMONITE AVE.
 @ HAMNER AVE.
 EASTVALE, CA

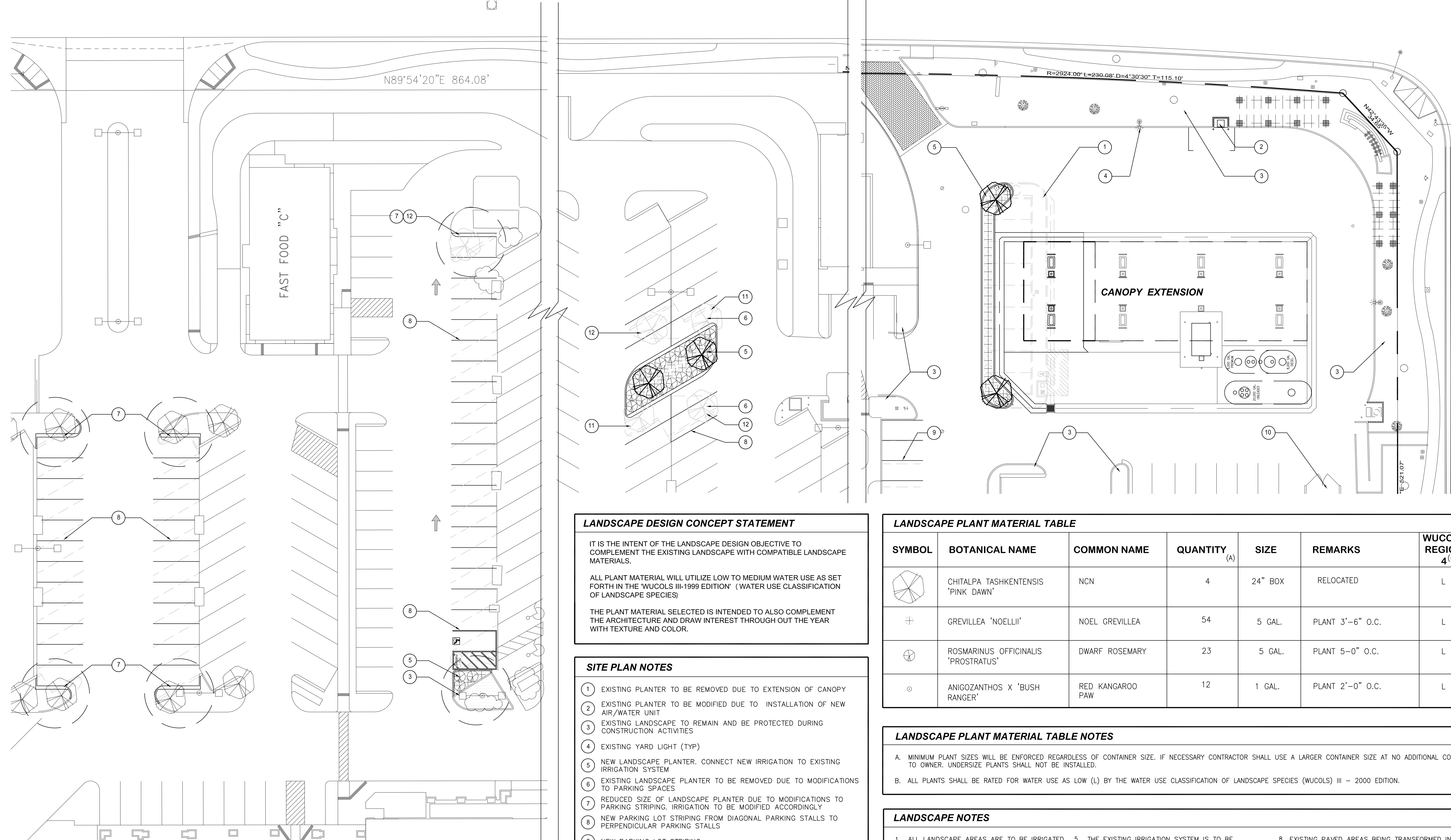
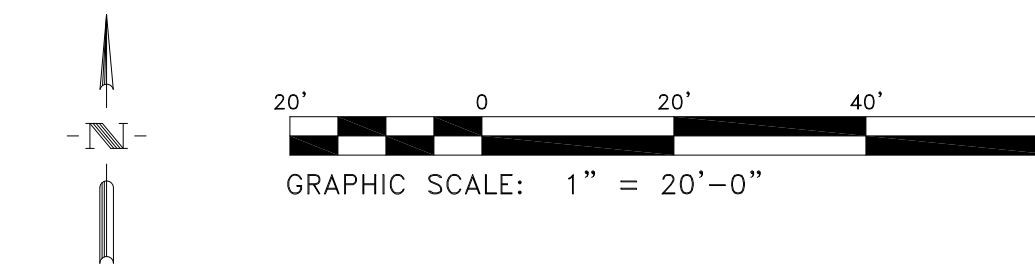
DESIGNED BY: PAF FG PM: KJE
 CHECKED BY: MEP PM:
 DRAWN BY: PAF CONSULTANT PM:
 DATE: 11/28/2011 PROJECT NO: 13336

