

# Planning Commission



## Agenda Packet

February 4, 2015



# AGENDA



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

## **AGENDA**

### **REGULAR MEETING OF THE PLANNING COMMISSION OF THE CITY OF EASTVALE**

**Wednesday, February 4, 2015**

**6:00 p.m.**

**Rosa Parks Elementary School, 13830 Whispering Hills Drive**

**1. CALL TO ORDER – 6:00 p.m.**

**2. ROLL CALL/PLEDGE OF ALLEGIANCE**

Commissioners – Bill Van Leeuwen, Larry Oblea, Karen Patel, Howard Feng

Chair – VACANT

Vice Chair – Daryl Charlson

**3. REORGANIZATION OF THE PLANNING COMMISSION/SELECTION OF  
NEW CHAIR AND VICE CHAIR FOR 2015**

Per Section 2.2 of the Planning Commission Bylaws, the Commission will select a Chair and Vice Chair to preside over the Planning Commission meetings in 2015.

**4. ADDITIONS/DELETIONS TO THE AGENDA**

**5. PRESENTATIONS/ANNOUNCEMENTS – None**

**6. PUBLIC COMMENT/CITIZEN PARTICIPATION**

*This is the time when any member of the public may bring a matter to the attention of the Planning 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 City Clerk prior to being heard. Public comment is limited to two (2) minutes each, with a maximum of six (6) minutes.*

## 7. 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.*

### 7.1. Minutes

**RECOMMENDATION:** Approve the minutes from the January 21, 2015, regular meeting of the Planning Commission.

## 8. PUBLIC HEARINGS

8.1 **PROJECT NO. 14-2683** – General Plan Amendment and Change of Zone from Commercial Retail to Highest Density Residential of an approximately 7-acre site located on the northeast corner of Limonite Avenue and Sumner Avenue. Applicant is William Lyon Homes. *(Continued from Planning Commission meetings on November 19, 2014 and January 21, 2015)*

**RECOMMENDATION:** Staff recommends that the Planning Commission forward a recommendation to the City Council to take the following actions:

1. Deny a General Plan Amendment from Commercial Retail (CR) to Highest Density Residential (HHDR).
2. Deny a Change of Zone from Scenic Highway Commercial (C-P-S) to General Residential (R-3)

8.2 **ZONING CODE AMENDMENT FOR ELECTRONIC MESSAGE BOARD SIGNS** – Proposed regulations for electronic message signs to be placed at schools, parks, and other locations.

**RECOMMENDATION:** Staff recommends that the Planning Commission review staff's analysis and the proposed regulations for electronic message board signs at schools, parks, and other locations, and make a recommendation to the City Council.

## 9. 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.*

**10. CITY STAFF REPORT**

**11. ADJOURNMENT**

*The next regular meeting of the Planning Commission will be held on **February 18, 2015**, at 6:00 p.m. at Rosa Parks Elementary School.*

*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 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.*

**POSTING STATEMENT**

I, Marc Donohue, City Clerk, or my designee, hereby certify that a true and correct, accurate copy of the foregoing agenda was posted on January 29, 2015, seventy-two (72) hours prior to the meeting per Government Code 54954.2, at the following locations:

City Hall, 12363 Limonite Avenue, Suite 910  
Rosa Parks Elementary School, 13830 Whispering Hills Drive  
Eastvale Library, Roosevelt High School, 7447 Cleveland Avenue  
City of Eastvale website: [www.eastvaleca.gov](http://www.eastvaleca.gov)



## **3.0 REORGANIZATION OF THE PLANNING COMMISSION**





**MEMORANDUM**

**DATE: FEBRUARY 4, 2015**

**TO: PLANNING COMMISSION**

**FROM: ERIC NORRIS, PLANNING DIRECTOR**

**SUBJECT: REORGANIZATION OF THE PLANNING COMMISSION**

---

The Bylaws of the Planning Commission require that the Commission each year select a Chair and Vice Chair to preside over the meetings. The Bylaws include this requirement:

2.2 *The Chairperson and the Vice-Chairperson shall be elected by a majority of the Planning Commission annually, to serve at the pleasure of the Commission. Selections shall coincide with City Council's selection of the Mayor and Mayor Pro Tem.*

Beyond the requirements of Section 2.2, the Bylaws do not provide additional information or requirements on how the Chair and Vice Chair are to be selected.

As the Commission is aware, Chairman Fred Valentine's term expired as a Planning Commissioner; he is, therefore, no longer a member of the Planning Commission. The current Vice Chair will serve as Chair for this selection process. Staff suggests that the process include:

- Vice Chair Charlson (serving as Chair due to the vacancy created by Mr. Valentine's term expiration) requesting nominations (by motion and second) of a Chair to serve for 2015.
- Voting on the motion for the Chair.
- Repeat this process for Vice Chair, with the new Chair presiding over the discussion and vote.

This process is traditionally used by City Councils and City Commissions.

Following the completion of the selection process, the new Chair will preside over the remainder of the Planning Commission meeting.



**7.1 MINUTES**



**MINUTES**  
**REGULAR MEETING OF THE PLANNING COMMISSION**  
**OF THE CITY OF EASTVALE**  
**Wednesday, January 21, 2015**  
**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**

Commissioners present: Commissioners Van Leeuwen, Oblea, Patel, and Vice Chair Charlson

Staff Members present: City Attorney Cavanaugh, Planning Director Norris, Planner Aguilo, Deputy City Engineer Indrawan, Assistant Planner Aguilo, and Recording Secretary Wuence.

The Pledge of Allegiance was led by Commissioner Oblea.

**3. ADDITIONS/DELETIONS TO THE AGENDA**

There were no additions or deletions to the agenda.

**4. PRESENTATIONS/ANNOUNCEMENTS**

There were no presentations or announcements.

**5. PUBLIC COMMENT/CITIZEN PARTICIPATION**

Shakoon Patel, a resident, spoke about the relationship between WalMart and the environment. He quoted a report that states that WalMart creates an environmentally unsustainable business model and requested that the Planning Commission weigh the environmental detriments of the construction of the WalMart against any potential commercial benefit. He requested the Planning Commission either reconsider construction of the WalMart or put in place efficient regulation so the citizens of Eastvale and WalMart's commercial interest can exist in a symbiotic relationship.

Gilbert Davila, a resident, agreed with Mr. Patel's statement and requested the Planning Commission do research on WalMart. He stated that WalMart is not good for the environment and would bring traffic, pollution, noise, crime, and blight. He believes it would negatively affect the community and would not bring any new tax dollars to the City.

## 6. CONSENT CALENDAR

### 6.1 Approval of Minutes from the January 7, 2015 meeting.

Motion: Moved by Oblea, seconded by Van Leeuwen to approve the minutes from the regular meeting held on January 7, 2015.

Motion carried 4-0 with Oblea, Patel, Van Leeuwen, and Vice Chair Charlson voting aye.

## 7. SCOPING MEETING

### 7.1 **PROJECT NO. 12-0051** – Meeting to discuss the preparation of an environmental impact report for a new retail development in the southeast corner of Limonite Avenue and Archibald Avenue; Assessor’s Parcel Number 144-030-028. Applicant is Wal-Mart Real Estate Business Trust.

Planning Director Norris provided a PowerPoint presentation for this item. He stated that the project is very early in the process and that there is no Environmental Impact Report (EIR) yet. He stated that CEQA is an informational law that governs environmental reports and tries to find ways to reduce or eliminate environmental impact. He stated that CEQA also tries to encourage public comment and to ensure that any public concerns are addressed in the EIR.

He clarified that the scoping meeting was an opportunity to learn about the project through a brief overview and there would be no presentation by the applicant and no Public Hearing. The meeting provides an opportunity to voice environmental concerns and improve the scope of the EIR.

He reviewed the list of items already included in the EIR project and the project.

The Scoping Meeting was opened at 6:23 p.m.

Rob Vandenheuvel, a resident, requested that the EIR include a side by side comparison of a 24-hour WalMart versus a WalMart with more “traditional” store hours.

John Chacon, a resident, requested the EIR address noise levels from delivery trucks, traffic, and regulation of business hours and inquired if any walls would be put up to separate the WalMart from Huber Park.

Gilbert Davila, a resident, inquired how long the process would take, how it works, and what the next steps would be.

Planning Director Norris stated that a consultant is working on the EIR under the direction of City Staff and is being funded by WalMart. He noted that there is a 30-day comment period and several months later the draft EIR would be released for public review. In late 2015 or early 2016 Public Hearings would be held at Planning Commission Meetings and a recommendation made to City Council. Public Hearings would again be held at City Council Meetings providing another opportunity for public input.

Elizabeth Gomez, a resident, inquired if the EIR would address public safety concerns. She stated that a large commercial center such as WalMart would generate a large volume of calls to police. Planning Director Norris stated that Public Services would be examined in detail.

Commissioner VanLeeuwen requested that the greenhouse gas emissions be looked at very closely. He inquired about whether the high voltage wiring from the electrical tower running along the project would have an impact and if it was being addressed in the EIR. Planning Director Norris stated that all construction was taking place outside of the Edison easement and that electromagnetic impacts would be added to the list of issues to consider in the EIR.

Commissioner Oblea requested a case study crime-analysis be conducted on a community with similar demographics to Eastvale, reflecting statistics before and after construction of a similar WalMart.

Commissioner Patel noted that the storm basin looks small. Deputy City Engineer Indrawan noted that the preliminary design had been submitted and would be reviewed by Staff to ensure that all details meet requirements.

Vice-Chair Charlson inquired about the size of the Edison easement. Planning Director Norris noted that it was more than 200 feet across and more detail would come out in the EIR.

Commissioner Patel inquired whether the realignment of Archibald would be part of the EIR. Planning Director Norris stated that the impact of widening Limonite and Archibald would be part of the EIR.

Vice-Chair Charlson thanked the community for their participation in the meeting.

Planning Director Norris clarified that public comments must be submitted via letter or email. Comments via any social media sites would not be considered official.

## 8. PUBLIC HEARINGS

- 8.1 **PROJECT NO. 14-2683** – General Plan Amendment and Change of Zone from Commercial Retail to Highest Density Residential of an approximately 7-acre site located on the northeast corner of Limonite Avenue and Sumner Avenue. Applicant is William Lyon Homes. *(Continued from Planning Commission meeting on November 19, 2014)*

RECOMMENDATION:

Staff recommends that the Planning Commission continue this project to February 4, 2015, as requested by the applicant.

Planning Director Norris noted that the applicant requested a continuance on this item because they would like to have a full 5-person Planning Commission to hear the item.

Commissioner Oblea noted that the applicant should be advised that the item would not be continued again unnecessarily.

Dean Barlow, a resident, noted his frustration with the repeated continuance of the item. He stated that he would like to see commercial on the site and not apartments. He believes the area is already high density enough. He stated that he is against the change of zone.

Motion: Moved by Oblea, seconded by Patel to continue the item to the February 4, 2015 meeting.

Motion carried 4-0 with Oblea, Patel, Van Leeuwen, and Vice Chair Charlson voting aye.

- 8.2 **PROJECT NO. 14-2039** – Major Development Review for the construction of an approximately 3,704-square foot Bank of America building and Conditional Use Permit to allow operation of a three-lane drive-through for the bank at the Enclave Marketplace. Applicant is Gensler.

RECOMMENDATION: Staff recommends that the Planning Commission:

1. Adopt a resolution approving Major Development Review No. 14-2039 for the construction of an approximately 3,704-square foot Bank of America building, subject to conditions of approval; and
2. Adopt a resolution approving Conditional Use Permit No. 14-2039 to allow operation of a three-lane drive-through, subject to conditions of approval.

Planner Aguilo provided a PowerPoint presentation for this item. She clarified that the Conditional Use Permit is only for the drive-through and if approved would apply to any future use of the building.

There was discussion regarding walk up access to the bank for pedestrians and the number of parking stalls.

Commissioner Oblea initiated discussion regarding the second sidewalk proposed by staff to the project.

Christine Rich, Bank of America, answered questions of the Commission regarding the design of the building. Commissioner Oblea requested an awning over the exterior walk-up ATM machine.

Commissioner Charlson advised the applicant that the CUP would come back to the Planning Commission for review in one year and if noise complaints were an issue, a secondary sound wall may be required to be installed by the applicant.

The Public Hearing was opened at 7:21 p.m.

Rick Manners, Lewis Retail Centers, stated that they agreed with the conditions presented by staff, except for the proposed new sidewalk.

There was lengthy discussion regarding the proposed new sidewalk.

The Public Hearing was closed at 7:38 p.m.

Commissioner Oblea proposed a compromise on the length of the new sidewalk.

Motion: Moved by Patel, seconded by Oblea, to approve the project with staff changes and the additional modification to reduce the requirement of the additional access sidewalk to equate to the "T" or to equal the ADA parking spots.

Motion carried 4-0 with Oblea, Patel, Van Leeuwen, and Vice Chair Charlson voting aye.

## **9. COMMISSION COMMUNICATIONS**

Commissioner Oblea stated that he was interested in attending the California League of Cities Commissioner Academy in March. Planning Director Norris noted that all Planning Commissioners would have the invitation sent to them and staff would arrange their attendance if requested.

Vice Chair Charlson expressed concern and requested Planning address the 7-11 Shopping Center on Hamner and Schleisman. The owner of the center and property management company are not maintaining the center. Planning Director Norris noted that staff would look into it.

**10. CITY STAFF REPORT**

Planning Director Norris noted that the next Planning Commission Meeting would be on February 4, 2015. He reviewed the agenda items for that meeting and invited the public to take part in the EIR process for the WalMart.

**11. ADJOURNMENT**

There being no further business, the meeting was adjourned at 7:48 p.m.

*Submitted by Margo Wuence, Recording Secretary  
Reviewed and edited by Marc Donohue, City Clerk*

**8.1 PROJECT NO. 14-2683: GPA AND ZC  
FOR WILLIAM LYON HOMES**





# City of Eastvale

## Planning Commission Meeting Agenda

### Staff Report

---

**MEETING DATE: FEBRUARY 4, 2015**

**TO: PLANNING COMMISSION**

**FROM: KANIKA KITH, SENIOR PLANNER**

**SUBJECT: PROJECT NO. 14-2683 – GENERAL PLAN AMENDMENT AND CHANGE OF ZONE FROM COMMERCIAL RETAIL TO HIGHEST DENSITY RESIDENTIAL OF AN APPROXIMATELY 7-ACRE SITE ON THE NORTHEAST CORNER OF LIMONITE AND SUMNER AS REQUESTED BY WILLIAM LYON HOMES**

---

This project was continued from the Planning Commission meeting on November 19, 2014, to January 21, 2015, per the applicant's request, to allow additional time to gather information for the meeting. Subsequently, on January 21, 2015, the applicant requested another continuation of the project to February 4, 2015, because the January 21 meeting did not have five commissioners.

All materials provided to the Commission for the November 19 and January 21 meetings are included as Attachment 1; these materials have not been changed since they were distributed for those meetings.

Attachment:

1. Staff report and attachments from January 21 and November 19 meetings

Prepared by: Kanika Kith, Senior Planner

Reviewed by: Eric Norris, Planning Director



# **ATTACHMENT 1**

## **Staff Report and Attachments from Prior Meetings**





# City of Eastvale

## Planning Commission Meeting Agenda

### Staff Report

---

**MEETING DATE:** JANUARY 21, 2015

**TO:** PLANNING COMMISSION

**FROM:** KANIKA KITH, SENIOR PLANNER

**SUBJECT:** **PROJECT NO. 14-2683** – GENERAL PLAN AMENDMENT AND CHANGE OF ZONE FROM COMMERCIAL RETAIL TO HIGHEST DENSITY RESIDENTIAL OF AN APPROXIMATELY 7-ACRE SITE ON THE NORTHEAST CORNER OF LIMONITE AND SUMNER AS REQUESTED BY WILLIAM LYON HOMES

---

This project was continued from the Planning Commission meeting on November 19, 2014, per the applicant's request, to allow additional time to gather information for the meeting. All materials provided to the Commission for the November 19 meeting are included as Attachment 1; these materials have not been changed since they were distributed for that meeting.

After the preparation of the November 19 staff report, staff received four public comments in opposition to the requested land use change from commercial to residential. The comments are included as Attachment 2.

At the Planning Commission meeting on November 19, three people spoke in opposition to the project and two people asked questions about the project. The minutes from the November 19 meeting are included as Attachment 3.

Because the January 21 meeting does not have five Commissioners, the applicant is requesting the Commission to continue the project to February 4, 2015.

Attachments:

1. Staff report and Attachment from November 19 Planning Commission Meeting
2. Public Comments
3. Minutes from Planning Commission Meeting of November 19, 2014

Prepared by: Kanika Kith, Senior Planner

Reviewed by: Eric Norris, Planning Director



# **ATTACHMENT 1**

## **Staff Report and Attachment from November 19 Planning Commission Meeting**





# City of Eastvale

## Planning Commission Meeting Agenda

### Staff Report

---

**MEETING DATE:** NOVEMBER 19, 2014

**TO:** PLANNING COMMISSION

**FROM:** KANIKA KITH, SENIOR PLANNER

**SUBJECT:** **PROJECT NO. 14-2683** – GENERAL PLAN AMENDMENT AND CHANGE OF ZONE OF AN APPROXIMATELY 7-ACRE SITE FROM COMMERCIAL RETAIL TO HIGHEST DENSITY RESIDENTIAL

---

### RECOMMENDATION

Staff recommends that the Planning Commission forward a recommendation to the City Council to take the following actions:

1. Deny a General Plan Amendment from Commercial Retail (CR) to Highest Density Residential (HHDR).
2. Deny a Change of Zone from Scenic Highway Commercial (C-P-S) to General Residential (R-3).

### PROJECT DESCRIPTION

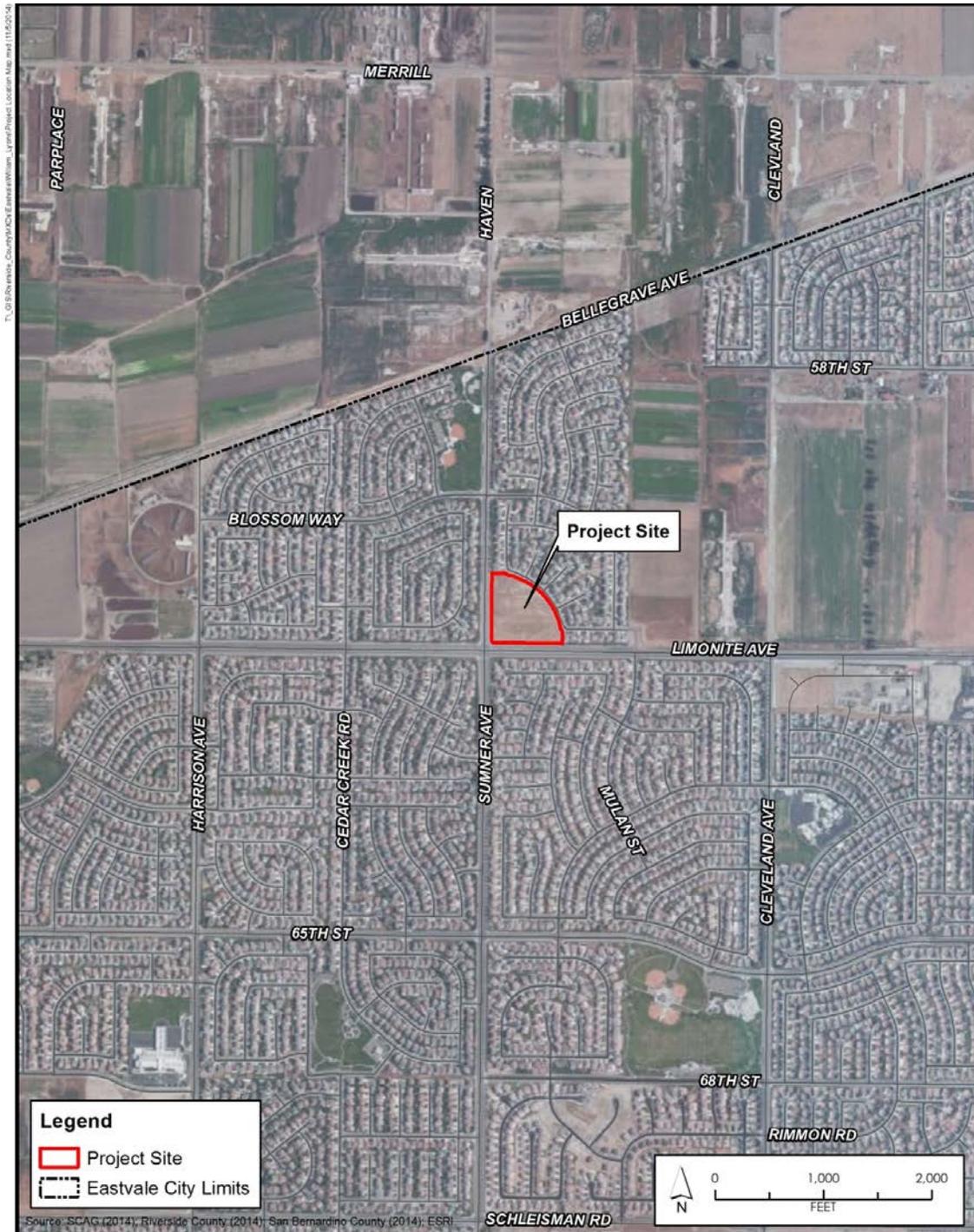
The applicant, William Lyon Homes, is requesting an approval of the following:

- General Plan Amendment to change the land use designation from Commercial Retail (CR) to Highest Density Residential (HHDR).
- Change of Zone from Scenic Highway Commercial (C-P-S) to General Residential (R-3).