DRAWING TITLE:
**CONCEPTUAL
 LANDSCAPE PLAN**

SHEET NO:

L1

LIMONITE AVENUE



LANDSCAPE DESIGN CONCEPT STATEMENT

IT IS THE INTENT OF THE LANDSCAPE DESIGN OBJECTIVE TO COMPLEMENT THE EXISTING LANDSCAPE WITH COMPATIBLE LANDSCAPE MATERIALS.

ALL PLANT MATERIAL WILL UTILIZE LOW TO MEDIUM WATER USE AS SET FORTH IN THE 'WUCOLS III-1999 EDITION' (WATER USE CLASSIFICATION OF LANDSCAPE SPECIES)

THE PLANT MATERIAL SELECTED IS INTENDED TO ALSO COMPLEMENT THE ARCHITECTURE AND DRAW INTEREST THROUGH OUT THE YEAR WITH TEXTURE AND COLOR.

- SITE PLAN NOTES**
- EXISTING PLANTER TO BE REMOVED DUE TO EXTENSION OF CANOPY
 - EXISTING PLANTER TO BE MODIFIED DUE TO INSTALLATION OF NEW AIR/WATER UNIT
 - EXISTING LANDSCAPE TO REMAIN AND BE PROTECTED DURING CONSTRUCTION ACTIVITIES
 - EXISTING YARD LIGHT (TYP)
 - NEW LANDSCAPE PLANTER. CONNECT NEW IRRIGATION TO EXISTING IRRIGATION SYSTEM
 - EXISTING LANDSCAPE PLANTER TO BE REMOVED DUE TO MODIFICATIONS TO PARKING SPACES
 - REDUCED SIZE OF LANDSCAPE PLANTER DUE TO MODIFICATIONS TO PARKING STRIPING. IRRIGATION TO BE MODIFIED ACCORDINGLY
 - NEW PARKING LOT STRIPING FROM DIAGONAL PARKING STALLS TO PERPENDICULAR PARKING STALLS
 - NEW PARKING LOT STRIPING
 - EXISTING TRASH ENCLOSURE
 - RELOCATE EXISTING TREE
 - REMOVE EXISTING TREE

LANDSCAPE PLANT MATERIAL TABLE

SYMBOL	BOTANICAL NAME	COMMON NAME	QUANTITY (A)	SIZE	REMARKS	WUCOLS REGION 4(B)
	CHITALPA TASHKENTENSIS 'PINK DAWN'	NCN	4	24" BOX	RELOCATED	L
	GREVILLEA 'NOELLII'	NOEL GREVILLEA	54	5 GAL.	PLANT 3'-6" O.C.	L
	ROSMARINUS OFFICINALIS 'PROSTRATUS'	DWARF ROSEMARY	23	5 GAL.	PLANT 5-0" O.C.	L
	ANIGOZANTHOS X 'BUSH RANGER'	RED KANGAROO PAW	12	1 GAL.	PLANT 2'-0" O.C.	L

LANDSCAPE PLANT MATERIAL TABLE NOTES

A. MINIMUM PLANT SIZES WILL BE ENFORCED REGARDLESS OF CONTAINER SIZE. IF NECESSARY CONTRACTOR SHALL USE A LARGER CONTAINER SIZE AT NO ADDITIONAL COST TO OWNER. UNDERSIZE PLANTS SHALL NOT BE INSTALLED.