The applicant's ultimate goal is to build a residential development consisting of single-family homes at about 22 units per acre. The applicant has provided conceptual layout for the residential project, but not yet submitted a formal application for the residential development, so the Commission's review should be focused on the basic land use policy and zoning question at hand (e.g., the change from commercial to residential land use). The conceptual site and floor plan are provided as **Attachment E** to this staff report.

The proposed project is on a vacant 7.64-acre site located on the northeast corner of Limonite Avenue and Sumner Avenue. A vicinity map with an aerial photo of the project site is shown in **Figure 1**.

Figure 1: Aerial Photograph of Project Site



## DISCUSSION

This staff report will present a detailed analysis of the various points, as listed below, on why the project site should remain for commercial use.

- There is a substantial demand for retail space in Eastvale.

- The site is of adequate size and has more than adequate pass-by traffic to support retail development.
- Locating retail centers dispersed throughout Eastvale is highly desirable for promoting General Plan goals and policies of supporting a more walkable/bikeable community and creating a balance of land uses that enhances the City’s fiscal viability.
- The site may not be ready for a retail development at this moment, but it could be in the future.
- Other retail centers will be constructed in Eastvale, but this site could meet a different need.
- The site is not needed for affordable housing
- The percentage of new residents from this project is not needed to make existing retail more successful.

### **High Demand for Retail**

There is substantial demand for retail space in Eastvale, as supported by the vacancy rate provided by Lewis Retail and Strategic Retail Advisors. Strategic Retail Advisors stated that Eastvale is currently a “hot market” for retail where all retail centers are almost 100% leased. A list of all retail centers and the upcoming new businesses as of July 2014 is included as **Attachment A**. Because of the high demand, Eastvale Gateway North retail center is re-tenanting with better users.

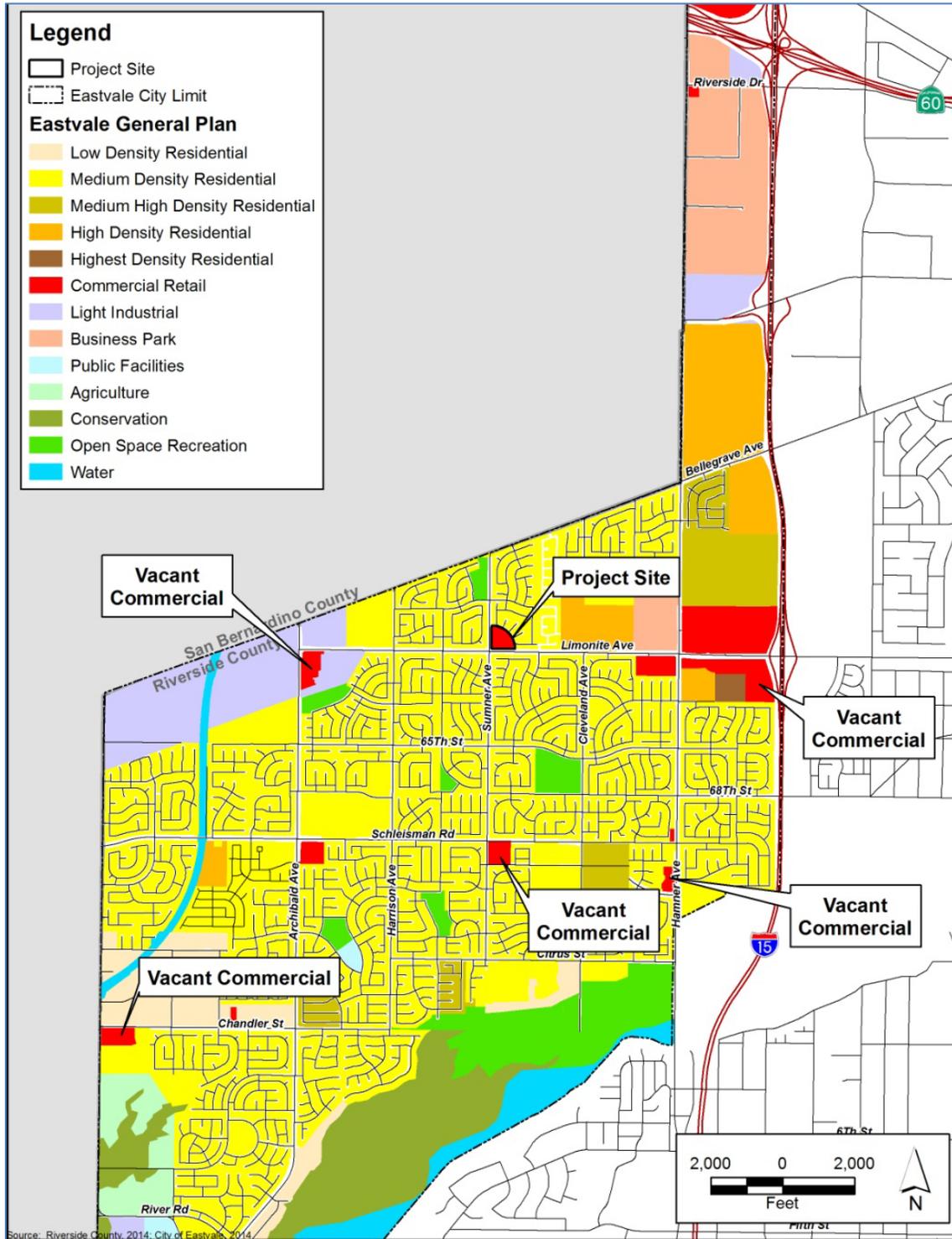
In a recent update from Lewis Retail (included as **Attachment A**), Eastvale Gateway North retail center has a vacancy rate of approximately 0.2%. All other retail centers in Eastvale, including the Eastvale Gateway South and the Marketplace at the Enclave, have 0% vacancy.

The 2013 ESRI leakage report shows that the City has a shortage of retail space. The report, included as **Attachment C**, shows that the City lost a total of almost \$400 million in retail potential because of not having enough retail space in Eastvale. Because of the shortage of retail space, the City lost approximately \$322,540,062 in retail trade and \$67,487,474 in food industry. Therefore, it is recommended that this site remains designated for commercial use to help meet the retail shortage in the City.

### **Retail Potential Because of Location**

The site is of adequate size and has more than adequate pass-by traffic to support retail development at this location. As shown in **Figure 2**, this site is one of the few remaining sites zoned for commercial use in Eastvale and it is well suited for commercial purposes. First, the site is located at the intersection of two major streets with high traffic volumes, Limonite Avenue and Sumner Avenue. Second, the site is similar in size and location to numerous other successful commercial sites in the region.

**Figure 2: Vacant Commercial Sites**



The site's location at the intersection of two major roadways provides great visibility and accessibility for commercial use. Limonite Avenue is designated a six- and four-lane urban arterial. Sumner Avenue is designated a four-lane major collector from Limonite Avenue to Citrus Avenue. Both Limonite Avenue and Sumner Avenue are major roadways with high traffic volumes<sup>1</sup> (as shown below), which makes the site well suited for capturing pass-by traffic and the signalized intersection will provide for easy access.

### Current Condition

#### *Limonite Avenue*

- Hamner Avenue to I-15 Freeway: 41,100 ADT
- Sumner Avenue to Hamner Avenue: 25,200 ADT
- Harrison Avenue to Sumner Avenue: 19,200 ADT

#### *Sumner Avenue*

- Limonite Avenue to Bellegrave Avenue: 7,600 ADT
- Limonite Avenue to 65<sup>th</sup> Street: 9,300 ADT

### Buildout Condition

#### *Limonite Avenue*

- Sumner Avenue to Scholar Way: 38,826 ADT
- Scholar Way to Hamner Avenue: 35,214 ADT
- Hamner Avenue to Interstate 15: 57,562 ADT
- Harrison Avenue to Sumner Avenue: 41,549 ADT

#### *Sumner Avenue*

- Limonite Avenue to Bellegrave Avenue: 10,263 ADT
- Limonite Avenue to 65<sup>th</sup> Street: 9,683 ADT

The site is similar in size and location to numerous other successful commercial sites in the region, among which are sites in Eastvale, Riverside and Rancho Cucamonga. A brief summary of the three commercial centers in Eastvale, Riverside, Rancho Cucamonga is provided below. A brief snapshot of this site's retail opportunity is included as **Attachment B**.

---

<sup>1</sup> Average daily trips and level of service at city buildout under existing land use designations were obtained from the Eastvale General Plan EIR (City of Eastvale 2012b).

In comparing the traffic volumes, the project site is located in a *currently* very high marketing visibility area for attracting retail investment and successful lease-holders. Current traffic counts (listed above) show that the site has a much higher traffic volume than the Corona Valley Marketplace retail center in Eastvale (19,750 ADT) and the retail center in Riverside (14,700 ADT). At buildout condition, the project site will have much higher traffic volumes than all three commercial sites. For this reason, the site should remain for retail development.

City of Eastvale - Corona Valley Marketplace

- 9.0-acre site
- Southeast corner of Schleisman Avenue and Archibald Avenue
- 52,443 sq. ft. Albertson's Market and approx. 25,000 sq. ft. restaurants/services
- 19,750 ADT passing by the site



City of Riverside (existing commercial center currently being redeveloped)

- 7.0-acre site
- Southeast corner of Lincoln Avenue and Mary Street
- 44,636 sq. ft. Stater Bros. Market and 11,464 sq. ft. CVS Pharmacy with proposed drive-through
- 14,700 ADT passing by the site



City of Rancho Cucamonga

- 8.0-acre site
- Southeast corner of Hellman Avenue and Foothill Boulevard
- Restaurants/services
- 38,600 ADT passing by the site



## **Commercial Use Will Promote Eastvale General Plan**

Locating retail centers dispersed throughout Eastvale is highly desirable for promoting General Plan goals and policies that support a more walkable/bikeable community and creating a balance of land uses that enhances the City's fiscal viability.

As shown in **Figure 2** above, the site's location near existing residential neighborhoods provides a great opportunity for creating a commercial destination that is not strictly dependent on the automobile. A commercial center within a residential area affords people the opportunity to walk to services/shops or stop on the way to/from home, and provides the City with tax revenue and some additional jobs. Because of its size and location, this site could also provide a much-needed location for locally owned small businesses.

Therefore, a commercial development at this site will promote the goals and policies of the Eastvale General Plan for creating a balance of land uses that enhances the City's fiscal viability and meets the needs of Eastvale's residents. Following are the goals and policies that support retaining the project site for commercial use:

### Economic Development

*POLICY ED-3: City will actively encourage and support the location of employment and revenue generating businesses that support the City's overall vision for its future.*

### Healthy Community

*POLICY HC-3: The City encourages a built environment that promotes physical activity and access to healthy foods, while reducing driving and pollution.*

*POLICY HC-4: Promote increased physical activity, reduced driving and increased walking, cycling and public transit by:*

- *Requiring, where appropriate, the development of compact development patterns that are pedestrian and bicycle friendly.*
- *Increasing opportunities for active transportation (walking and biking) and transit use.*
- *Encouraging the development of neighborhood grocery stores that provide fresh produce.*

*POLICY HC-8: Neighborhood retail, service, and public facilities should be located within walking distance of residential areas.*

### Land Use

*GOAL LU-2: A balance of land uses that maintains and enhances the City's fiscal viability, economic diversity, and environmental integrity and meets the needs of Eastvale's residents.*

*GOAL LU-7: Land use patterns and transportation systems that encourage physical activity, promote healthy living, and reduce chronic illnesses.*

*POLICY LU-28: The Land Use Map should provide for land use arrangements that reduce reliance on the automobile and improve opportunities for pedestrian, bicycle, neighborhood electric vehicle, and transit use in order to minimize congestion and air pollution.*

*POLICY LU-29: Employment and service uses should be located in areas that are easily accessible to existing or planned transportation facilities.*

## **Retail Potential**

The property owner has indicated that the site has been difficult to finalize a deal with a retail tenant. Staff does not know why this is the case. The City has been contacted by several parties interested in doing business in Eastvale and staff has not been able to direct them to available sites. As discussed above, the retail vacancy rate is almost 0% and the City lost a retail potential of almost \$400 million in 2013 because of the shortage of commercial developments in Eastvale.

Based on the site's location, as discussed above, the site is ready for retail development now. However, if it is not ready now, it will be in the future. The development of the New Model Colony (a new development that covers approximately 7,000 acres in the City of Ontario) will extend Sumner Avenue northward, to connect with Haven Avenue, which will provide direct access from the New Model Colony development to the project site. This extension will provide higher pass-by traffic for the project site that will make the site more desirable for retail development than its current condition.

## **Nearby Retail Will Not Negatively Affect This Site**

It is anticipated that other commercial sites (i.e., Walmart, Providence Business Park, Leal Property, and Goodman Commerce Center) in Eastvale will be developed with commercial uses, but this project site could meet a different need. The other commercial sites are anticipated to have big anchor tenants for attracting customers.

This project site could capitalize on customers from larger retail centers by providing specialty stores that do not compete with the larger retail centers. For example, based on the City's demographic table below, the site could take advantage of the Asian population in Eastvale and nearby communities by building an Asian supermarket that sells specialty Asian food and household items that cannot be found in non-Asian supermarkets in Eastvale.

Alternatively, a neighborhood-serving retail center and professional offices that provide services to nearby residential neighborhoods would do well at this location by being accessible to the surrounding residential area and capturing pass-by traffic.

## 2012 STATISTICAL SUMMARY

<i>Category</i>	<i>Eastvale</i>	<i>Riverside County</i>	<i>Eastvale relative to Riverside County*</i>	<i>SCAG Region</i>
<b>2012 Population</b>	55,602	2,227,577	[2.5%]	18,242,331
<b>2012 Median Age (Years)</b>	30.8	33.9	-3.1	35.2
<b>2012 Hispanic</b>	39.0%	47.7%	-8.7%	46.4%
<b>2012 Non-Hispanic White</b>	18.9%	36.9%	-18.0%	32.1%
<b>2012 Non-Hispanic Asian</b>	28.6%	6.3%	22.3%	12.4%
<b>2012 Non-Hispanic Black</b>	10.3%	6.0%	4.3%	6.3%
<b>2012 Non-Hispanic American Indian</b>	.2%	.5%	-.3%	.2%
<b>2012 Non-Hispanic All Other</b>	3.0%	2.7%	.3%	2.5%
<b>2012 Number of Households</b>	13,968	692,520	[2%]	5,870,003
<b>2012 Average Household Size</b>	4.0	3.2	0.8	3.1
<b>2012 Median Household Income (\$)</b>	96,150	53,219	42,931	57,465
<b>2012 Number of Housing Units</b>	14,846	807,970	[1.8%]	6,356,479
<b>2012 Homeownership Rate</b>	82.9%	54.3%	28.6%	54.3%

### Site Is Not Needed For Affordable Housing

The property owner stated that if the site is designated as Highest Density Residential (HHDR)<sup>2</sup>, the number of units from this project can be applied toward satisfying the City’s state-mandated goal of providing housing for low-income families.<sup>3</sup> If the site is designated as HHDR and developed at a gross density of 22 units per acre, there will be 168 units of high-density housing.

The development of high-density housing at this site would help satisfy the City’s housing needs, but the City has enough sites elsewhere to meet the state-mandated goal of providing 624 housing units in Eastvale for low-income families by year 2021. For instance, the recently approved high-density residential project in the Eastvale Gateway South retail center will provide 220 units and the Leal property will provide at least 500 units. The total number of units (720 units) from these two sites would exceed the state-mandated goal by 96 units. In addition, the City is in discussion with other residential property owners about increasing the density on their properties.

Therefore, this site is not needed to meet the housing requirement and the site should be reserved for a future commercial development.

---

<sup>2</sup> HHDR designation would allow the site to be developed at 20.1 to 40 dwelling units per acre.

<sup>3</sup> For more information, see Table H-1 in the Housing Chapter of the Eastvale General Plan and “Meeting the City’s Fourth Round RHNA” on page A-41 of the 2013 Housing Needs Assessment prepared for the Housing Chapter.

## Residents at This Site Are Not Needed to Make Retail Successful

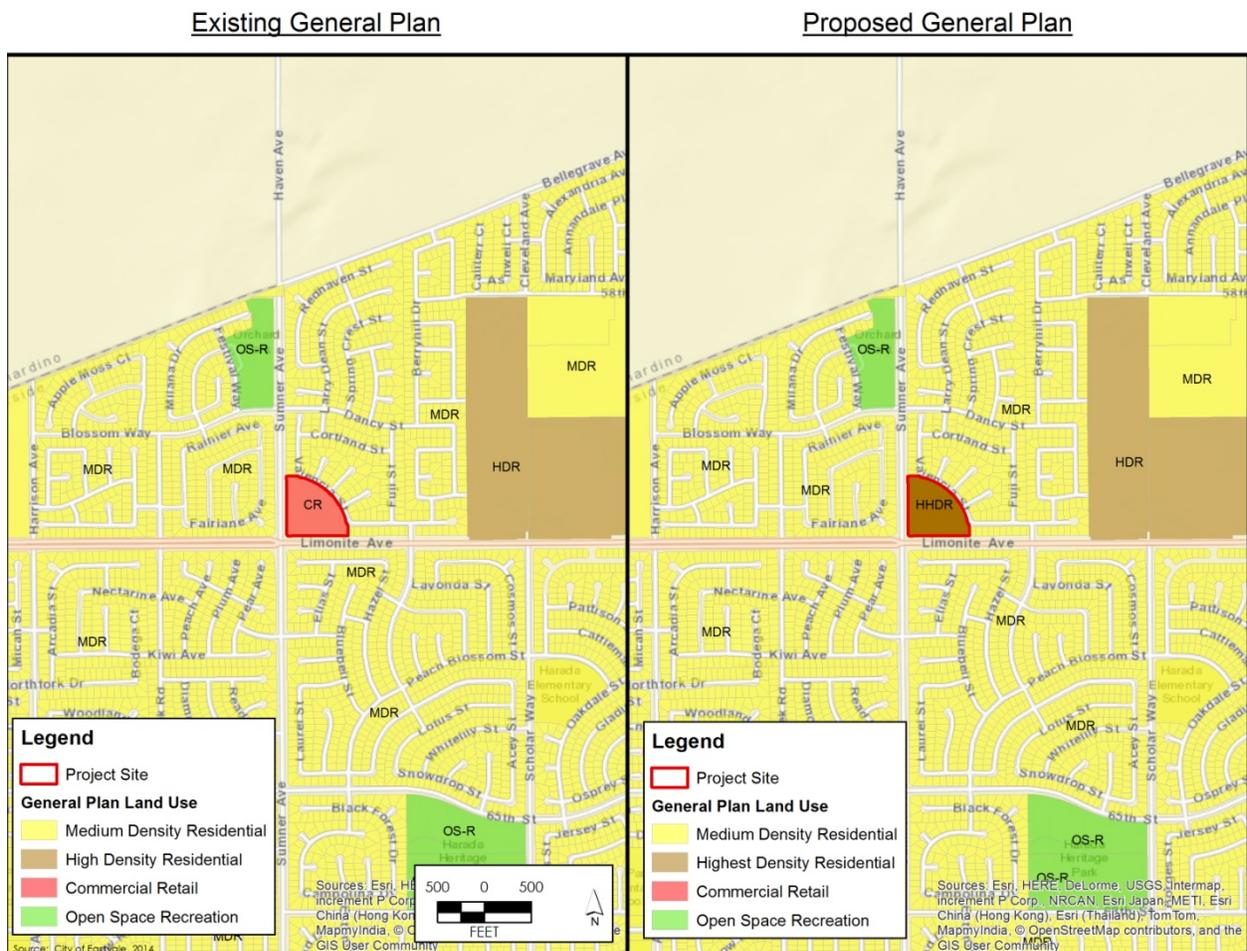
The property owner stated that new residents at the project site will make existing retail successful. If the site is developed with 168 units, the site is anticipated to have approximately 500 residents which equals 0.8% of the current population. It is staff's opinion that the 0.8% is nominal and it is not needed to make existing retail more successful.

It is staff's responsibility to consider the City's best interests in the long term. The ESRI leakage report, included as **Attachment C**, clearly shows that there is a *very high demand* for retail uses in Eastvale. The information presented in the staff report shows that the site is *currently* and will *ultimately* be an excellent and viable retail site. Therefore, it is recommended that this site remain for commercial use.

## General Plan Amendment

The General Plan land use designations on the site and in the immediate vicinity are shown in **Figure 3** for both the existing and proposed designations. As discussed above, staff is not supportive of the requested General Plan Amendment.