B. ALL PLANTS SHALL BE RATED FOR WATER USE AS LOW (L) BY THE WATER USE CLASSIFICATION OF LANDSCAPE SPECIES (WUCOLS) III - 2000 EDITION.

- LANDSCAPE NOTES**
- ALL LANDSCAPE AREAS ARE TO BE IRRIGATED BY THE EXISTING AUTOMATED IRRIGATION SYSTEM.
 - ALL PLANTING AREAS ARE TO BE VERIFIED IN THE FIELD PRIOR TO INSTALLATION OF THE LANDSCAPE AND IRRIGATION.
 - PLANT COUNT TOTALS ARE FOR CONTRACTOR CONVENIENCE ONLY. CONTRACTOR IS RESPONSIBLE FOR ACCURATE PLANT COUNT TOTALS
 - ALL EXISTING PLANTING AREAS SHOWN ON THE PLAN TO REMAIN ARE TO BE PROTECTED DURING CONSTRUCTION ACTIVITIES.
 - THE EXISTING IRRIGATION SYSTEM IS TO BE REPAIRED / MODIFIED AS NEEDED TO IRRIGATE THE NEW PLANT MATERIAL WITH POP-UP SPRAY IRRIGATION HEADS.
 - GRADES IN ALL PLANTER AREAS SHALL SLOPE AT MIN. OF 2%. NO STANDING WATER SHALL BE PERMITTED. MAXIMUM GRADE DIFFERENCE OF 2" SHALL BE ALLOWED BETWEEN THE TOP OF CURB AND THE FINISH GRADE IN ALL PLANTERS.
 - THE TOP 12 INCHES OF SOIL IN ALL PLANTERS SHALL BE FREE OF ROCKS, CONCRETE, AND FOREIGN MATERIAL LARGER THAN 2 INCHES IN DIAMETER.
 - EXISTING PAVED AREAS BEING TRANSFORMED INTO NEW PLANTING BEDS SHALL HAVE THE SUB-GRADE REMOVED TO A MIN. DEPTH OF 12" AND DISCARDED OFF-SITE. NEW TOPSOIL APPROVED BY THE LANDSCAPE ARCHITECT SHALL BE IMPORTED AND INSTALLED TO A DEPTH OF 12" AND UNIFORMLY SPREAD THROUGHOUT THE PLANTER. PREPARE THE SOILS PER SOIL'S REPORT.
 - ALL NEW PLANTING AREAS REQUIRE SOIL AMENDING AND FERTILIZER APPLICATIONS.
 - INSTALL 3" DEEP MINIMUM LAYER OF DECORATIVE BARK MULCH IN-BETWEEN ALL SHRUBS AND GROUND COVER PLANT MATERIAL.

ADDITIONAL NOTES:
 REFER TO SHEET 'L2 - PROPOSED MASTER LANDSCAPE PLAN' FOR COMPLETE LANDSCAPE PLAN
 REFER TO SHEET 'MI - MASTER SITE PLAN' FOR COMPLETE SITE MASTER PLAN
 REFER TO CIVIL SITE PLAN - SHEET C1 FOR ADDITIONAL INFORMATION PERTAINING TO THE SITE DEVELOPMENT

CLIENT:



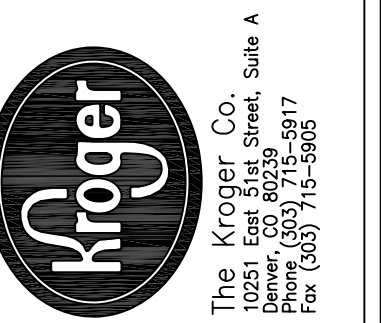
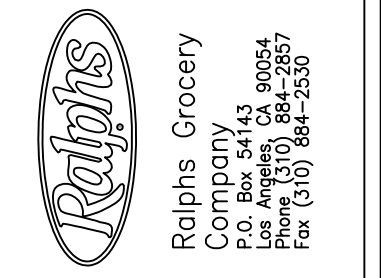
INFORMATION PROVIDED BY:



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NO.	DATE	REVISION DESCRIPTION

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DEVELOPMENT INFORMATION:
RALPHS #45
CANOPY EXTENSION

SITE ADDRESS:
12660 LIMONITE AVE.
@ HAMMER AVE.
EASTVALE, CA

DESIGNED BY: PAF
CHECKED BY: PAF
DRAWN BY: AFIRST
DATE: 05/14/2012

FG PM: KJE
MEP PM:
CONSULTANT PM:
PROJECT NO: 13336

DRAWING TITLE:
PROPOSED MASTER LANDSCAPE PLAN

SHEET NO:

L2



TREE LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE/COMMENTS
(+)	CHITALPA TASHKENTENSIS 'PINK DAWN'	NON	24" BOX STANDARD
(⊕)	KOELREUTERIA BIPINNATA	CHINESE FLAME TREE	24" BOX STANDARD
(Δ)	PINUS HALEPENSIS	ALEPPO PINE	24" BOX STANDARD
(●)	ULMUS P. TURE GREEN	EVERGREEN ELM	24" BOX STANDARD

SHRUB LEGEND

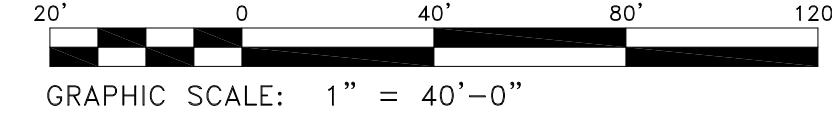
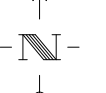
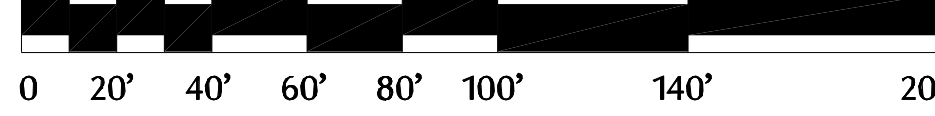
SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE/COMMENTS
(CAL HAE) ⊖	CALLANDRA HAEMATOCEPHALA	PINK POWDER PUFF	5 GAL PER PLAN
(GRE NOE) ⊕	GREVILLEA 'NOELLI'	NON	5 GAL SPACED 36" O.C.
(LEU FRU) ⊖	LEUCOPYLLUM FRUTESCENS 'COMPACTUM'	TEXAS RANGER	5 GAL SPACED 42" O.C.
(MAC UNG) ⊖	MACADAYENA UNGUIS-CATI	CAT'S CLAW	5 GAL PER PLAN (PIN TO WALL)
(ROS OFF) ⊖	ROSMARINUS OFFICINALIS 'IRENE'	ROSEMARY	1 GAL SPACED 24" O.C.
(SAL CHA) ⊖	SALVIA CHAMAEDRYOIDES	GERMANDER SAGE	5 GAL SPACED 24" O.C.
(SAL LEU) ⊖	SALVIA LEUCANTHA	MEXICAN BUSH SAGE	5 GAL SPACED 42" O.C.
(VIB TIN) ⊖	VIBURNUM T. 'SPRING BOUQUET'	LAURUSTINUS	5 GAL SPACED 36" O.C.

GROUNDCOVER LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE/COMMENTS
(diagonal lines)	LANTANA 'SPREADING SUNSET'	LANTANA	36" O.C.
(grid pattern)	LONICERA JAPONICA 'HALLIANA'	HALL'S HONEYSUCKLE	24" O.C.
(stippled)	POROUS CONCRETE	-	3" DEEP, SEE DETAIL 4/L-8
(cross-hatch)	WOOD MULCH	-	3" DEEP

EXISTING LANDSCAPE TO REMAIN UNLESS NOTED ON SHEET L1 (CONCEPTUAL LANDSCAPE PLAN)

SCALE: 1" = 40'-0"



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