**Figure 3: General Plan Land Use**

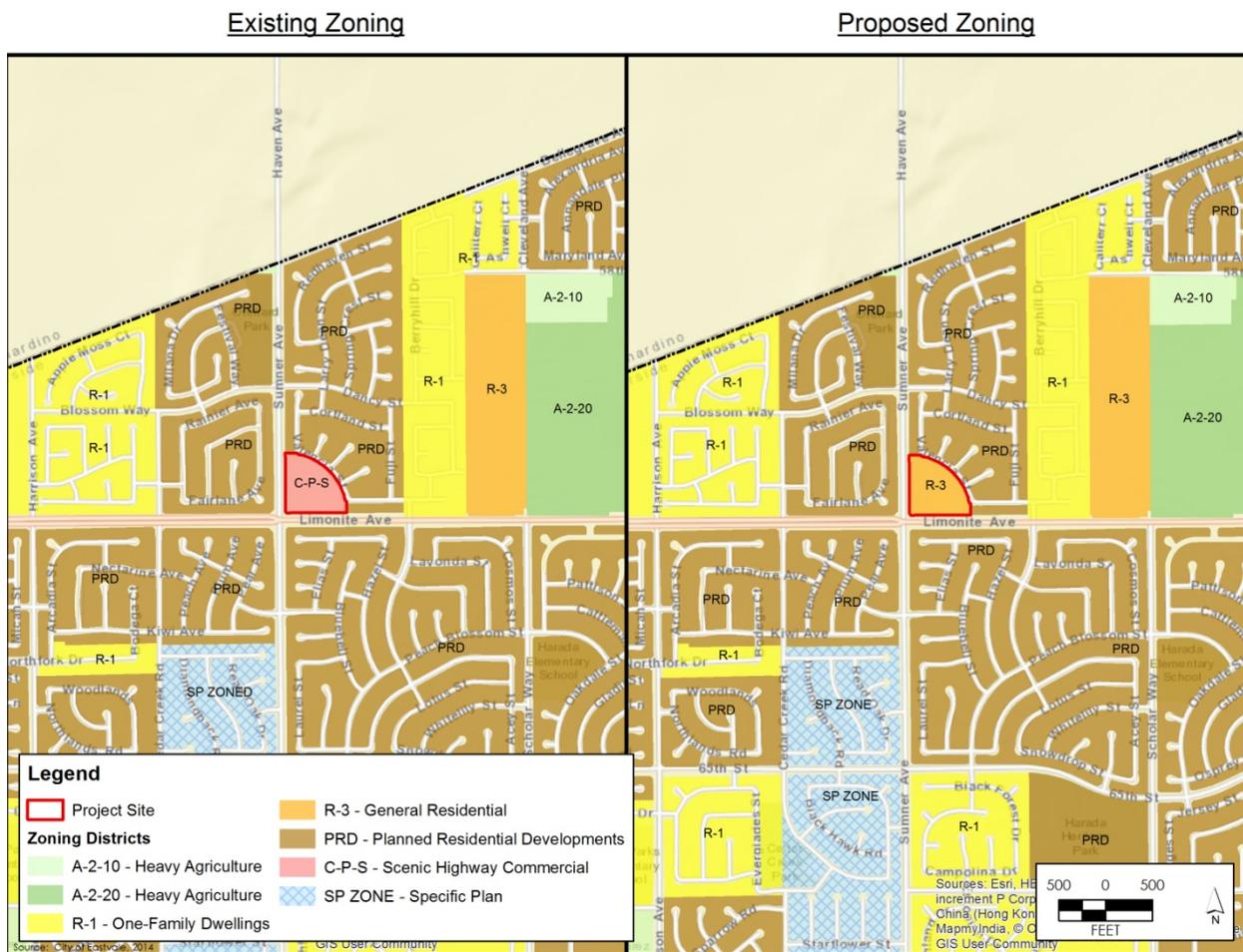


The site's General Plan land use designation of Commercial Retail (CR) allows neighborhood retail, community retail, professional office, and visitor-oriented commercial uses as well as regional-level uses. As discussed above, the site is suited for its commercial land use designation because of its location.

Change of Zone

The existing zoning of the project site is Scenic Highway Commercial (C-P-S) and the proposed zoning is General Residential (R-3). The zoning designations on the site and in the immediate vicinity are shown in **Figure 4** for both the existing and proposed designations. As discussed above, staff is not supportive of changing the site from commercial to residential use.

**Figure 4: Existing and Proposed Zoning**



**Environmental Review**

No environmental determination is necessary if Planning Commission chooses to concur with staff's recommendation for denial of the General Plan Amendment and Change of Zone because denial of an application does not require environmental review. (CEQA Section 15061(b)(4))

However, if Planning Commission chooses to recommend approval of the change from commercial to residential to the City Council, CEQA analysis would have to be performed prior to approval by the City Council. If this should happen, the project would come back to the Commission for review prior to presenting to City Council. As of now, staff is planning to take this project to the Council on December 10 if the Commission acts on the application on November 19.

**Public Hearing Notification and Comment**

The proposed project requires a 10-day public hearing notification period for property owners within a 600-foot radius of the project site. The notification was published on November 9, 2014, for the Planning Commission meeting on November 19, 2014, and the notice of public hearing was sent to property owners on November 6, 2014. At the time of staff report preparation, no comments were received.

A map of the 600-foot radius map and a copy of the hearing notice is included as **Attachment D** of this report.

**Fiscal Analysis**

Although a site-specific fiscal impact analysis was not prepared, the fiscal impact analysis prepared for the Goodman Commerce Center project included an analysis of the existing entitlement that includes high-density residential and commercial retail land uses. The net per acre fiscal impact numbers in that report were applied to this site for an order of magnitude comparison (**Table 1**). The change from commercial to residential use results in a loss of over \$1.6 million over 10 years.

**Table 1**

<b>Land Use</b>	<b>Net Acres</b>	<b>Per Acre Net Fiscal Impact</b>	<b>Annual FI</b>	<b>FI over 10 years</b>
Residential	7	\$1,840	\$12,880	\$128,800
Commercial	7	\$23,459	\$164,213	\$1,642,130

Source: Goodman Commerce Center Fiscal Impact Analysis, July 8, 2013 by Development Planning & Financing Group, Inc.

**RECOMMENDATION**

It is not the City’s responsibility (or need) to develop every parcel of land at the exact time and with the exact use that an applicant wishes. Therefore, staff’s recommendation for denial reflects this argument—in this case, it is in the City’s best interest to wait for this site to fulfill its potential for retail uses, both for the convenience of residents in the area and for the preservation of future potential sales tax revenues.

As discussed above, staff is not supportive of the proposed land use change from commercial to residential for the following reasons:

- This site is one of the few remaining sites zoned for commercial development in Eastvale.
- The site is well suited for retail development due to its location at the intersection of two major streets, Limonite Avenue and Sumner Avenue.

- The site is similar in size and location to numerous other commercial sites in the region, among which are sites in Riverside and Rancho Cucamonga.
- City residents will benefit from sales tax revenue and jobs that commercial uses can provide on this site.
- Future commercial uses on the site will promote the goals of Eastvale Strategic Plan for establishing a solid fiscal foundation and optimizing the City's economic potential. Losing this site as commercial retail would lose substantial future sales tax revenue.
- The success of Eastvale General Plan policies that encourage non-motorized travel would be enhanced by having a commercial destination at this location that would not be strictly dependent on the automobile.

Therefore, staff recommends that the Planning Commission forward a recommendation to the City Council to take the following actions:

1. Deny a General Plan Amendment from Commercial Retail (CR) to Highest Density Residential (HHDR).
2. Deny a Change of Zone from Scenic Highway Commercial (C-P-S) to General Residential (R-3).

### **Planning Commission Options**

The following alternatives are available to the Planning Commission:

1. Continue the public hearing and direct the applicant and/or staff to provide additional information.
2. Recommend that City Council provide direction to staff to prepare the appropriate analysis for approval of the General Plan Amendment and Change of Zone.

### **ATTACHMENTS**

- A. Retail Centers and Vacancy
- B. Retail Development Opportunity
- C. ESRI Leakage Report
- D. 600-Foot Radius Map and Hearing Notice
- E. Conceptual Site and Floor Plans

Prepared by: Kanika Kith, Senior Planner  
 Reviewed by: Eric Norris, Planning Director  
 John Cavanaugh, City Attorney



**ATTACHMENT A**

**RETAIL CENTERS AND VACANCY**



# RE: Retail vacancy rates in Eastvale - Kanika Kith

## RE: Retail vacancy rates in Eastvale

Michele Nissen

Mon 11/10/2014 12:21 PM

To: Kanika Kith <kkith@eastvaleca.gov>;

Hi Kanika!

I have asked Lewis to provide me with their vacancy rate for all the centers they manage. Here is what I have for new tenants as of July 2014:

### **CLOVERDALE MARKETPLACE** (SW Corner Limonite Ave. and Hamner Ave.)

*No current vacancies, all space is leased.*

### **THE MARKETPLACE AT THE ENCLAVE** (SW Corner of Archibald Ave. and Schleisman Rd.)

- Starbucks – *NOW OPEN*
- Papa Murphy's Pizza – *NOW OPEN*
- Remaxx 100 – *Opening in Nov./Dec. 2014*
- Fantastic Sams – *Opening in Nov./Dec. 2014*
- Great Harvest Bakery – *Opening December 2014*
- Juice it Up!
- Foot Massage
- Lee's Noodle House
- Dr. Tanna, DDS
- Mes Amies Hair and Nail Salon
- Bank of America
- Prestige Preschool

*Future shops pads are available. Site is under construction and will not accommodate a gas station or car wash.*

### **CORONA VALLEY MARKETPLACE** (SE Corner of Archibald Ave. and Schleisman Rd.)

- Boba 2 Go Coffee & Tea – *NOW OPEN*

*No current vacancies; all space is leased.*

### **7-11 SHOPPING CENTER** (NW Corner of Hamner Ave. and Schleisman Rd.)

- Riverwalk Pharmacy – *NOW OPEN*

*No current vacancies; all space is leased.*

### **EASTVALE GATEWAY I & II** (NE Corner of Hamner Ave. and Limonite Ave.)

- CPR Cell Phone Repair – *NOW OPEN*
- Snow Station Hawaiian Ice – *NOW OPEN*

# RE: Retail vacancy rates in Eastvale - Kanika Kith

- Pho Viet – *NOW OPEN*
- Tio's Mexican Restaurant – *NOW OPEN*
- Carter's Childrens Clothing - *NOW OPEN*
- Kay Jewelers - *NOW OPEN*
- Griggs Mutual Realty and Management – *Winter 2014*
- Riverside Medical Clinic OBGYN – *Winter 2014*

*Only a few units are vacant: 3,500 - 6,000 SF (may consider subdivision.) LOI's are signed for these vacant units.*

## **EASTVALE GATEWAY SOUTH** (SE Corner of Hamner Ave. and Limonite Ave.)

- Eastvale San Antonio Medical Plaza – *Building 1 Opening late 2014 (building 2 – late 2015)*

*No current vacancies; all space is leased. Future shop pads available (11,000 SF). LOI's in place for the 11,000 SF*

Thank you,

### **Michele Nissen**

Public Information Officer

#### **City of Eastvale**

12363 Limonite Ave., Suite 910

Eastvale, CA 91752

951.703.4415 Direct

951.795.1426 Cell

*Please note, City Hall is closed on Fridays*



[Facebook](#) | [Twitter](#) | [Instagram](#) | [LinkedIn](#) | [E-Notification](#)

***Community ~ Pride ~ Prosperity***

**From:** Kanika Kith

**Sent:** Monday, November 10, 2014 11:20 AM

**To:** Michele Nissen

**Subject:** Retail vacancy rates in Eastvale

Michele, do you have info on retail vacancy rates in Eastvale?

**Kanika Kith**

Senior Planner

#### **City of Eastvale**

12363 Limonite Ave., Suite 910

FW: Vacancy Rates for Eastvale - Kanika Kith

FW: Vacancy Rates for Eastvale

Michele Nissen

Mon 11/10/2014 3:36 PM

To: Kanika Kith <kkith@eastvaleca.gov>;

FYI -

**Michele Nissen**

Public Information Officer

**City of Eastvale**

12363 Limonite Ave., Suite 910

Eastvale, CA 91752

[www.EastvaleCA.gov](http://www.EastvaleCA.gov)

951.703.4415 Direct

951.795.1426 Cell

*Please note, City Hall is closed on Fridays*



[Facebook](#) | [Twitter](#) | [Instagram](#) | [LinkedIn](#) | [E-Notification](#)

***Community ~ Pride ~ Prosperity***

**From:** Jim Clarkson - Strategic Retail Advisors [mailto:jim@strategicretailadvisor.com]

**Sent:** Monday, November 10, 2014 3:29 PM

**To:** Michele Nissen; bill.worsley@lewisop.com; Ginny Fawcett

**Subject:** RE: Vacancy Rates for Eastvale

Eastvale is a hot market right now Michele. Like Bill said we are almost 100% leased and that's close to 1 million square feet of retail including the Ralphs center(Hirada family) which is also 100% leased.

Regards,

**JIM CLARKSON**

Partner

**STRATEGIC RETAIL ADVISORS**

3990 Westerly Place, Suite 230

Newport Beach, CA 92660

P: 949.640.6678 Ext. 16

F: 949.748.8088

# FW: Vacancy Rates for Eastvale - Kanika Kith

CA License No: 01240884

[jim@strategicretailadvisor.com](mailto:jim@strategicretailadvisor.com)

[www.StrategicRetailAdvisor.com](http://www.StrategicRetailAdvisor.com)

**Strategic Retail Advisors is a member of**



**From:** Michele Nissen [<mailto:MNissen@eastvaleca.gov>]

**Sent:** Monday, November 10, 2014 11:54 AM

**To:** [bill.worsley@lewisop.com](mailto:bill.worsley@lewisop.com); Ginny Fawcett; Jim Clarkson - Strategic Retail Advisors

**Subject:** Vacancy Rates for Eastvale

Hello Bill, Ginny and Jim,

Can you share with me what the vacancy rate is for your developments in Eastvale? We are asking for this information for Economic Development purposes.

Thank you,

## **Michele Nissen**

Public Information Officer

### **City of Eastvale**

12363 Limonite Ave., Suite 910

Eastvale, CA 91752

[www.EastvaleCA.gov](http://www.EastvaleCA.gov)

951.703.4415 Direct

951.795.1426 Cell

*Please note, City Hall is closed on Fridays*



[Facebook](#) | [Twitter](#) | [Instagram](#) | [LinkedIn](#) | [E-Notification](#)

***Community ~ Pride ~ Prosperity***

FW: Vacancy Rates for Eastvale - Kanika Kith

FW: Vacancy Rates for Eastvale

Michele Nissen

Mon 11/10/2014 1:34 PM

To: Kanika Kith <kkith@eastvaleca.gov>;

Hi Kanika!

Please see the email below from Lewis Retail.

Thank you,

**Michele Nissen**

Public Information Officer

**City of Eastvale**

12363 Limonite Ave., Suite 910

Eastvale, CA 91752

[www.EastvaleCA.gov](http://www.EastvaleCA.gov)

951.703.4415 Direct

951.795.1426 Cell

*Please note, City Hall is closed on Fridays*



[Facebook](#) | [Twitter](#) | [Instagram](#) | [LinkedIn](#) | [E-Notification](#)

***Community ~ Pride ~ Prosperity***

**From:** Bill Worsley [mailto:bill.worsley@lewisop.com]

**Sent:** Monday, November 10, 2014 1:28 PM

**To:** Michele Nissen; Ginny Fawcett; James Clarkson Strategic Retail Advisors

**Subject:** RE: Vacancy Rates for Eastvale

Hi Michele,

**The Marketplace At The Enclave**- everything we have constructed is fully leased. So 0% vacant.

# FW: Vacancy Rates for Eastvale - Kanika Kith

**Eastvale Gateway Center** – there is 2,400 sf that is next to Star Nails that is not committed. Everything else is either leased or in lease documentation. So approximately 0.2% vacant

**Eastvale Gateway South** – Everything is leased or in lease documentation. So 0% vacant

I hope this is helpful.

Best regards,

## **Lewis Retail Centers**

CA BRE Corporate Broker Lic #01252241

### **Bill Worsley**

VP Retail Leasing

CA BRE Lic. #01015016

1156 N. Mountain Avenue

Upland, CA 91786

[bill.worsley@lewisop.com](mailto:bill.worsley@lewisop.com)

(909) 946-7504 Phone

(626) 644-8229 Mobile

(909) 931-5537 Fax

[www.lewisop.com](http://www.lewisop.com)

Follow Lewis Group of Companies



CONFIDENTIALITY NOTICE: This e-mail transmission, and any documents, files or previous e-mail messages attached to it may contain confidential information that is also legally privileged. If you are not the intended recipient, or a person responsible for delivering it to the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of any of the information contained in or attached to this transmission is STRICTLY PROHIBITED. If you have received this transmission in error, please immediately notify the sender and immediately destroy the original transmission and its attachments without reading or saving in any manner. Thank you.

**From:** Michele Nissen [<mailto:MNissen@eastvaleca.gov>]  
**Sent:** Monday, November 10, 2014 11:54 AM  
**To:** Bill Worsley; Ginny Fawcett; James Clarkson Strategic Retail Advisors  
**Subject:** Vacancy Rates for Eastvale

Hello Bill, Ginny and Jim,

Can you share with me what the vacancy rate is for your developments in Eastvale? We are asking for this information for Economic Development purposes.

Thank you,

**Michele Nissen**

**ATTACHMENT B**

**RETAIL DEVELOPMENT OPPORTUNITY  
IN EASTVALE**



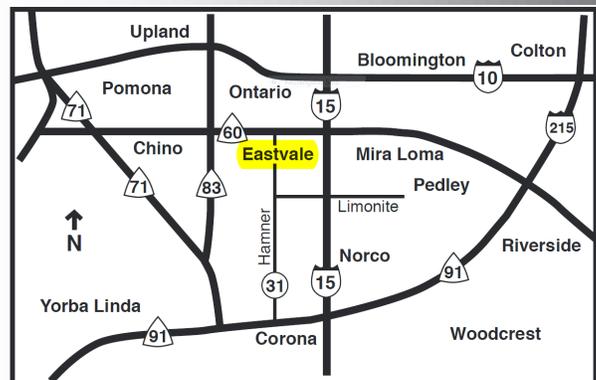
# Retail Development Opportunity

## NEC Sumner Ave. & Limonite Ave.



### FEATURES:

- Commercial/Retail Development Potential
- Signalized intersection
- Traffic Counts (2013): Limonite between Sumner & I-15 = 23,740



DEMOGRAPHICS Derringo 1/2011	City of Eastvale	2-Mile Trade Area	5-Mile Radius Trade Area
Population (Jan. 2011)	57,251 CA Department of Finance 1/1/13	42,595	179,849
Total Population at Build out		72,326	392,646
2010 Median Household Income	\$115,025 Recent U.S Census	\$80,243	\$74,602



Michele Nissen  
Public Information Officer/  
Economic Development  
City of Eastvale  
12363 Limonite Ave., Ste. 910  
Eastvale, CA 91752  
951.361.0900 X415  
mnissen@eastvaleca.gov  
www.EastvaleCA.gov

This information has been obtained from sources believed to be reliable. While we do not doubt its accuracy, we make no warranty or guarantee on the accuracy or content of the data shown herein. It is your responsibility to independently confirm its accuracy and completeness. Any projections, opinions, assumptions or estimates used are for example only and do not represent the current or future performance of the property. You and your property advisors should conduct a careful, independent investigation of the property to determine to your satisfaction the suitability of the property for your needs.

### Eastvale Facts

Highest Median Household Income in Riverside County

\$115,025  
Recent U.S. Census

5th Fastest Growing City in California

57,251  
CA Department of Finance 1/1/13

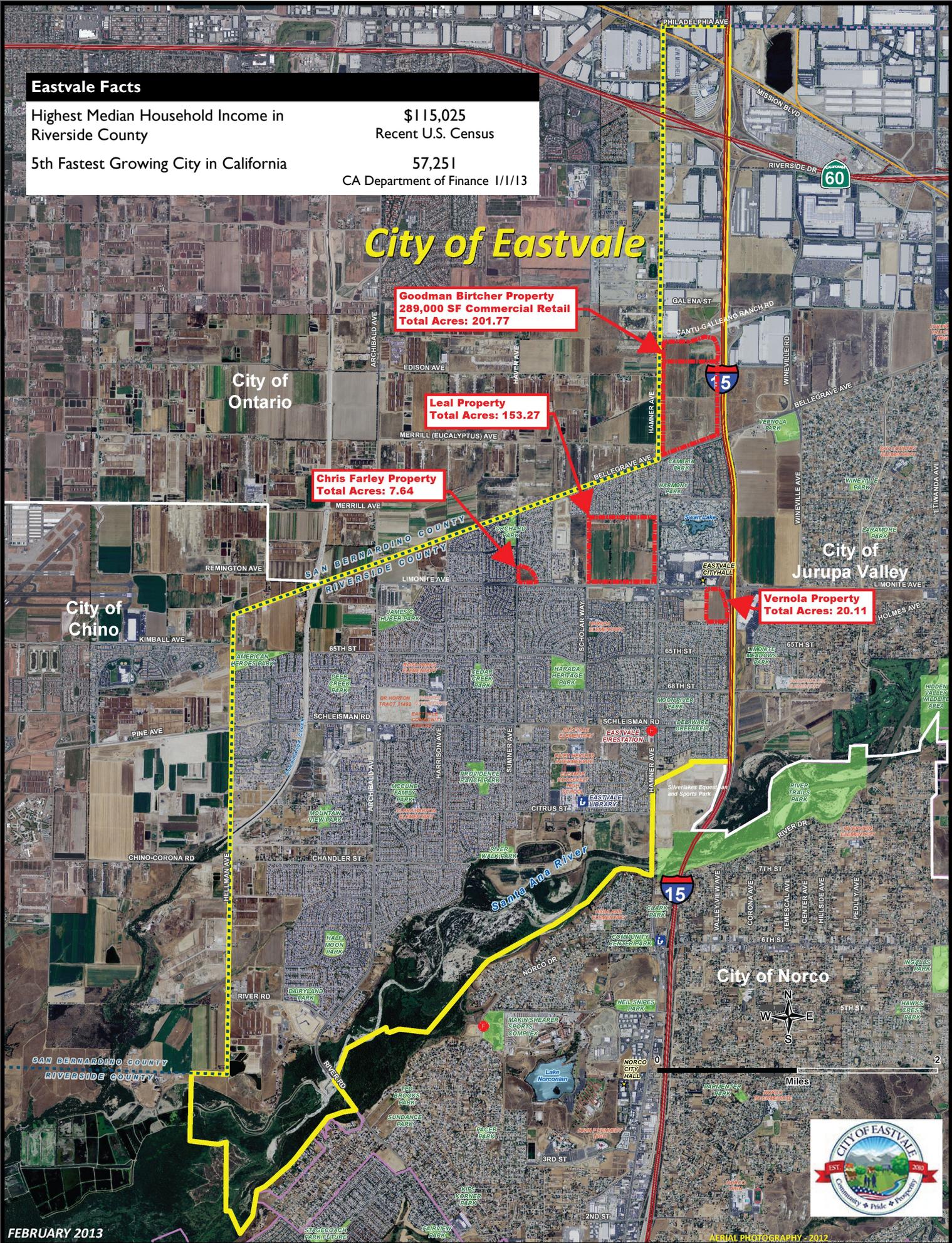
# City of Eastvale

**Goodman Bircher Property**  
289,000 SF Commercial Retail  
Total Acres: 201.77

**Leal Property**  
Total Acres: 153.27

**Chris Farley Property**  
Total Acres: 7.64

**Vernola Property**  
Total Acres: 20.11



**ATTACHMENT C**

**ESRI LEAKAGE REPORT**





# Retail MarketPlace Profile

Eastvale CDP, CA  
 Eastvale CDP, CA (0621230)  
 Geography: Place

## Summary Demographics

2014 Population	62,465
2014 Households	15,658
2014 Median Disposable Income	\$81,859
2014 Per Capita Income	\$30,833

Industry Summary	NAICS	Demand (Retail Potential)	Supply (Retail Sales)	Retail Gap	Leakage/Surplus Factor	Number of Businesses
Total Retail Trade and Food & Drink	44-45,722	\$787,518,647	\$397,491,111	\$390,027,536	32.9	192
Total Retail Trade	44-45	\$705,577,690	\$383,037,628	\$322,540,062	29.6	168
Total Food & Drink	722	\$81,940,957	\$14,453,483	\$67,487,474	70.0	24

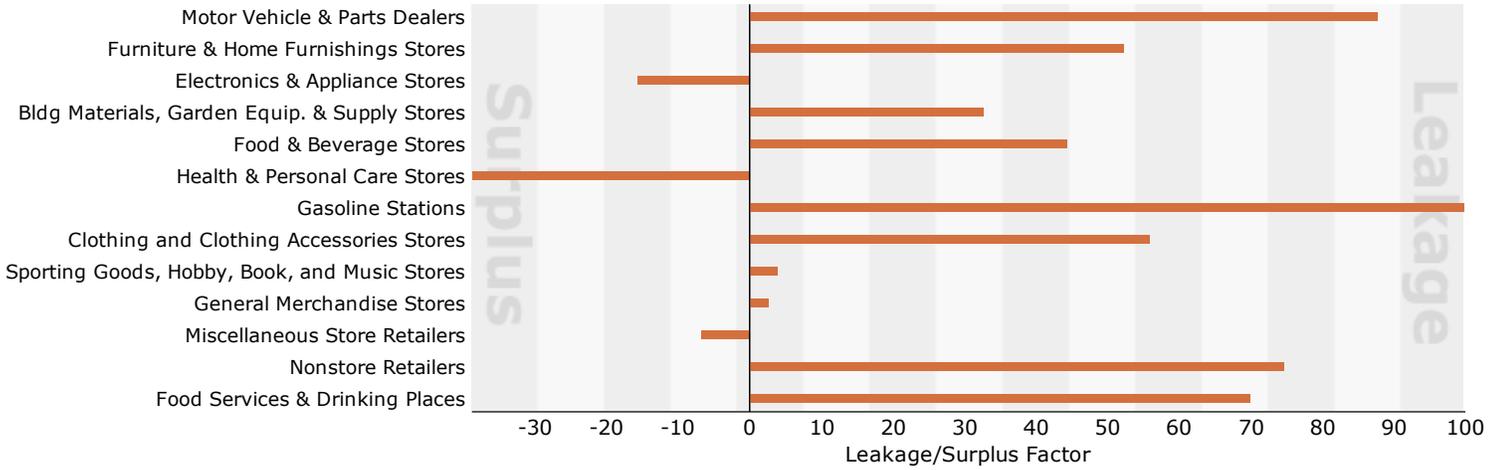
Industry Group	NAICS	Demand (Retail Potential)	Supply (Retail Sales)	Retail Gap	Leakage/Surplus Factor	Number of Businesses
Motor Vehicle & Parts Dealers	441	\$146,643,845	\$9,404,761	\$137,239,084	87.9	13
Automobile Dealers	4411	\$127,403,211	\$2,895,658	\$124,507,553	95.6	5
Other Motor Vehicle Dealers	4412	\$9,819,307	\$2,838,953	\$6,980,354	55.1	1
Auto Parts, Accessories & Tire Stores	4413	\$9,421,327	\$3,670,150	\$5,751,177	43.9	7
Furniture & Home Furnishings Stores	442	\$17,966,946	\$5,612,775	\$12,354,171	52.4	9
Furniture Stores	4421	\$9,673,043	\$984,466	\$8,688,577	81.5	2
Home Furnishings Stores	4422	\$8,293,903	\$4,628,309	\$3,665,594	28.4	7
Electronics & Appliance Stores	443	\$17,905,249	\$24,625,836	-\$6,720,587	-15.8	11
Bldg Materials, Garden Equip. & Supply Stores	444	\$23,497,675	\$11,863,269	\$11,634,406	32.9	6
Bldg Material & Supplies Dealers	4441	\$21,065,015	\$11,863,269	\$9,201,746	27.9	6
Lawn & Garden Equip & Supply Stores	4442	\$2,432,660	\$0	\$2,432,660	100.0	0
Food & Beverage Stores	445	\$121,940,188	\$46,946,455	\$74,993,733	44.4	20
Grocery Stores	4451	\$110,112,261	\$44,743,434	\$65,368,827	42.2	7
Specialty Food Stores	4452	\$4,589,244	\$1,131,082	\$3,458,162	60.5	11
Beer, Wine & Liquor Stores	4453	\$7,238,683	\$1,071,939	\$6,166,744	74.2	2
Health & Personal Care Stores	446,4461	\$53,650,036	\$121,931,342	-\$68,281,306	-38.9	15
Gasoline Stations	447,4471	\$60,404,148	\$0	\$60,404,148	100.0	0
Clothing & Clothing Accessories Stores	448	\$49,797,791	\$14,049,806	\$35,747,985	56.0	30
Clothing Stores	4481	\$36,958,857	\$11,148,401	\$25,810,456	53.7	24
Shoe Stores	4482	\$5,654,121	\$231,790	\$5,422,331	92.1	1
Jewelry, Luggage & Leather Goods Stores	4483	\$7,184,813	\$2,669,615	\$4,515,198	45.8	5
Sporting Goods, Hobby, Book & Music Stores	451	\$17,243,467	\$15,892,891	\$1,350,576	4.1	11
Sporting Goods/Hobby/Musical Instr Stores	4511	\$13,746,382	\$15,605,144	-\$1,858,762	-6.3	9
Book, Periodical & Music Stores	4512	\$3,497,085	\$287,747	\$3,209,338	84.8	2
General Merchandise Stores	452	\$103,566,620	\$97,885,299	\$5,681,321	2.8	5
Department Stores Excluding Leased Depts.	4521	\$44,568,788	\$97,885,299	-\$53,316,511	-37.4	5
Other General Merchandise Stores	4529	\$58,997,832	\$0	\$58,997,832	100.0	0
Miscellaneous Store Retailers	453	\$21,376,598	\$24,554,134	-\$3,177,536	-6.9	42
Florists	4531	\$1,065,186	\$0	\$1,065,186	100.0	0
Office Supplies, Stationery & Gift Stores	4532	\$3,959,477	\$5,262,920	-\$1,303,443	-14.1	11
Used Merchandise Stores	4533	\$1,820,289	\$258,965	\$1,561,324	75.1	3
Other Miscellaneous Store Retailers	4539	\$14,531,646	\$19,032,249	-\$4,500,603	-13.4	28
Nonstore Retailers	454	\$71,585,127	\$10,271,060	\$61,314,067	74.9	6
Electronic Shopping & Mail-Order Houses	4541	\$66,068,328	\$9,515,450	\$56,552,878	74.8	2
Vending Machine Operators	4542	\$984,679	\$287,519	\$697,160	54.8	1
Direct Selling Establishments	4543	\$4,532,120	\$468,091	\$4,064,029	81.3	3
Food Services & Drinking Places	722	\$81,940,957	\$14,453,483	\$67,487,474	70.0	24
Full-Service Restaurants	7221	\$38,772,432	\$6,740,074	\$32,032,358	70.4	8
Limited-Service Eating Places	7222	\$37,067,364	\$7,122,283	\$29,945,081	67.8	12
Special Food Services	7223	\$3,792,124	\$0	\$3,792,124	100.0	0
Drinking Places - Alcoholic Beverages	7224	\$2,309,037	\$591,126	\$1,717,911	59.2	4

**Data Note:** Supply (retail sales) estimates sales to consumers by establishments. Sales to businesses are excluded. Demand (retail potential) estimates the expected amount spent by consumers at retail establishments. Supply and demand estimates are in current dollars. The Leakage/Surplus Factor presents a snapshot of retail opportunity. This is a measure of the relationship between supply and demand that ranges from +100 (total leakage) to -100 (total surplus). A positive value represents 'leakage' of retail opportunity outside the trade area. A negative value represents a surplus of retail sales, a market where customers are drawn in from outside the trade area. The Retail Gap represents the difference between Retail Potential and Retail Sales. Esri uses the North American Industry Classification System (NAICS) to classify businesses by their primary type of economic activity. Retail establishments are classified into 27 industry groups in the Retail Trade sector, as well as four industry groups within the Food Services & Drinking Establishments subsector. For more information on the Retail MarketPlace data, please view the methodology statement at <http://www.esri.com/library/whitepapers/pdfs/esri-data-retail-marketplace.pdf>.

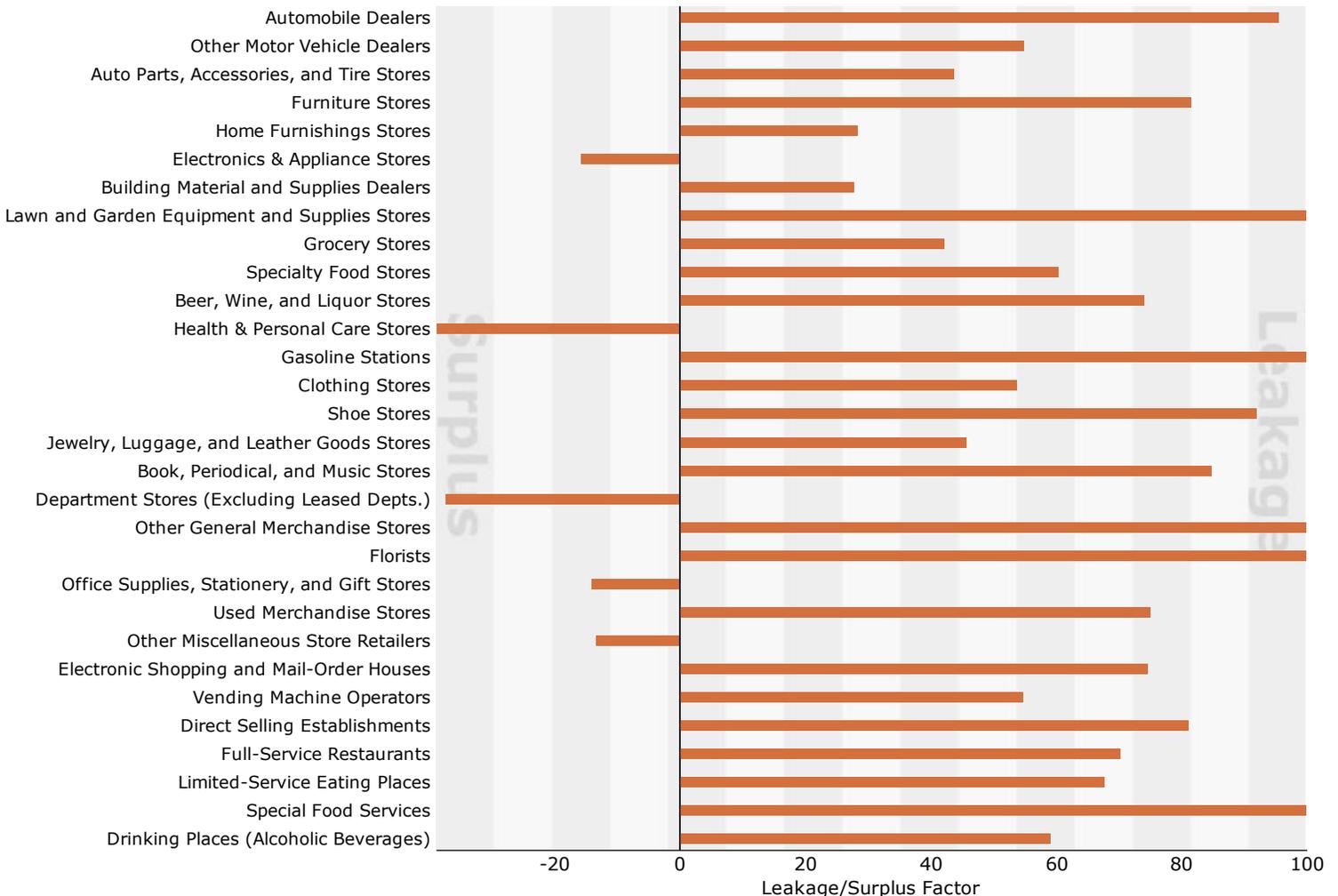
**Source:** Esri and Dun & Bradstreet. Copyright 2014 Dun & Bradstreet, Inc. All rights reserved.

Eastvale CDP, CA  
 Eastvale CDP, CA (0621230)  
 Geography: Place

## Leakage/Surplus Factor by Industry Subsector



## Leakage/Surplus Factor by Industry Group



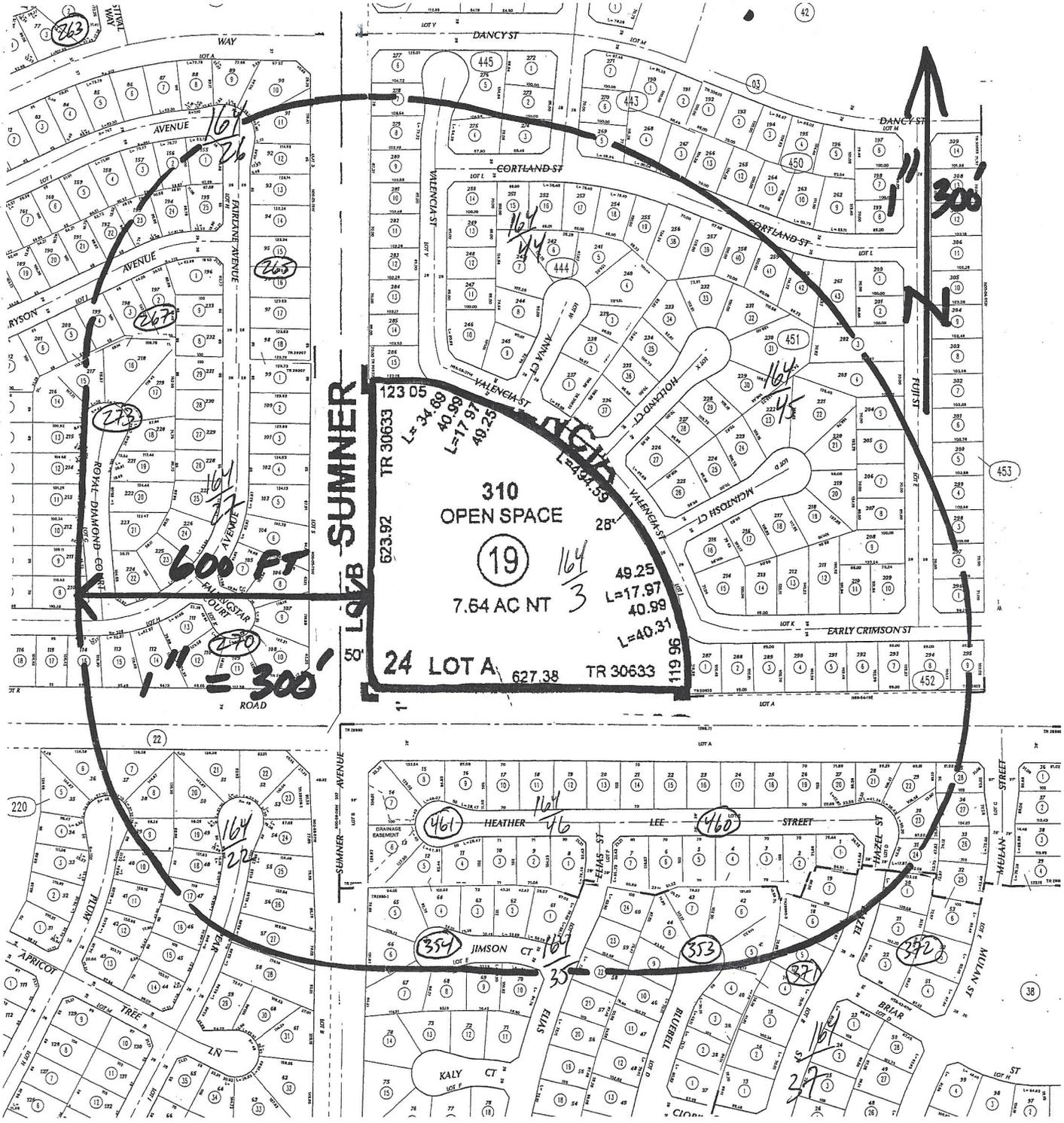
**ATTACHMENT D**

**600-FOOT RADIUS MAP**

**AND**

**HEARING NOTICE**

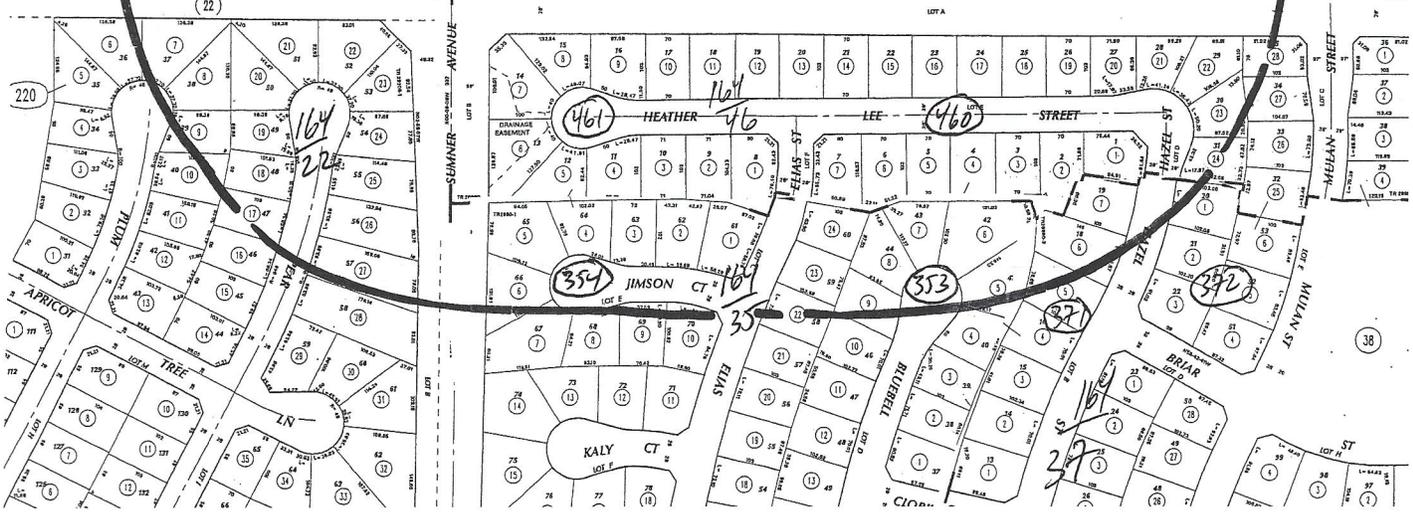




**SUMNER**

123 05  
TR 30633  
L=34.89  
40.99  
L=17.97  
49.25  
623.92  
310  
OPEN SPACE  
28'  
19  
7.64 AC NT  
164/3  
49.25  
L=17.97  
40.99  
L=40.31  
119.96  
24 LOT A 627.38 TR 30633

600 FT  
1 1/2" = 300'



HEATHER STREET  
LEE STREET  
JIMSON CT  
ELIAS ST  
BUBBEL CT  
MULAN ST  
461  
460  
354  
353  
392  
277

## CITY OF EASTVALE PLANNING COMMISSION NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the City of Eastvale Planning Commission will hold a public hearing on November 19, 2014, at 6:00 p.m. at Rosa Parks Elementary School located at 13830 Whispering Hills Drive, Eastvale, CA 92880, to consider and make a recommendation to the Eastvale City Council on a proposed General Plan Amendment and Change of Zone from commercial to residential use on a 7.64-acre site located on the northeast corner Limonite Avenue and Sumner Avenue (APN 164-030-019) in the City of Eastvale – **Project No. 14-2683** (project or proposed project).

Staff is recommending denial of the proposed project.

The project involves the following entitlements:

- A General Plan Amendment to change the land use designation of the project site from Commercial Retail (CR) to Highest Density Residential (HHDR).
- A Change of Zone to change the zoning from Scenic Highway Commercial (C-P-S) to General Residential (R-3).

The applicant is William Lyon Homes. The project site is not located on a hazardous materials site that is listed under Government Code Section 65962.5. Project location map is provided on the back of this notice.

No environmental determination is necessary if the Planning Commission concurs with staff's recommendation for denial of the GPA and CZ because denial of an application does not require environmental review. (CEQA Section 15061(b)(4)). However, if the Planning Commission chooses to recommend approval of the change from commercial to residential to the City Council, CEQA analysis would have to be performed prior to approval by the City Council.

Any person may submit written comments prior to the public hearing or may appear in person before the Planning Commission to be heard. Written comments may be mailed to the City of Eastvale Planning Department located at 12363 Limonite Avenue, Suite 910, Eastvale, CA 91752. Any questions on the project may be directed to Kanika Kith at (951) 258-8300 or via e-mail at [kkith@eastvaleca.gov](mailto:kkith@eastvaleca.gov). All comments made in writing or via e-mail prior to the public hearing must be submitted and received by the City of Eastvale Planning Department no later than Wednesday, November 19, 2014, at 5:00 p.m. Oral and written comments may be submitted directly to the Planning Commission at the public hearing. If you challenge the project in court, you may be limited to raising only those issues you raised at the public hearing as described in this notice or in written correspondence delivered to the Eastvale Planning Commission prior to or at the public hearing.

# Project Location Map

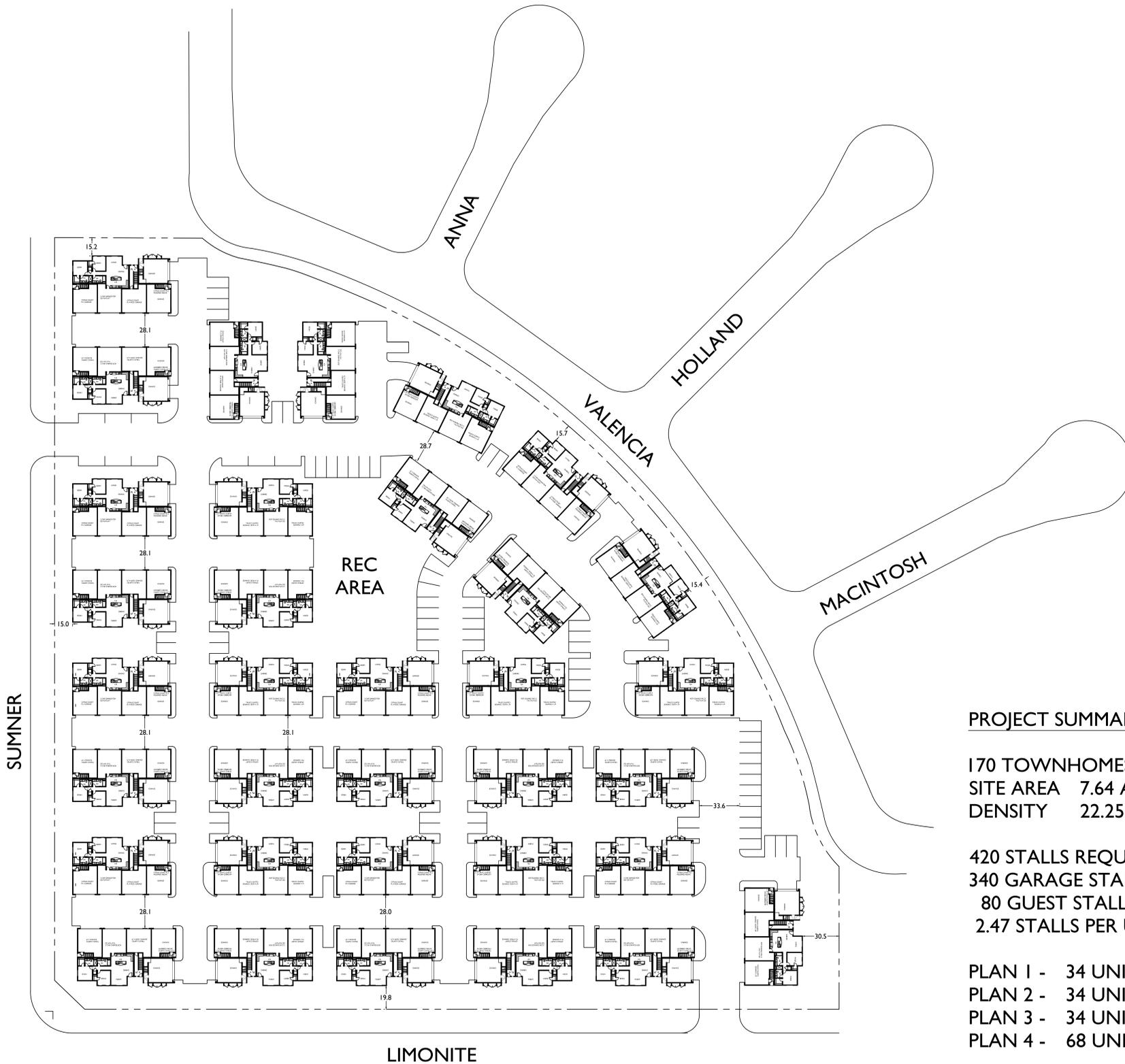




**ATTACHMENT E**

**CONCEPTUAL SITE AND FLOOR PLANS**



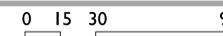


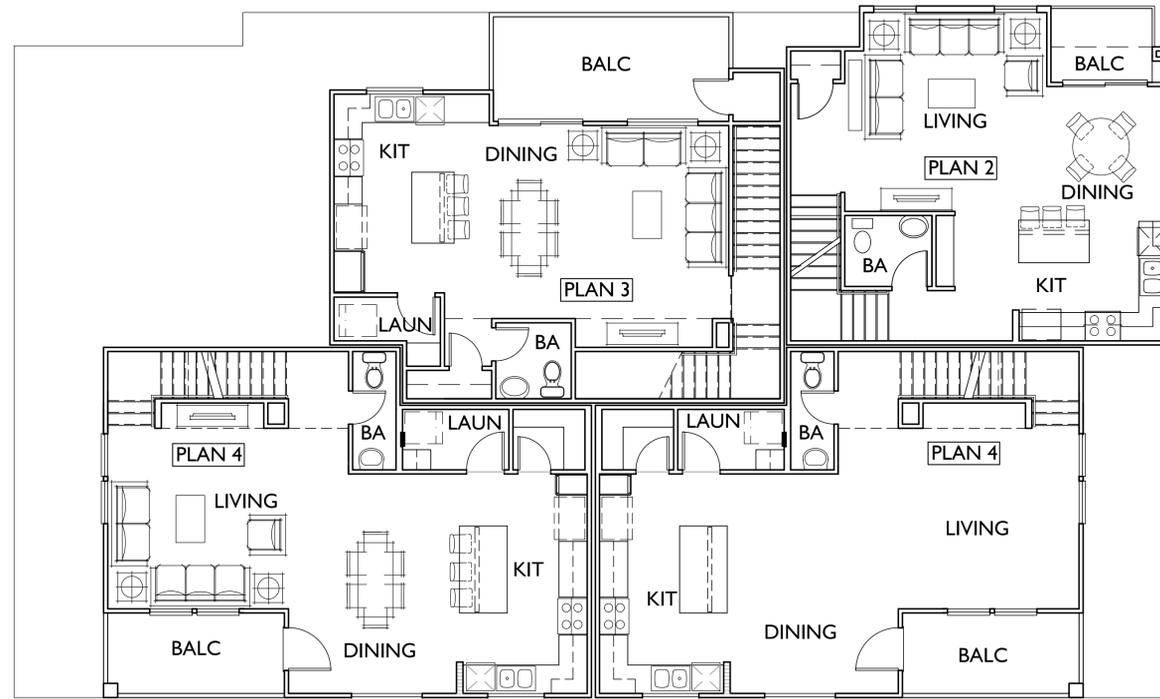
**PROJECT SUMMARY**

170 TOWNHOMES  
 SITE AREA 7.64 ACRES  
 DENSITY 22.25 DU/ACRE

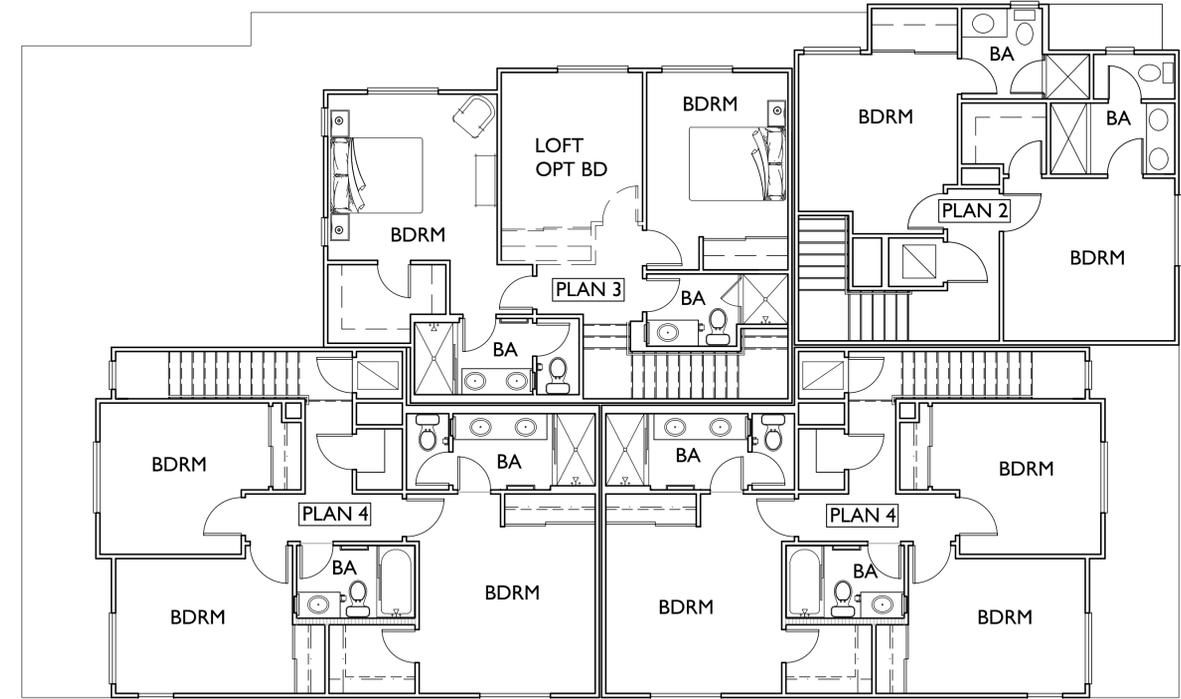
420 STALLS REQUIRED  
 340 GARAGE STALLS  
 80 GUEST STALLS  
 2.47 STALLS PER UNIT

PLAN 1 - 34 UNITS 1,150 S.F.  
 PLAN 2 - 34 UNITS 1,270 S.F.  
 PLAN 3 - 34 UNITS 1,360 S.F.  
 PLAN 4 - 68 UNITS 1,480 S.F.

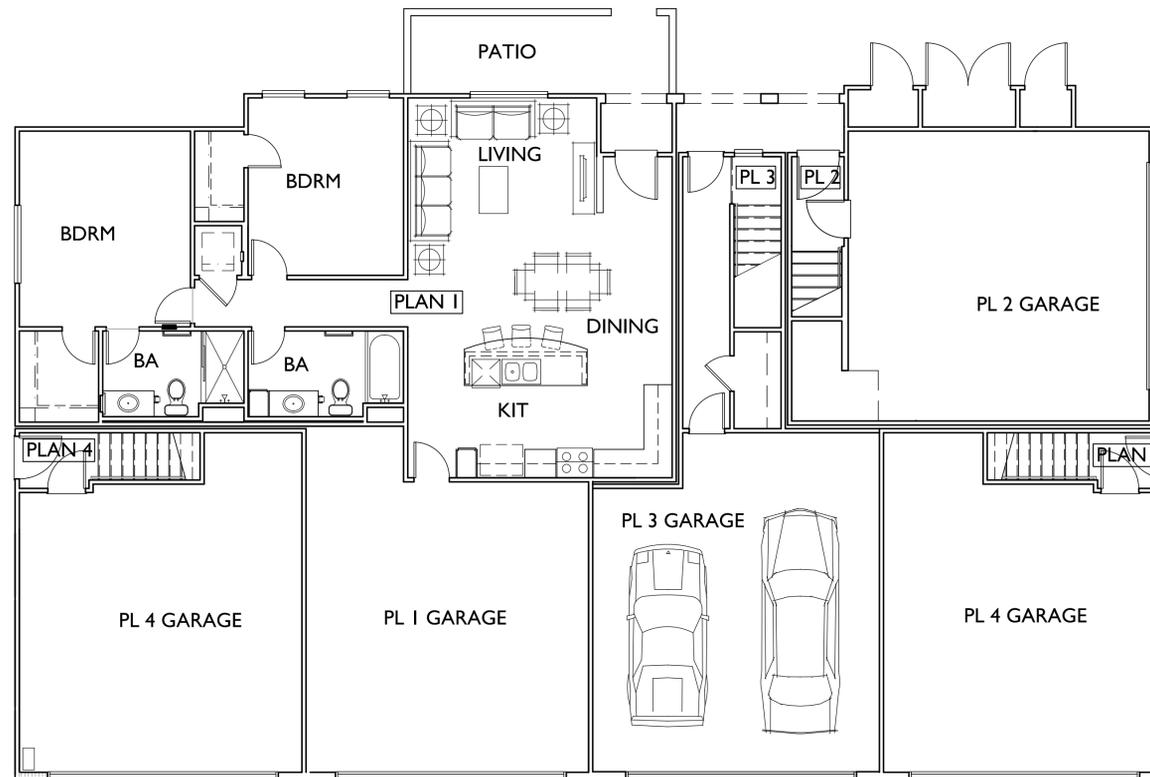




2ND FLOOR PLAN



3RD FLOOR PLAN



LIMONITE 5-PLEX  
OCTOBER 24, 2014

PLAN 1	2BD	1,068 S.F.
PLAN 2	2 BD	1,164 S.F.
PLAN 3	2 + LOFT OPT 3 BD	1,354 S.F.
PLAN 4	3 BD	1,475 S.F.

EASTVALE - CALIFORNIA

WILLIAM LYON HOMES, INC.  
1265 CORONA POINTE CT. #105  
CORONA, CA 92879  
(951) 284-4910

SUMNER-LIMONITE  
5 PLEX

OCTOBER 24, 2014

**SUMMA**  
ARCHITECTURE  
5256 S. Mission Road, Ste. 404  
Bonsall, CA 92003  
www.summarch.com 760.724.1198

## **ATTACHMENT 2**

### **Public Comments**



project No 14-2683 - Kanika Kith

project No 14-2683

Shaun Chang <tehsianc@gmail.com>

Sun 11/23/2014 1:50 AM

To:Kanika Kith <kkith@eastvaleca.gov>;

To Whom It May Concern,

We would like to deliver our voice to the city to decline this project. It definitely will have an environmental impact to the neighborhood. The commercial and residential zones should not be commingled.

Thanks.

Shaun Chang (Representing 5 votes from Chang's family)

Opposition to Project No. 14-2683 - Kanika Kith

Opposition to Project No. 14-2683

escarpen@charter.net

Mon 11/17/2014 3:22 PM

To: Kanika Kith <kkith@eastvaleca.gov>;

Nov. 17, 2014

City of Eastvale Planning Department

12363 Limonite Ave., Suite 910

Eastvale, CA 91752

Re: Project No. 14-2683

To: Eastvale Planning Commission,

My wife and I are original homeowners on Cortland St. (since 2004) just a short walk from the proposed project area. We moved in to this location just after Orchard Park opened and we were told that the vacant land at Limonite and Sumner would one day be used for commercial purposes.

We are very much opposed to the proposal – Project No. 14-2683 – to change the land designation from Commercial Retail to Highest Density Residential.

We have patiently waited for more than a decade to see commercial/retail open within walking distance and would be highly disappointed to see the land converted to any residential but particularly “highest density residential.”

As the population of Eastvale continues to grow – with high density homes being built nearby at Limonite and Scholar Way – it has

## Opposition to Project No. 14-2683 - Kanika Kith

become glaringly apparent that more commercial/retail space is needed. Converting these nearly 8 acres to even more residential would be a bad choice that would further throw off the balance in this area of the city.

We are glad to hear that city staff is recommending denial of the project and hope that the Planning Commission will concur and keep the General Plan designation as is. Thank you for your consideration.

Sincerely,

Eric Carpenter and Fabiola Gutierrez-Carpenter

13283 Cortland St. Eastvale, CA 92880

# Project No 14-2683 - Kanika Kith

## Project No 14-2683

Jeff Bolkovatz <bolky@sun-internet.com>

Sun 11/16/2014 3:50 PM

To: Kanika Kith <kkith@eastvaleca.gov>;

Hello,

I recently received a letter in regards to a zone change for the property located on the NE corner of Limonite Ave and Sumner Ave. As a resident who lives in The Orchards development I would like to express my disapproval of changing the zone from Commercial Retail to High Density Housing.

Our schools are already seriously overcrowded with some children having to be bused to schools outside of Eastvale. Adding additional high density residential over and above what is already planned will just make the school population situation worse.

In addition, with the already limited open space remaining for commercial retail development, rezoning this property to residential will further limit out city's ability to generate much needed sales tax revenue.

Please add my comments to the record.

Thank You,

Jeff Bolkovatz  
13343 Cortland St

# Planning Commission and Project 14-2683 - Kanika Kith

## Planning Commission and Project 14-2683

tonyflecklin@gmail.com

Tue 11/18/2014 5:46 PM

To: Kanika Kith <kkith@eastvaleca.gov>;

**From:** [A. F. \(Tony\) Flecklin](#)

Thank you for the opportunity to weigh in on this matter, Kanika. FYI, I own two homes in the tract that would be affected by this zoning change.

I am solidly against any change to allow Highest Density Residential (HHDR) placement in this neighborhood. I would not object to standard residential placement in like to that which already exists. But the change to HHDR is unwarranted and ill advised. I am pleased the staff has recommended the request be denied.

Residents in this area take great pride in their area. They have invested significant portions of their savings to enable their families to live in an area that is dedicated to single family homes, with quiet (safe) streets for their children. Bringing in an HHDR content to the mix is not consistent with the intent and expectations to which the owners ascribed. To expect that a high density housing environment would carry forward the same values would be foolish. In the course of our lives most have lived in apartments and/or condos, and took steps to better our home situation by finding and purchasing our dream, single family home. Bringing such a development into the homes at this location would be a travesty to those who have chosen their homes with care and consideration to the environment surrounding it, and likely affect their home values in the process.

One major issue that already exists is the lack of adequate traffic systems to allow exit from the existing homes. For example, anyone departing the complex toward I-15 via Limonite has to turn away from the freeway, merge with westbound traffic on Limonite, and make a U-turn at the light on Sumner. That is often a difficult maneuver, especially in the morning and afternoon timeframes. With the addition of an HHDR complex on the corner of Limonite and Sumner, that situation becomes even more complex and potentially dangerous.

In the event the Planning Commission elects to reject the Staff recommendation, I would anticipate a greater threat to individual safety, both while driving as well as afoot, unless a major modification is made to the traffic system in place today. Keep in mind that many children live in the existing homes, and a large number walk or ride their bikes to and from school, crossing Limonite in order to do so.

I respectfully ask that the Staff recommendation be upheld, and the zoning change to HHDR be denied.

Thank you,  
Tony Flecklin



**ATTACHMENT 3**

**Minutes from Planning Commission Meeting of November 19, 2014**



**MINUTES**  
**REGULAR MEETING OF THE PLANNING COMMISSION**  
**OF THE CITY OF EASTVALE**  
**Wednesday, November 19, 2014**  
**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**

Commissioners present: Commissioners Van Leeuwen, Oblea, Patel, Vice Chair Charlson, and Chair Valentine.

Staff Members present: Acting City Manager Nissen, Planning Director Norris, Senior Planner Kith, Senior Engineer Indrawan, and Recording Secretary Wuence.

The Pledge of Allegiance was led by Commissioner Oblea.

3. **ADDITIONS/DELETIONS TO THE AGENDA – none**

*The order of the agenda was changed and Items 7.1 and 7.2 were addressed at this time.*

7. **PUBLIC HEARINGS**

7.1 PROJECT NO. 14-2683 – General Plan Amendment and Change Of Zone Of An Approximately 7-Acre Site From Commercial Retail To Highest Density Residential.

RECOMMENDATION:

Staff recommends that the Planning Commission forward a recommendation to the City Council to take the following actions:

1. Deny a General Plan Amendment from Commercial Retail (CR) to Highest Density Residential (HHDR).
2. Deny a Change of Zone from Scenic Highway Commercial (C-P-S) to General Residential (R-3).

Planning Director Norris noted that the applicant requested a continuance of the item.

It was decided that Public Comments would be heard and staff and the applicant would present at the January 21, 2015 meeting.

The Public Hearing was opened at 6:06 p.m.

Dean Barlow, resident, stated that he prefers the property remain commercial. He stated that anchor businesses are needed for continuous tax revenue for the City. He stated that he was not in favor of an R-3 zoning, yet he might feel differently if it were an R-1 zoning.

Roberto Torres, resident, stated that he is a Real Estate Agent and knows that R-3 zoning brings changes to the neighborhood and prefers it not be changed. He stated that commercial would be beneficial to the City, while more residential would bring more density to the schools and affect property values. He believes more taxes would be required to build schools for any children from the new high-density residential.

Richard Loquet, resident, inquired about the location of the lot, with respect to Archibald and Schleisman. Staff showed a map of the parcel in question.

Barret Keuthen, resident, inquired about the meaning of high-density residential and whether they would be apartments. Planning Director Norris explained that for this project, homes for purchase would be closer together with smaller yards (more homes per acre) than what was already built around the parcel.

Rongman Gao, resident, stated that the roads are already crowded and more residents would cause more traffic. She stated that more commercial is needed to generate revenue for the City. She stated that she currently goes to Chino Hills to do all of her shopping.

The Public Hearing remained open and would be continued on January 21, 2015.

Motion: Moved by Commissioner Van Leeuwen, seconded by Vice Chair Charlson to continue the item to the January 21 Planning Commission Meeting.

Motion carried 5-0 with Commissioners Charlson, Oblea, Patel, Van Leeuwen, and Chair Valentine voting aye.

## 7.2 **CHANDLER AREA** – Preparation of the Chandler Area Community Plan

### RECOMMENDATION:

Staff recommends that the Planning Commission continue this project to the next Planning Commission Meeting.

## **8.2 ZONING CODE AMENDMENT FOR ELECTRONIC MESSAGE BOARD**





# City of Eastvale

## Planning Commission Meeting Agenda

### Staff Report

---

**MEETING DATE: FEBRUARY 4, 2015**

**TO: PLANNING COMMISSION**

**FROM: ERIC NORRIS, PLANNING DIRECTOR**

**SUBJECT: PROPOSED REGULATIONS FOR ELECTRONIC MESSAGE SIGNS TO BE PLACED AT SCHOOLS, PARKS, AND OTHER LOCATIONS**

---

**RECOMMENDATION: REVIEW STAFF'S ANALYSIS AND THE PROPOSED REGULATIONS FOR ELECTRONIC MESSAGE BOARD SIGNS AT SCHOOLS, PARKS, AND OTHER LOCATIONS, AND MAKE A RECOMMENDATION TO THE CITY COUNCIL**

---

#### **BACKGROUND:**

The City has been approached by a partnership involving the Corona-Norco Unified School District (CNUSD) and Signs of Community (a nonprofit organization formed by Vantage LED, an Ontario-based sign manufacturer),<sup>1</sup> with a proposal to create a new category of signs in the Eastvale Zoning Code. These signs, which would be similar to electronic message boards seen in commercial areas in surrounding communities (but not in Eastvale), are proposed to be used to show a combination of school information, City information, news and other information, and advertising.

#### **DISCUSSION:**

##### Sign Regulations in General/Why Cities Regulate Signs

Sign regulations are one of the most frequently used—and debated—portions of the zoning code for most communities. The character and quality of signage has a major effect on the appearance of a community, as shown in the examples below. Las Vegas-style signage plays an important role in creating the “look” of that city, but would look out of place in downtown Carmel. Carmel-style signs, meanwhile, would be out of place in Las Vegas.

---

<sup>1</sup> Together, the CNUSD and Signs of Community/Vantage LED are referred to in this staff report as the applicants.

The key is to have sign regulations which match the character that a community wishes to promote. The debate over signs typically occurs when the desires of businesses for more or larger signs conflict with a community's goals of reducing "sign clutter" and maintaining a more low-key appearance for its streets.

State law and a variety of court cases grant cities broad latitude in regulating the size, location, and appearance of signs, provided that the regulations are content neutral.



The importance of signs and their effect on a community have long been recognized. In the classic film, *It's a Wonderful Life* (1946), the neon "Pottersville" sign bears silent witness to the fact that something has gone terribly wrong in Bedford Falls:



## Sign Regulations in Eastvale

Signs are regulated in Chapter 5 of the Eastvale Zoning Code (Section 5.7). Section 5.7 provides regulations for a variety of permanent and temporary signs, all of which are designed to regulate the so-called “time, place, and manner” aspects of signs. In general, this involves regulating where signs can be placed, how large they can be, and when they can be displayed (for temporary signs).

With only a few exceptions, signs in Eastvale are for the most part limited to the community’s commercial and industrial districts, where they provide identification for stores and businesses, helping customers and clients find their destinations.

Residential areas, by comparison, are currently very limited in the types of signs that can be displayed there. The only sign types currently allowed in Eastvale’s residential areas are signs advertising homes for sale (including new housing subdivisions and individual homes), signs for home occupations, and temporary signs (which can be displayed on weekends only). Currently, *commercial* signs are excluded from Eastvale’s residential areas.

These regulations are consistent with the City’s desire to maintain the quality of life in Eastvale’s residential areas, which are also protected from a variety of unwanted intrusions by the Neighborhood Preservation Standards in Section 5.8 of the Zoning Code.

Several other features of Eastvale’s sign regulations that are shared with most communities are the following:

- A general prohibition of billboards, which are signs that “advertis[e] or identif[y] a use, good, or service not located on the same lot or premise as the sign” [Zoning Code Section 5.7.B.2]. Currently, billboards are only allowed in limited areas in specified commercial and industrial zoning districts (Section 5.7.D.5). One freeway-oriented electronic billboard is allowed to be placed in a very limited area along Interstate 15. With these exceptions, all other billboards are prohibited; signs for a business must be located where the business is.
- A general prohibition of electronic message boards. Section 5.7.C.3 of the Zoning Code provides that “Use of ... electronic message boards using flashing, intermittent or moving light or lights is **prohibited**, provided, however, that electronic message boards displaying only time and/or temperature for periods of not less than thirty (30) seconds is permitted.” [emphasis added]

## **Proposed Regulations**

The applicants have approached the City to create a new category of signs based on electronic message boards (such as those manufactured by Vantage LED). The proposed regulations are attached to this staff report. In summary, the regulations would provide for the following:

- A new type of sign, electronic message boards, would be added to the sign regulations in the Zoning Code.
- These signs would be permitted at public schools and parks, including those which are in residential neighborhoods.
- The new sign type would be regulated in terms of the size, height, and brightness of the signs.
- The new signs would be exempt from the City's other prohibitions on billboards and could display a wide variety of content, including commercial advertising.
- The signs could operate from 6 a.m. to 10:30 p.m.

Last year, the applicants installed a test sign on the frontage of Clara Barton Elementary School (shown in the photos below). This sign was operated more or less in conformance with the proposed hours of operation and remained "on" for several weeks, displaying school and City information and sponsor advertising. (Additional photos of this sign are included in Attachment 3 to this staff report.)

**Photo 1: Clara Barton Sample Sign**



*Note: The person in the photo was added to show how large a monument sign built to the proposed maximum height (12 feet) would appear. The Clara Barton sign was smaller (approximately 8 feet tall).*

**Photo 2: Clara Barton Test Sign**



The CNUSD solicited opinions from the public about the proposed sign; responses (included in Attachment 4 to this staff report) were more or less evenly split between persons who approved of the sign and those who did not. Staff suggests that the Commission review the survey results, including the written comments both pro and con.

The proposed regulations create an entirely new type of sign that would allow essentially any type of content (within the limits of what can legally be displayed on school grounds under state law) that the applicants propose to use in the following way:<sup>2</sup>

- 25% of the display time would be dedicated to CNUSD and school-related news (holidays, test dates, etc.). This is similar to the electronic signs currently installed at most Eastvale schools.
- 25% of the display time would be available to the City to promote City events (Council and Planning Commission meetings, etc.).
- 25% of the display time would be devoted to time, temperature, IPAWS (Integrated Public Alert & Warning System), and local news stories approved by the CNUSD.
- 25% of the display time would be devoted to paid commercial advertising, with revenues going to Signs of Community. (The CNUSD's agreement with Signs of Community also

---

<sup>2</sup> Additional details on the CNUSD's proposed use of these signs are contained in the District's agreement with Signs of Community/Vantage LED, included in the attachments to this staff report.

allows the CNUSD and the City to sell advertising time on the signs, with the provision that up to 35% of the time on each sign can be advertising.)

The signs that the applicants propose to install would be full-color and capable of displaying basically any type of static or moving image.

At this time, the CNUSD and Vantage LED report that they have signed an agreement under which Vantage LED will provide the signs to the CNUSD free of charge, in return for the ability to sell advertising time. The Commission should note that this agreement is separate from the proposed regulations and is not subject to City review or approval; it could be amended in the future.

### **Staff's Analysis**

Staff has several concerns with this proposed new type of sign, which are highlighted below. These address the following topics:

- Is this sign type appropriate for Eastvale?
- Inability on the part of the City to control the content on the signs.
- Aspects of the applicants' proposed regulations that the Commission may wish to review (and potentially recommend as changes to the City Council).

### Are These Signs Appropriate to Eastvale?

As noted earlier, the proposed regulations would create a new type of sign that could be placed at schools and parks in Eastvale, almost all of which are located in residential neighborhoods (and, particularly for parks, often on local streets). The signs could operate until 10:30 p.m. (unless the applicants' proposed regulations are changed) and could display any type of content (except as limited on school sites by state law).

Given the protection that has historically been given to Eastvale's neighborhoods (through the Eastvale Neighborhood Protection regulations, the City's proactive Code Enforcement, and the limits on uses and other activities included in the Eastvale Zoning Code), staff suggests that the Commission carefully consider whether the need for these signs and their benefits outweigh the potential impacts.

Staff notes that, so far as we have been able to determine, no other city in California specifically allows this type of sign (although Corona and Norco, the other cities served by the CNUSD, have decided not to regulate these signs). In other communities, signs of the type being proposed are limited to commercial districts and corridors.

And while schools, including those in Eastvale, now commonly use electronic message signs to display school information, they do not include the type of advertising being proposed by the applicants. Typical school message signs also tend to be smaller and less intrusive than those being proposed by the applicants.

#### The City Would Not Be Able to Control Sign or Advertising Content

As proposed by the applicants, this new type of sign would be able to display any type of content, including commercial advertising. The applicants have indicated how they would make use of this basically unlimited content, which would limit the advertising and set aside space for City messages.

However, staff notes that these limits would be entirely at the applicants' discretion. For instance, although the CNUSD might at this time choose to limit commercial advertising to a certain percentage of the time available on the sign, there is no such limit included in the regulations. Should a future School Board decide to increase revenues by selling more advertising time, the City would not be able to prevent this change.

Similarly, with the exception of limits imposed on the CNUSD by state law, there would no limits on the content of the signs. The City could not, for instance, prevent the applicants from displaying ads from businesses outside Eastvale. Ads could take any form—images, animation, videos—since the City cannot regulate sign content in this way.

This is part of staff's concern about the appropriateness of these signs in residential areas. Given that the City cannot control content, the possibility could arise that neighbors viewing the signs would find some of the information and/or advertising offensive or inappropriate. In this case, their recourse would be to ask the CNUSD to remove the offensive content.

#### Staff's Recommended Changes to the Regulations

The regulations attached to this staff report reflect the applicants' desired regulations. Should this type of sign be permitted, staff suggests the following changes:

- 1) **Sign Spacing** – The applicants have suggested that there be no minimum space between signs of this type where schools are close together:

“Signs must be placed at least 1,000 feet apart, unless this spacing cannot be met due to the proximity of individual schools or the proximity of a school to a park or other approved location (see section f, “Permitted Locations). Signs may be placed closer together if approved by the Planning Commission as part of the review of a proposed sign(s).” [Section 1.d.2]

In practice, this would allow signs to be spaced closer than 1,000 feet in several places, including on Harrison Avenue (Rosa Parks Elementary, Augustine Ramirez Middle School, and the JCSD Community Center) and Scholar Way (Eastvale Elementary, River Heights Middle School, and Eleanor Roosevelt High School). Signs closer than 1,000 feet apart could also occur at sites where schools are adjacent to parks, specifically Clara Barton Elementary/McCune Park and the future school adjacent to Half Moon Park.

Staff suggests that the 1,000 feet spacing be maintained, except at the high school:

“Signs must be placed at least 1,000 feet apart, except that if two signs are placed at the high school they may be closer than 1,000 feet, with the minimum spacing to be determined by the Planning Commission.”

- 2) **Pole Signs** – The applicants have suggested that three types of LED signs be allowed: monument signs (the sign is mounted on a base on the ground), pole signs (the sign is raised in the air on a support), and building-mounted signs (the sign is attached to the face of the building).

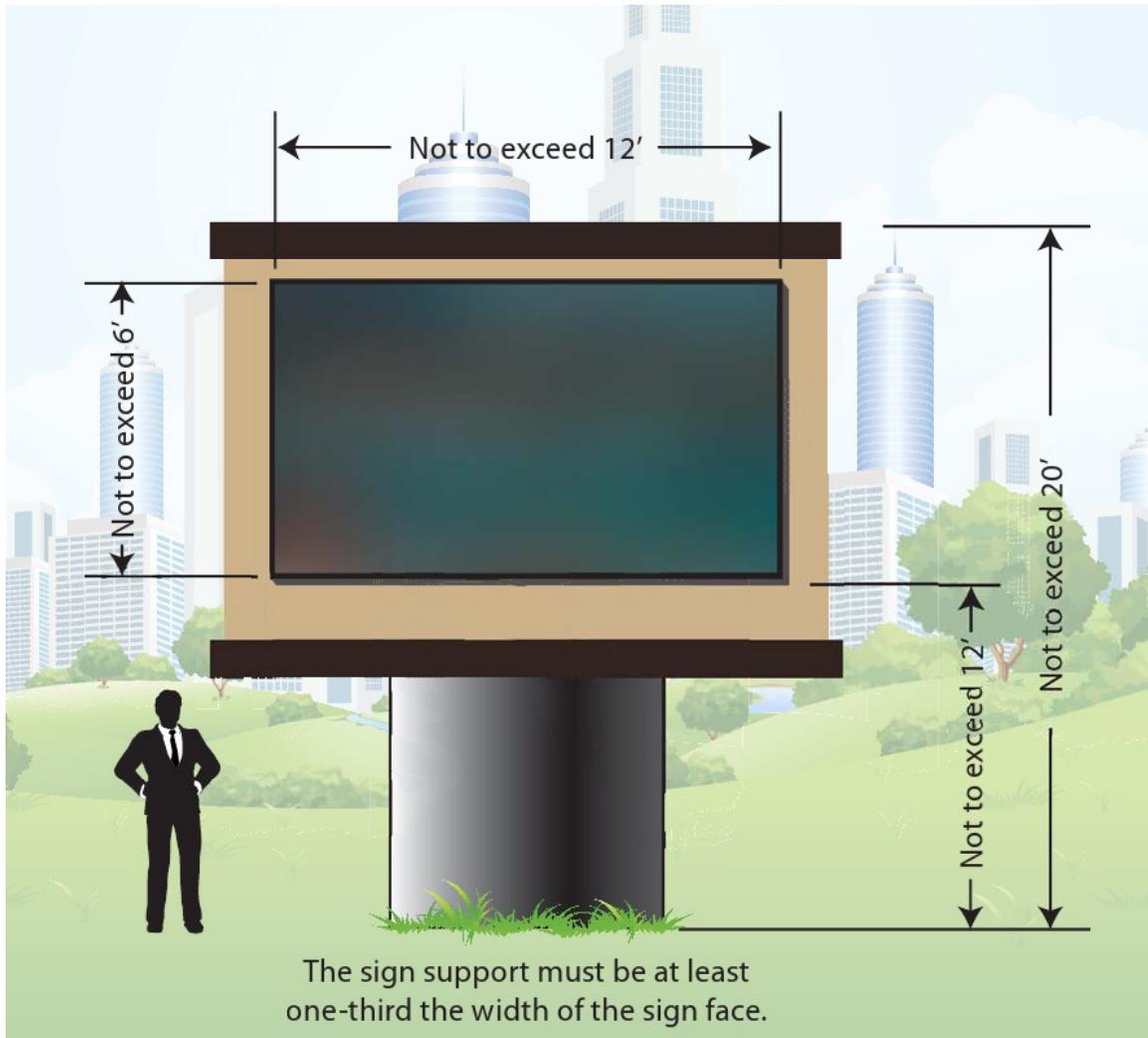
Staff suggests that the proposed pole signs would be particularly ill suited for placement in Eastvale and would violate a general prohibition of this type of sign elsewhere in the city. The proposed regulations for these signs are as follows:

“Pole Signs

- The maximum height shall not exceed twenty (20) feet. The maximum height to the bottom of the LED panel shall not exceed twelve (12) feet.
- The maximum screen size shall not exceed six (6) feet high by twelve (12) feet wide.
- The sign support must be at least one-third the width of the sign face.” [Section 1.e.2]

An illustration of a sign built to these standards is shown below.

### Illustration of Proposed Pole Sign



Staff recommends removing pole signs from the list of permitted sign types.

- 3) **Monument Sign Size** – The applicants have proposed monument signs of up to 12 feet in height (shown earlier in this report). Staff suggests that this is too large for the residential settings in which signs will be placed, where vehicle speeds will be low and there will be no other signs distracting attention from these signs. Staff proposes a maximum height of 8 feet, which would allow a 4-foot-tall sign panel atop a 4-foot-tall base.

A comparison of the proposed 12-foot-tall monument sign and staff's proposed 8-foot-tall maximum height is shown below.

**12-Foot Monument Sign  
(Applicants' Proposal)**



**8-Foot Monument Sign  
(Staff Recommendation)**



- 4) **Hours of Operation** – The applicants have proposed allowing these signs to operate until 10:30 p.m. Staff suggests, given that most of the city’s schools and parks are located in residential neighborhoods, that the signs be operated from 7 a.m. to 9:00 p.m. (with the potential that more stringent limits be imposed by the Planning Commission when a Conditional Use Permit for each sign is approved).

For the Commission’s information, shown below is a list of the schools and parks in Eastvale and whether each is on a local street (across a two-lane roadway from homes that generally face the school or park) or a collector street or larger (a wider roadway onto which homes do not generally face). All of the “local street” locations are of particular concern to staff in terms of the potential impacts of signs.

Schools

Clara Barton ES – local streets

Rosa Parks ES – adjacent to Secondary Street (Harrison Avenue)

Ramirez MS – adjacent to Urban Arterial (Schleisman Road) and to Secondary Street (Harrison Avenue)

Harada ES – adjacent to Secondary Street (Scholar Way)

Eastvale ES – adjacent to Urban Arterial (Schleisman Road) and adjacent to Secondary Street (Scholar Way)

River Heights MS – adjacent to Secondary Street (Scholar Way)

Roosevelt HS – adjacent to Secondary Streets (Scholar Way and Citrus Street)

Parks

Dairyland Park – local streets

Half Moon Park – local streets

Mountain View Park – local streets

American Heroes Park – adjacent to a Secondary street (Hellman Avenue)

Deer Creek Park – local streets  
McCune Park – local streets  
Huber Park – adjacent to Urban Arterial (Archibald Street)  
Riverwalk Park – local streets  
Providence Ranch Park – local streets  
Cedar Creek Park – local streets  
Orchard Park – adjacent to Major Street (Summer Avenue)  
Harada Park – adjacent to Secondary Street (Scholar Way)

- 5) **Advertising** – The final portion of the ordinance which staff suggests the Commission consider is whether these signs should be permitted, but *without* the exemption from the ban on off-site advertising that would otherwise apply. Under this scenario, the signs could be built and operated (subject to issuance of a Conditional Use Permit), but off-site “sponsor” advertising messages would not be displayed.

This would not allow the sale of advertising time to purchase or operate the signs, but staff notes, based on personal observations throughout the state, that schools in many parts of California—including those in economically disadvantaged areas—are able to afford these signs and their operation without the need for sponsorship from advertisers.

This change is not shown in staff’s version of the proposed regulations (Attachment 2), but would involve removing Section 1.e.4 from the applicants’ proposed version.

**RECOMMENDATION:**

Staff recommends that the Commission review the proposed regulations and determine:

- 1) If this is an appropriate type of sign to be placed at Eastvale’s schools and parks; and
- 2) If so, if the proposed regulations are appropriate, or if staff’s (or any other) changes should be recommended to the City Council.

Staff is ready to assist the Commission with information and analysis, but the decision whether these signs are appropriate is essentially a policy question that can best be answered by the Commission.

If the Commission determines that these signs are appropriate and that the regulations as proposed (or modified) by staff should be adopted, staff will forward that recommendation to the City Council.

## **Planning Commission Options**

The Commission has a variety of options. The Commission may:

- 1) Recommend that the proposed regulations be approved as proposed by the applicants.
- 2) Recommend that the proposed regulations be approved with changes as specified by the Commission.
- 3) Recommend denial of the proposed amendment to the Zoning Code.
- 4) Request additional information or analysis from the applicants and/or staff and continue the Commission's decision to a later date.

## **FISCAL IMPACT:**

Approval of the changes to the Zoning Code would not have a direct fiscal impact on the City's operations. If approved as proposed, future signs would require Conditional Use Permits; unless waived by the City Council, the cost of staff time to process these applications would be paid for per the City's fee schedule.

## **ATTACHMENTS:**

1. Draft Sign Regulations, Applicants' Version
2. Draft Sign Regulations, Staff's Version
3. Photos of Clara Barton Sample Sign
4. CNUSD Survey Results
5. CNUSD Sign Policy
6. Agreement Between CNUSD and Vantage LED

Prepared by: Eric Norris, Planning Director  
Reviewed by: John Cavanaugh, City Attorney



# **ATTACHMENT 1**

Draft Sign Regulations - Applicants' Version



**ELECTRONIC MESSAGE BOARD SIGNS  
APPLICANT'S PROPOSAL 1-19-15**

1. **Electronic Message Board Signs** – This sign type is intended to provide for the location of centrally controlled message signs incorporating an illuminated LED panel at public facilities throughout Eastvale for the purpose of providing information to the public. Electronic Message Board Signs shall be subject to the following:

a. **Type.** Community Electronic Message Signs must be one of the following types:

- 1) Monument (ground-mounted on a base)
- 2) Pole (elevated above the ground on a central support)
- 3) Building-mounted (affixed to a building)

Standards for each sign type are provided below.

b. **Brightness.** The following standards apply to the brightness of signs:

- 1) Maximum brightness of the LED panel for any Community Electronic Message Sign shall not exceed 1,500 nits.
- 2) Brightness must be automatically controlled to dim the sign to respond to ambient lighting conditions.
- 3) The City may impose a lower maximum lighting level as part of the approval of the Conditional Use Permit for any individual sign.

c. **Enclosures and Supports.** Sign enclosures and supports must be designed to be compatible with the architecture of the school or other buildings on the site.

d. **Number and Spacing of Signs.**

- 1) No more than one sign may be placed on a site (school, park, public facility, etc.), except that two signs may be placed at the high school.
- 2) Signs must be placed at least 1,000 apart, unless this spacing cannot be met due to the proximity of individual schools or the proximity of a school to a park or other approved location (see section f, "Permitted Locations). Signs may be placed closer together if approved by the Planning Commission as part of the review of a proposed sign(s).

e. **Height, Size, Hours of Operation and Other Standards.** Standards for the various types of Community Electronic Message signs are as follows.

1) Monument Signs

- Maximum height shall not exceed twelve (12) feet.
- Maximum screen size shall not exceed four (4) feet high by eight (8) feet wide.
- Sign may be single- or double-sided. Size for a double-sided sign is calculated by measuring one sign face.

2) Pole Signs

- The maximum height shall not exceed twenty (20) feet. The maximum height to the bottom of the LED panel shall not exceed twelve (12) feet.

- The maximum screen size shall not exceed six (6) feet high by twelve (12) feet wide.
- The sign support must be at least one-third the width of the sign face.

3) Building-Mounted Signs

- The sign must be mounted to a vertical surface, such as a building wall or other architectural feature, provided that the top of the sign may not be more than 45 feet above the ground at the base of the wall.
- The sign may not project over the top of the wall on which the sign is placed.
- The LED panel may not exceed eight (8) feet high by sixteen (16) feet wide.

4) Hours of Operation

- Signs may be operated between the hours 6 a.m. and 10:30 p.m.

5) Content

- Community Electronic Message signs may display advertising messages for uses not located on the site but are not subject to the requirements of Section 5.7.D.5 of this Zoning Code (“Billboards”).

f. **Permitted Locations.** Signs may be placed at the following locations:

- 1) Public schools
- 2) Public parks
- 3) Public facilities
- 4) City-owned property
- 5) Public road right-of-way (except roadway medians)

g. **Prohibited Locations.** Community Electronic Message signs may not be placed in any of the following locations:

- 1) Private property
- 2) Roadway medians

h. **Approval Process.** All Community Electronic Message signs require a Conditional Use Permit, which may impose conditions based on the specific circumstances at the site. Size and operational standards which are more stringent than those specified in this section may be applied if needed to address site-specific conditions.

## **ATTACHMENT 2**

Draft Sign Regulations - Staff's Version



**ELECTRONIC MESSAGE BOARD SIGNS**  
**STAFF RECOMMENDED CHANGES 1-19-15**

1. **Electronic Message Board Signs** – This sign type is intended to provide for the location of centrally controlled message signs incorporating an illuminated LED panel at public facilities throughout Eastvale for the purpose of providing information to the public. Electronic Message Board Signs shall be subject to the following:

a. **Type.** Community Electronic Message Signs must be one of the following types:

- 1) Monument (ground-mounted on a base)
- 2) Pole (elevated above the ground on a central support)
- 3) Building-mounted (affixed to a building)

Standards for each sign type are provided below.

b. **Brightness.** The following standards apply to the brightness of signs:

- 1) Maximum brightness of the LED panel for any Community Electronic Message Sign shall not exceed 1,500 nits.
- 2) Brightness must be automatically controlled to dim the sign to respond to ambient lighting conditions.
- 3) The City may impose a lower maximum lighting level as part of the approval of the Conditional Use Permit for any individual sign.

c. **Enclosures and Supports.** Sign enclosures and supports must be designed to be compatible with the architecture of the school or other buildings on the site.

d. **Number and Spacing of Signs.**

- 1) No more than one sign may be placed on a site (school, park, public facility, etc.), except that two signs may be placed at the high school.
- 2) Signs must be placed at least 1,000 apart, ~~unless this spacing cannot be met due to the proximity of individual schools or the proximity of a school to a park or other approved location (see section f, "Permitted Locations). Signs may be placed closer together if approved by the Planning Commission as part of the review of a proposed sign(s),~~ except that if two signs are placed at the high school they may be closer than 1,000 feet, with the minimum spacing to be determined by the Planning Commission.

e. **Height, Size, Hours of Operation and Other Standards.** Standards for the various types of Community Electronic Message signs are as follows.

1) Monument Signs

- Maximum height shall not exceed twelve (12) feet.
- Maximum screen size shall not exceed four (4) feet high by eight (8) feet wide.
- Sign may be single- or double-sided. Size for a double-sided sign is calculated by measuring one sign face.

~~2) Pole Signs~~

- ~~• The maximum height shall not exceed twenty (20) feet. The maximum height to the bottom of the LED panel shall not exceed twelve (12) feet.~~
- ~~• The maximum screen size shall not exceed six (6) feet high by twelve (12) feet wide.~~
- ~~• The sign support must be at least one-third the width of the sign face.~~

#### ~~3)2) Building-Mounted Signs~~

- The sign must be mounted to a vertical surface, such as a building wall or other architectural feature, provided that the top of the sign may not be more than 45 feet above the ground at the base of the wall.
- The sign may not project over the top of the wall on which the sign is placed.
- The LED panel may not exceed eight (8) feet high by sixteen (16) feet wide.

#### ~~4)3) Hours of Operation~~

- Signs may be operated between the hours 6 a.m. and ~~10:30~~ 10:30 p.m.

#### ~~5)4) Content~~

- Community Electronic Message signs may display advertising messages for uses not located on the site but are not subject to the requirements of Section 5.7.D.5 of this Zoning Code (“Billboards”).

f. **Permitted Locations.** Signs may be placed at the following locations:

- 1) Public schools
- 2) Public parks
- 3) Public facilities
- 4) City-owned property
- 5) Public road right-of-way (except roadway medians)

g. **Prohibited Locations.** Community Electronic Message signs may not be placed in any of the following locations:

- 1) Private property
- 2) Roadway medians

h. **Approval Process.** All Community Electronic Message signs require a Conditional Use Permit, which may impose conditions based on the specific circumstances at the site. Size and operational standards which are more stringent than those specified in this section may be applied if needed to address site-specific conditions.

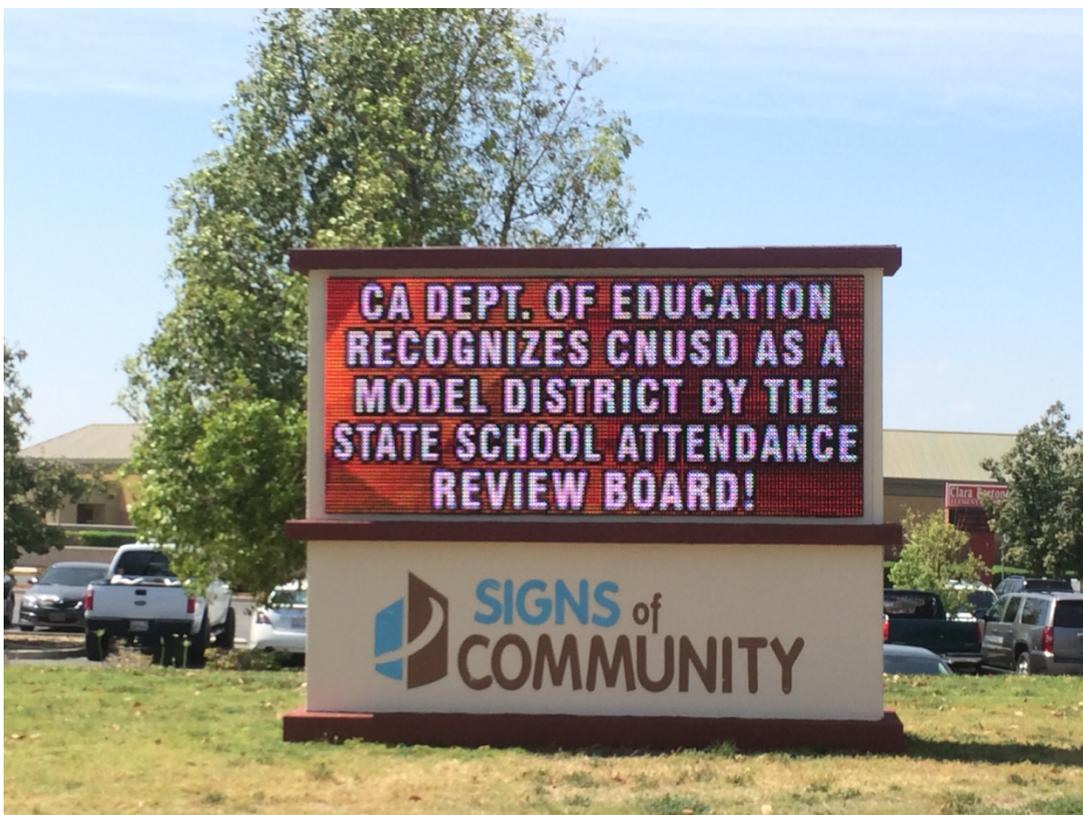
## **ATTACHMENT 3**

Photos of Clara Barton Sample Sign



























## **ATTACHMENT 4**

CNUSD Survey Results



## Kanika Kith

---

**From:** Evita Tapia <etapia@cnusd.k12.ca.us>  
**Sent:** Tuesday, June 24, 2014 12:44 PM  
**To:** Jordana J. Moreno  
**Subject:** Survey Results overview

### 1. matrix

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Response Total
A community message board will benefit the District.	44.9% (22)	24.49% (12)	6.12% (3)	10.2% (5)	14.29% (7)	49
A community message board is a valuable communications platform.	42.86% (21)	26.53% (13)	8.16% (4)	8.16% (4)	14.29% (7)	49
As a parent, a public sign will provide an opportunity for me to clearly see important school and community announcements.	42.86% (21)	28.57% (14)	10.2% (5)	4.08% (2)	14.29% (7)	49
The community sign blocks access points to the school.	8.16% (4)	6.12% (3)	16.33% (8)	36.73% (18)	32.65% (16)	49
The sign is too bright.	14.29% (7)	10.2% (5)	16.33% (8)	30.61% (15)	28.57% (14)	49
					Total Respondents	49

### 2. Sign location

	Response Total	Response Percent
Yes	25	51%
No	24	49%
	Total Respondents	49

3. Sign Location Comments (See attachment column 1)

4. Additional Comments (See attachment column 2)

**Evita Tapia- Gonzalez, MPA**

**Public Relations Specialist**  
**Corona-Norco Unified School District**  
**P: 951-736-5084**  
**F: 951-736-5016**

**Please follow us at:**



# Barton Elementary LED Sign Community Survey

Agree on location	Question#3 Location Comments	Question#4 Comments
YES		
YES		Love it.
YES		
YES		
YES		Hopefully the signs will provide helpful community information.
YES		The sign should display school information only
YES		I would like to see the name of the school because it looks odd directly in front of the school without the school's name attached. Also, please landscape around the sign, add school color flowers or something to cheer up the sign area. Great idea to put the sign there, just jazz it up a bit.
YES		A permanent one at the current location will be great!
YES		
YES		
YES		
YES		What is the cost of this program? Will these be at every CNUSD site? What are the maintenance costs?
YES		So happy our city is a community and has so many events.
YES		Love it!
YES		
YES		
YES	Perfect location.	Love the sign. Love the fun facts! Great job!
YES		This really provides an interesting way to get information about our city and schools
YES		
YES		
YES		To avoid vandalism, fencing around the sign may be necessary.
YES		I love it. I love how it shows events going on in the community.
YES		
YES		I do not want to see advertisements from businesses.
NO	I personally don't have an opportunity to see the sign because of drop-off and	

## Barton Elementary LED Sign Community Survey

	pick up and drop off areas I use are in the north side of the school as well as near the main office.	
NO	The sign needs to be at an entrance where cars drive in at the Corona Valley Ave. Most schools have it in a visible place by the main entrance.	
NO	The sign is located at a busy intersection that makes for longer congestion at the stop sign. It also distracts drivers around an area where many kids cross the street and can possibly be a danger to those kids should a driver be viewing the community board.	The idea is great for parents to view all school information but it is on a terrible location. Maybe it shouldn't be on the busiest traffic time.
NO	I do not like the location, not appropriate for an elementary school. Please see below.	I had not seen it yet, but the first time I saw it up, I was disappointed. It is very big and blocks Eastvale Pkwy and Corona Valley. If the sign is needed let's put it in front of the Comm. Ctr. not an elementary school.
NO	I live around the corner and typically walk my child to school. I did not know the sign was there until I was told about it. I drove by the sign this morning and and couldn't really read it as I drove by. Unless you are travelling north on Crown valley Pkwy you can't read the sign. Maybe an elevated location facing the park will be better.	
NO	This is a very busy corner when school is about to start or let out. It will be too much of a distraction to drivers reading the sign and not paying attention.	It will be a matter of time before a kid gets run over by someone busy reading the sign.
NO	It is located at a busy 3 way cross walk. Too much of a distraction...matter of time before someone is injured because driver was looking at the sign.	
NO	I don't believe we should have a sign.	The digital display to gain more money for the school looks terrible! You want to advertise businesses to gain money, not advertise community events. It looks terrible, cheap. The sign could have at least have the school name on it. We live in a beautiful community and residents pay a significant amount in taxes taxes each year for schools; don't understand why this is needed. It looks terrible. I'm dissapointed.
NO	Cosmetically unappealing for a residential area.	It looks cheap and tacky.
NO	The sign should not be the focus to pass a message. It takes away pride and spirit from the school. Maybe placing the board somewhere else close to the school would be better than at the school	It is a good idea. Perhaps the buiding at Harada park is a better idea than at the school. It is distracting and could cause traffic accidents hurting children. Great idea, wrong place.
NO		My biggest concern is that the sign will likely be a big revenue source for companies or organizations that may not have the best interest of the school district, community and students. I also believe that a public sign is no longer the best tool for disseminatin information. Maybe Possible in a small rural community in the 1950s, but no longer is a public sign good, or even average means of sending out information to the community We all know that emails and online methods are much more effective.

## Barton Elementary LED Sign Community Survey

NO		
NO	The community center would be more visible to more parents or even at Ramirez	
NO		Schools are not businesses and should not promote the business of the sign maker or any any businesses that may appear on the sign. If you want to adverstise for your school Then you purchase the sign.
NO	Should not be at a school campus but in another public place.	You should look at River Heights' Colt News. It is a video student news airing EVERYDAY at the school as well as the school's website for parents and community to follow. It is a miracle that teacher, Mr. McDonald is able to get the kids ready each and everyday it is filled with not only school news but community news as well. It features funny and creative news items as well as student media projects. My son wants to go into this career now because of the teacher and students efforts. CNUSD should promote these efforts on behalf of that teacher and not court businesses into the school district. This teacher and this news show should be recognized.
NO	I believe it should be at the center point of Eastvale for all residents to be able to see. Not everyone lives or drives by this school. If not then each school should have one.	
NO	It looks tacky to me.	
NO	I believe it should be a taller one and the one in front of the building is just fine.	
NO	The sign is distracting to motorists who are trying to avoid hitting kids and parents The sign causes distracted drivers and safety should be a priority for the school district.	Please remove the sign it takes away from the beauty of the school, and causes a hazard with drivers reading the sign and not watching for children. Thank you.
NO	Concern about graffiti and damage.	Do you need the other Clara Barton sign too?
NO		
NO	I don't think enough people can see it. I drive by it at least twice a day, every day (Corona Valley and Eastvale pkwy) and I barely notice it let alone have time to read it. As it stands now, sitting at a 45 degree angle, it can only be seen for seconds while stopped at the stop sign if no one is behind you. The angle requires that you be right next to it to see, it can only be seen for seconds while stopped at the stop sign. The two locations that get the most visibility (length of viewing time and viewers) are the easement adjacent to the bus entrance/driveway on Corona Valley (where all of the parents are lined up in their cars waiting to drop off their kids or are walking to school) and the grassy area next to playground Entrance Gate on Eastvale Pkwy, near the exit of Clara Barton's main driveway.	love the idea, but it needs to be more effective at reaching its audience.

# Barton Elementary LED Sign Community Survey

<b>Total Responses</b>	<b>46</b>
<b>YES</b>	<b>24</b>
<b>NO</b>	<b>22</b>

	positive
	negative
	suggestions

## **ATTACHMENT 5**

CNUSD Sign Policy



COMMUNITY RELATIONS

PUBLIC ACTIVITIES INVOLVING STAFF, STUDENTS OR SCHOOL FACILITIES

ADVERTISING AND PROMOTION

DISTRIBUTION OF MATERIALS

The Governing Board desires to promote positive relationships between schools and the community in order to enhance community support and involvement in district schools.

- A. The Superintendent or designee may approve:
1. Distribution of noncommercial materials that publicize services, special events, public meetings or other items of interest to students or parents/guardians
  2. Paid advertisements in school-sponsored publications, yearbooks, announcements and other school communications
  3. Products and materials donated by commercial enterprises for use in the classroom, as long as they serve an educational purpose and do not unduly promote any commercial activity or products. Such materials may bear the name and/or logo of the donor.
  4. Paid and free advertisements on school property, including, but not limited to, advertisements on marquees.

Prior to distribution or publication, the Superintendent, principal or designee shall review and approve all advertising copy and promotional materials to ensure compliance with Board policy.

The Superintendent, principal or designee may selectively approve or disapprove distribution of materials or publishing of copy based on the criteria listed below, but may not disapprove materials or copy in an arbitrary or capricious manner or in a way that discriminates against a particular viewpoint on a subject that would otherwise be allowed.

All materials to be distributed shall bear the name and contact information of the sponsoring entity.

The use of promotional materials or advertisements does not imply district endorsement of any identified products or services. Schools are encouraged to include a disclaimer in school publications and yearbooks stating that the school does not endorse any advertised products or services.

- B. The Superintendent, principal or designee shall not accept for distribution any materials or advertisements that:

1. Are obscene, libelous or slanderous
2. Incite students to commit unlawful acts, violate school rules or disrupt the orderly operation of the schools
3. Promote any particular political interest, candidate, party or ballot measure, unless such materials are being distributed at a forum in which candidates or advocates from all sides are presenting their views to the students during school hours or during events scheduled pursuant to the Civic Center Act
4. Discriminate against, attack or denigrate any group on account of any unlawful consideration
5. Promote the use or sale of materials or services that are illegal or inconsistent with school objectives, including but not limited to materials or advertisements for tobacco, intoxicants, and movies or products unsuitable for children
6. Solicit funds or services for an organization, with the exception of solicitations authorized in Board policy
7. Distribute unsolicited merchandise for which an ensuing payment is requested

The Superintendent or designee also may consider the educational value of the materials or advertisements, the age or maturity of students in the intended audience, and whether the materials or advertisements support the basic educational mission of the district, directly benefit the students or are of intrinsic value to the students or their parents/guardians.

Schools may establish additional criteria pertaining to the content of advertisements in school publications and yearbooks. Such criteria may limit advertisements to those that contain congratulatory or commemorative messages, curriculum-related content, advertisements for products or services of interest to students, noncontroversial content, and/or other content deemed appropriate by the school publication staff and adviser in accordance with law and Board policy.

Legal References: Education Codes 7050-7058, 35160, 35160.1, 35172, 38130-38138  
 Business and Professions Code 25664  
 US Constitution Amendment 1  
 Court Cases DiLoreto v. Downey Unified School District, (1999) 196 F.3d 958; Yeo v. Town of Lexington, (1997) U.S. First Circuit Court of Appeals, No. 96-1623; Henry v. School Board of Colorado Springs, (D.Col. 1991) 760 F.Supp. 856; Bright v. Los Angeles Unified School District, (1976) 134 Cal. Rptr. 639, 556 P.2d 1090, 18 Cal. 3d 350; Lehman v. Shaker Heights, (1974) 418 U.S. 298

Revised: March 4, 2014 (2/5/13, 8/15/00, 5/2/00, 5/18/99; Adopted: 10/20/98)

## **ATTACHMENT 6**

Agreement Between CNUSD and Vantage LED



**AGREEMENT FOR  
COMMUNITY ANNOUNCEMENT SYSTEMS**

THIS AGREEMENT FOR COMMUNITY ANNOUNCEMENT SYSTEMS (“Agreement”), dated the 17th day of September, 2014, in the County of Riverside, State of California, is made by and between the Corona-Norco Unified School District, hereinafter referred to as “DISTRICT,” and Signs of Community, hereinafter referred to as “VENDOR.”

**RECITALS**

A. VENDOR is dedicated to providing efficient and effective message services and public awareness to the local community.

B. VENDOR wants to provide DISTRICT a solution that installs a network of community announcement systems (“Announcement Systems”) in approved areas to effectively communicate with the community.

C. VENDOR will work with (1) local, city, and state governing bodies to obtain all necessary approvals for the installation, maintenance, and operation of the Announcement Systems; (2) local public entities to secure reciprocal time to display DISTRICT-related messages on such entities’ announcement systems; and (3) community outreach and business leaders in the surrounding areas for such entities to become sponsors of messages to be displayed on the Announcement Systems.

D. VENDOR will assume the financial responsibility to provide, install, maintain, and operate the Announcement Systems and ensure they function and run dynamic content to alert and inform the community safely and effectively.

E. DISTRICT will cooperate with VENDOR for VENDOR to provide, install, maintain, and operate the Announcement Systems at DISTRICT’s schools listed in Exhibit A herein (“School” or “Schools”) consistent with the terms of this Agreement.

**NOW, THEREFORE**, in consideration of the above recitals and the terms and conditions set forth hereinafter, the parties hereto agree as follows:

1. **Term.** The Agreement shall be for a term of three (3) months commencing on the following work day upon the date which VENDOR notifies the DISTRICT that the last Announcement System has been installed and becomes operative, (“commencement date”) and shall continue thereafter for a period of 90 days (“pilot period”). Prior to expiration of the pilot period, the parties may mutually agree to extend this Agreement for an additional 12 months.

2. **VENDOR’s Responsibilities.** During the term of the agreement, at its sole cost and expense, VENDOR shall do the following:

a. **Announcement Systems.**

(1) VENDOR shall provide one Announcement System for each of the Schools. The Announcement Systems shall be for outdoor use and shall communicate daily DISTRICT-approved messages regarding school and community activities.

(2) The size of each Announcement System will be determined by mutual agreement of the parties and shall be based on the needs at each School and the viewing distance from the street.

(3) The Announcement Systems shall be installed at the location approved by DISTRICT for each of the Schools that is consistent with applicable city ordinances and/or regulations.

(4) The Announcement System shall only display VENDOR name as depicted in Exhibit C, shall not include logo, and lettering shall be at a 2:1 ratio with "Signs of Community" lettering no larger than ½ of school name lettering measurements.

(5) VENDOR shall retain full ownership of the Announcement System for the duration of the Agreement.

(6) As required by the draft ordinances expected to be adopted by the Cities of Corona, Norco, and Eastvale in the near future, the Announcement Systems shall only operate during the daily hours of \_\_\_\_\_ ("Operating Hours"). After that period, the Announcement Systems must be completely turned off and non-operational for the remainder of the day.

b. **Permits, Licenses, and/or Approvals.** VENDOR shall be solely responsible for obtaining all permits, licenses, and/or approvals from local, city, and state agencies necessary for the installation and operation of the Announcement Systems, including, but not limited to, full compliance with the requirements under the California Environmental Quality Act ("CEQA"). VENDOR shall provide documentary evidence reasonably acceptable to DISTRICT that VENDOR has complied with CEQA.

c. **Installation.** VENDOR shall perform standard installation of each of the Announcement Systems at the "District" designated locations consistent with all applicable laws, rules, regulations, and ordinances. Standard installation includes the installation of structural components under normal scope of work, soil conditions, and site access, including, but not limited to, installation of a pole, if needed, the mount brackets, and labor. If VENDOR determines that the installation of any Announcement System will require non-standard installation, VENDOR shall inform DISTRICT immediately and the parties shall mutually decide whether to install the Announcement System at the designated location or select an alternate location. Non-standard installation includes, but is not limited to, aesthetics, such as, foam monuments, Channel Letters, and ID cabinets. The payment for the cost for any non-standard installation shall be as mutually agreed to by the parties.

d. **Electricity Costs.** Upon execution of the Agreement, VENDOR shall coordinate with the DISTRICT and determine the monthly electricity consumption associated with the announcement center. VENDOR shall reimburse the DISTRICT for the electricity consumed by the announcement center monthly.

e. **Graphic Creation.** VENDOR shall create all the necessary graphics to display the communication messages on the Announcement Systems. Prior to placing such graphics on the Announcement Systems, VENDOR shall obtain DISTRICT's written

authorization to display the graphics. Such authorization shall be based on whether the graphics and any material associated with them are appropriate for the School and its students.

f. **Display Communication Messages.**

(1) VENDOR shall obtain DISTRICT's prior written approval of all communication messages to be displayed on the Announcement Systems. The communication messages shall comply with all applicable laws, regulations, ordinances, and DISTRICT policies. DISTRICT shall respond to all such requests within five (5) business days .

(2) **Code of Conduct.** VENDOR shall not display on the Announcement Systems:

(a) Communication messages related to gambling, drugs, alcohol, tobacco, firearms, or adult entertainment;

(b) Communication messages that may be considered disruptive; threatening; abusive; disparaging; annoying; obscene; sexually explicit; or discriminatory, offensive, or harassing based on race, ethnicity, national origin, gender, sexual orientation, age, disability, religion, or political beliefs;

(c) Communication messages drafted in a manner that may be interpreted as an endorsement from DISTRICT.

(3) Notwithstanding DISTRICT's approval of the communication messages for appropriateness for the School and its students, liability related to the display of any communication messages on the Announcement Systems shall be on the individual or entity who requested the display of the communication messages and VENDOR, as applicable.

(4) **Display Time Allocation.** Display of communication messages shall be divided as follows (negotiable throughout term of Agreement)

(a) Twenty-five percent (25%) for DISTRICT and the School where the Announcement System is installed.

(b) Twenty-five percent (25%) for community messages from public entities such as police department, fire department, city, and library unless the DISTRICT and the local cities otherwise negotiate an alternative percentage and use. In exchange for displaying such entities' community messages, VENDOR will obtain written agreement from each agency for which communication messages are displayed on Announcement Systems installed at the Schools that they shall display communication messages for DISTRICT and its Schools on an equivalent percentage on the Announcement Systems installed at their facilities.

(c) Twenty-five percent (25%) for time, temperature, IPAWS and local news stories approved by the DISTRICT.

(d) Twenty-five percent (25%) for VENDOR sponsorship messages which shall be posted in the following manner: "Thanks to SOC sponsor [SPONSOR NAME]"

(e) VENDOR agrees to allow DISTRICT and city to use up to a combined 10% of their allotted spot time for sponsorships of their own. DISTRICT and city agree that each announcement center will only display a maximum of 35% combined sponsorship messages. DISTRICT agrees to sell sponsorships at the same rate as VENDOR without any modification of deviation. DISTRICT also agrees to provide a copy of all contracts sold and signed in regards to the announcement center provided by the VENDOR

(5) The communication messages shall be displayed on a rolling basis during the authorized Operating Hours consistent with the percentages specified above, provided that during student drop-off and pick-up times, the communication messages displayed shall consist mostly of DISTRICT and/or school-related messages.

(6) The communication messages shall be displayed within one (1) hour of VENDOR's receipt of DISTRICT's written approval of the communication messages.

(7) VENDOR shall immediately remove from the Announcement Systems any communication messages not approved by DISTRICT and communication messages displayed differently than how they were approved by DISTRICT.

(8) VENDOR shall provide DISTRICT with direct access and necessary passwords to the software program VENDOR uses to display the communication messages on the Announcement Systems in order for DISTRICT to have the ability to remove any and all unapproved messages, messages inappropriate for the School or its students, and any other messages at the discretion of DISTRICT.

(9) DISTRICT and VENDOR shall determine future time allocation for subsequent terms thereafter at the end of this Agreement's initial term, but in no event shall DISTRICT's time allocation be less than twenty-five percent (25%). DISTRICT shall have the right to negotiate its time allocation with each participating city at its discretion and without interference or objection by VENDOR.

**g. Software and Customer Support.** VENDOR shall operate the Announcement Systems using the SM Infinity Software. VENDOR hereby warrants that VENDOR, through its software division, Spectacular Media, solely owns the SM Infinity Software and that VENDOR has, and will continue to have for the term of the Agreement, authority to use such software to operate the Announcement Systems. During the term of the Agreement, VENDOR shall provide DISTRICT with support services for the Announcement Systems and the SM Infinity Software, including, but not limited to, support through telephone and e-mail.

**h. Insurance.** VENDOR shall obtain and maintain in full force and effect for the entire term of the Agreement the following insurance: (1) General Liability (including premises and operations, products and completed operations, personal/advertising injury, damage to premises of others, and medical expense payments), (2) Automobile Liability for owned, non-owned, and hired vehicles, (3) If applicable, Workers' Compensation as required by law, and (4) If applicable, Employer's Liability. Each of the insurance policies shall have limits of no less than One Million Dollars (\$1,000,000) per occurrence and Two Million Dollars (\$2,000,000) in the aggregate. All such policies of insurance shall be carried with responsible and solvent

insurance companies authorized to conduct business in the State of California. VENDOR shall name DISTRICT as additional insured for the General Liability policy.

Prior to providing any of the services under the Agreement, VENDOR shall deliver to DISTRICT true and correct copies of all certificates of insurance reflecting the coverage required herein. For any work or services to be performed by VENDOR's subcontractors, prior to subcontractor's provision of any work or services, VENDOR shall obtain from its subcontractors and deliver to DISTRICT true and correct copies of all certificates of insurance reflecting the coverage required herein.

SOC will not have any official employees. They will insure that the companies sub contracted have the necessary insurance listed above.

i. **Maintenance and Repairs.** VENDOR, at its sole cost and expense, shall keep the Announcement Systems in good order, condition, and repair. VENDOR shall also remove any graffiti applied to the Announcement Systems and the immediate DISTRICT property and shall perform any necessary repairs or damage to the Announcement Systems. Prior to entering the Schools, VENDOR shall coordinate the entrance and work to be performed with DISTRICT and/or the applicable School.

**Administrative Costs.** VENDOR shall pay for all administrative costs to operate the Announcement Systems.

j. **Secure Sponsors. (Response within 5 business day)**

(1) VENDOR shall secure sponsors for whom to display communication messages on the Announcement Systems ("Sponsor" or "Sponsors"). Sponsorship agreements should only be negotiated with organizations whose public image, products, and services are consistent with the values, educational purpose, goals, and specific policies of individual Schools and DISTRICT. VENDOR shall obtain DISTRICT's written approval of the recruited Sponsors prior to agreeing to display communication messages on the Announcement Systems for such Sponsors. Such approvals shall not be unreasonably withheld. The sponsorship agreement between VENDOR and Sponsor shall specify that Sponsor agrees to indemnify and hold harmless the DISTRICT and its Board, employees, agents, and representatives from and against any and all actions, awards, claims, costs, damages, demands, expenses, injuries, judgments, liabilities, and/or losses whatsoever (including reasonable attorneys' fees), including, without limitation, those based upon liability without fault resulting from or arising out of the display of communication messages on the Announcement Systems.

(2) Sponsors' communication messages to be displayed on the Announcement Systems shall comply with the requirements specified in Sub-section f., above.

3. **DISTRICT's Responsibilities.** During the term of the agreement, at its sole cost and expense, DISTRICT shall do the following:

a. **Locations for Announcement Systems.**

(1) DISTRICT shall make available DISTRICT property at the Schools on which VENDOR may install the Announcement Systems. The optimal School location shall be selected after DISTRICT's evaluation of information to be provided by VENDOR as specified in Sub-section 2.a (3), above.

(2) Upon execution of this Agreement and subject to the terms of this Agreement, DISTRICT grants to VENDOR, its designated contractors, and their respective employees, contractors, consultants, agents, and invitees (collectively referred to as “Licensed Persons”) a temporary license to enter upon the applicable portion of the Schools for the sole purpose of installing, maintaining, and operating the Announcement Systems consistent with this Agreement (“License”). The License shall be for the term of the Agreement.

b. **Electrical Connection.** DISTRICT shall provide extension of electrical supply to the base of each of the Announcement Systems to which VENDOR may connect the Announcement Systems.

4. **Compliance with Applicable Laws.** At all times during the term of this Agreement, VENDOR shall comply with all applicable (a) federal, state, and local laws and ordinances, and (b) DISTRICT’s policies and regulations.

5. **Termination.** The parties may terminate the Agreement for the reasons specified below. Unless otherwise specified herein, the termination of the Agreement shall be effective on the date a party gives the required written notice to the other party.

a. **Termination for Cause.**

(1) Should either party default in the performance of or breach any covenant, condition, or restriction of this Agreement herein provided to be kept or performed by such party, and should such default or breach continue uncured for a period of ten (10) calendar days from and after written notice thereof, the non-breaching party may, at its option, terminate this Agreement by giving the other party written notice thereof.

(2) Either party may terminate the Agreement if federal, state, county, city, or local laws, regulations, rules, or ordinances which prohibit the use of community announcement systems are enacted and effective during the term of the Agreement.

(3) Either party may terminate this Agreement upon ten (10) days prior written notice to the other party upon the occurrence of any one or more of the following: (a) the institution by or against the other party of insolvency, receivership, or bankruptcy proceedings or any other proceedings for the settlement of the other party’s debts; (b) the other party making an assignment for the benefit of creditors; or (c) the other party’s dissolution.

(4) DISTRICT may terminate the Agreement if VENDOR’s customer service is inappropriate, including, but not limited to, if the Announcement Systems do not function properly and VENDOR does not resolve the problem in a timely manner, if VENDOR does not return DISTRICT’s telephone calls, if VENDOR does not properly prepare the communication messages to be displayed on the Announcement Systems, or if VENDOR does not process the communication messages as specified herein and/or as authorized and approved by DISTRICT.

b. **Termination for Convenience.**

(1) DISTRICT may terminate this Agreement, in whole or in part, if at any time during the performance of this Agreement, DISTRICT determines, in its sole discretion, to suspend indefinitely or abandon the program under this Agreement.

(2) DISTRICT may terminate this Agreement if the DISTRICT property on which the Announcement Systems are installed is needed for school purposes by giving VENDOR at least sixty (60) calendar days prior written notice.

(3) DISTRICT may terminate this Agreement, in part, if at any time during the term of the Agreement DISTRICT decides to close any of the Schools.

(4) VENDOR may terminate the Agreement upon at least sixty (60) days prior written notice to DISTRICT if VENDOR has no financial resources to operate and maintain the Announcement Systems.

c. **Effect of Termination.**

(1) No later than thirty (30) days after the expiration or earlier termination of the Agreement, VENDOR (a) shall immediately yield up to DISTRICT possession of the DISTRICT property on which the Announcement Systems are installed (b) shall remove the Announcement System from the Schools in a careful, diligent, and commercially reasonable manner; (c) shall restore all damage to the DISTRICT property resulting from the installation or removal of the Announcement Systems; and (d) shall return the DISTRICT property where the Announcement Systems were installed in the same condition as when received, ordinary wear and tear excepted. VENDOR will not build or replace a potential existing sign, tree, etc.

(2) Prior to removing the Announcement Systems from the Schools, VENDOR shall coordinate the removal with DISTRICT.

6. **Indemnification.** Each party agrees to indemnify and hold harmless the other party and its respective officers, agents, representatives, and employees from and against any and all liabilities, demands, claims, fines, penalties, damages, forfeitures, and suits, together with reasonable attorney's and witness' fees, and other costs and expenses of defense and settlement, for claims resulting from or related to the responsibilities of the applicable indemnifying party under this Agreement; and for claims which the non-breaching party may incur, become responsible for, or pay out as a result of the breaching party's breach of its duties and obligations under this Agreement, including any violation of local, state, or federal laws, regulations or orders, and any damages claimed by third parties.

7. **Criminal Records Check Certification.** VENDOR shall comply with the applicable requirements of Education Code section 45125.2 with respect to fingerprinting of employees, agents, representatives, and employees of VENDOR's contractors who may have contact with DISTRICT's pupils. VENDOR shall complete, and return with the executed Agreement, the Criminal Records Check Certification form attached hereto as Exhibit B.

If at any time during the term of this Agreement VENDOR is either notified by the Department of Justice or otherwise becomes aware that any employee, agent, representative of VENDOR or employee of VENDOR's contractor performing services under this Agreement has been arrested or convicted of a violent or serious felony listed in Penal Code section 667.5(c) or Penal Code section 1192.7(c), respectively, VENDOR shall immediately notify DISTRICT and remove said employee, agent, representative, or employee of contractor from performing the services.

8. **Prohibited Interests.** No DISTRICT official who is authorized in such capacity and on behalf of DISTRICT to negotiate, make, accept, or approve, or to take part in negotiating, making, accepting, or approving the Agreement, shall become directly or indirectly interested financially in the Agreement or in any part thereof. The Agreement may be terminated if VENDOR aids, abets, or knowingly participates in the violation of this section.

9. **Notice.** All notices, requests, demands, and other communications given or required to be given under this Agreement shall be in writing, duly addressed to the parties as follows:

**DISTRICT:**

Corona-Norco Unified School District  
2820 Clark Avenue  
Norco, California 92860  
Attn: Jordana Moreno

**VENDOR:**

Signs of Community  
1930 South Vineyard Ave.  
Ontario, California 91761  
Attn: Ivan Perez

Notices shall be deemed given and served upon delivery personally, or three (3) days after depositing in the United States Mail.

10. **Force Majeure.** Neither party shall be in breach of this Agreement solely due to causes beyond the control and without the fault or negligence of such party. Such causes may include, but are not restricted to, acts of God or of a public enemy, acts of the government in either its sovereign or contractual capacity, fires, floods, epidemics, quarantine restrictions, strikes, freight embargoes, and power failure, but in every case the failure to perform must be beyond the control and without fault or negligence of the party failing to perform. Each party must inform the other of any Force Majeure event within five (5) calendar days of its occurrence and shall specify a date on which the Force Majeure event is expected to be resolved. In the event the Force Majeure event of the non-performing party continues for a lengthy period of time, the other party, upon written notice to non-performing party, may terminate the Agreement.

11. **Governing Law; Jurisdiction.** This Agreement shall be governed by the laws of the State of California and any dispute or question arising hereunder shall be construed and determined according to such laws without regard to conflict of law principles. The parties consent to the exclusive jurisdiction of the state and federal courts located in the County of Riverside, California for resolution of any disputes arising out of this Agreement.

12. **Dispute Resolution.** The parties agree that before commencing any lawsuit relating to or arising out of this Agreement, an officer or authorized executive from each party shall first attempt to resolve the dispute through good faith negotiations. If the parties are unable to resolve the dispute through negotiations within 14 days, the parties may proceed to attempt to resolve the dispute by another method as determined by either party.

13. **No Waiver.** Any of the provisions of this Agreement may be waived by the party entitled to the benefit thereof. Neither party will be deemed, by any act or omission, to have waived any of its rights or remedies hereunder unless such waiver is in writing and signed by the waiving party, and then only to the extent specifically set forth in such writing. A waiver with reference to one event will not be construed as continuing or as a bar to or waiver of any other right or remedy, or as to a subsequent event.

14. **Enforceability.** If any provision of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions will nevertheless continue in full force without being impaired or invalidated in any way.

15. **Required Provisions.** Each and every provision of law and clause required by law to be inserted in this Agreement shall be deemed to be inserted herein and the Agreement shall be read and enforced as though it were included herein.

16. **Entire Agreement; Amendments.** This Agreement, including any addenda or exhibits attached hereto, contains the entire agreement between the parties with respect to the subject matter hereof; supersedes all prior agreements, negotiations, and oral understandings, if any; and may not be amended, supplemented, or modified in any way, except by an amendment in writing and signed by authorized representatives of the parties. This Agreement shall inure to the benefit of and be binding upon each of the parties and their respective successors and permitted assigns.

17. **Transfer or Assignment.** VENDOR may not sell, assign, or otherwise transfer all or any part of its interest in this Agreement without the prior written consent of DISTRICT.

18. **Reservation of Rights.** Duties and obligations imposed by this Agreement and rights and remedies available hereunder shall be in addition to and not a limitation of duties, obligations, rights, and remedies otherwise imposed or available by law except as otherwise provided herein.

19. **Headings.** Headings used in this Agreement are for the purposes of convenience only and shall not affect the legal interpretation of the Agreement.

20. **Draftsmanship.** Each of the parties has been represented by its own counsel. In the event of a dispute, no provision of this Agreement shall be construed in favor of one party and against the other by reason of the draftsmanship of this Agreement.

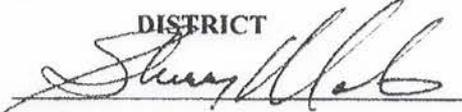
21. **Survival.** The expiration or termination of this Agreement shall not terminate the rights of either party or any liabilities or obligations incurred under this Agreement prior to or which by their nature are intended to survive expiration or termination, including, but not limited to, provisions relating to indemnification and proprietary rights.

22. **Authority.** Each person executing this Agreement warrants that he or she has the authority to so execute this Agreement and that no further approval of any kind is necessary to bind the parties hereto.

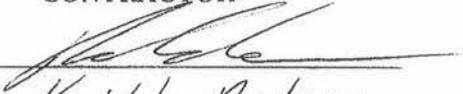
23. **Counterparts.** This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which taken together shall constitute but one and the same document.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed.

DISTRICT

By:   
Name: Sherry Mata  
Title: Deputy Superintendent  
Date: 09/17/2014

CONTRACTOR

By:   
Name: Keith Anderson  
Title: Owner  
Date: 10/2/14

By:   
Name: IVAN PEREZ  
Title: Program Director  
Date: 10-2-14

## EXHIBIT A

### LIST OF SCHOOLS

1. **Kennedy Middle College**  
1951 Third St.  
Norco, Ca 92862
2. **Pollard High School**  
185 Magnolia Ave.  
Corona, Ca 92882
3. **Norco Intermediate**  
2711 Temescal Ave  
Norco, Ca 92860
4. **Santiago High School**  
1395 Foothill Parkway  
Corona, Ca 92882
5. **Temescal Valley Elem**  
22950 Claystone Ave  
Corona, Ca 92883
6. **Barton Elem**  
7437 Corona Valley Ave  
Eastvale, Ca 92880

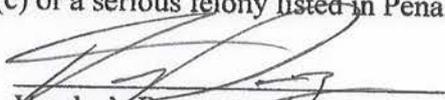
**EXHIBIT B**

**CRIMINAL RECORDS CHECK CERTIFICATION  
(Fingerprinting Requirements)**

---

**VENDOR'S CERTIFICATION**

With respect to the Agreement, dated Oct 2 2014, by and between Corona-Norco Unified School District ("DISTRICT") and Signs of Community ("VENDOR") for the installation, operation, and maintenance of Announcement Systems, VENDOR hereby certifies to DISTRICT's governing board that it has completed the criminal background check requirements of Education Code section 45125.1 and that none of its employees that may come in contact with DISTRICT pupils have been convicted of a violent felony listed in Penal Code section 667.5(c) or a serious felony listed in Penal Code section 1192.7(c).

  
Vendor's Representative

10-2-14  
Date

---

**SUBCONTRACTOR'S CERTIFICATION**

The Corona-Norco Unified School District ("DISTRICT") entered into an agreement with Signs of Community ("VENDOR") on or about \_\_\_\_\_, 2014 for the installation, operation, and maintenance of Announcement Systems ("Agreement"). This certification is submitted by Visual Marketing Resource, VENDOR's designated subcontractor to perform the work specified in the Agreement ("Contractor"). Contractor hereby certifies to DISTRICT's governing board that it has completed the criminal background check requirements of Education Code section 45125.1 and that none of its employees that may come in contact with DISTRICT pupils have been convicted of a violent felony listed in Penal Code section 667.5(c) or a serious felony listed in Penal Code section 1192.7(c).

  
Contractor's Representative

10/2/14  
Date

EXHIBIT C

