



# AGENDA PLANNING COMMISSION CITY OF EASTVALE

**Regular Meeting  
Wednesday, November 18, 2015  
6:00 p.m.**

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

**1. CALL TO ORDER**

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

Commissioners: Bill Van Leeuwen, Karen Patel, Howard Feng  
Vice-Chair: Larry Oblea  
Chair: Daryl Charlson

**3. PUBLIC COMMENT**

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 Recording Secretary prior to being heard. Public comment is limited to two (2) minutes each with a maximum of six (6) minutes.

**4. PRESENTATIONS**

None

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

**6. CONSENT CALENDAR**

**6.1 Planning Commission Minutes**

RECOMMENDATION: Approve the minutes from the November 4, 2015, regular meeting.

## 7. PUBLIC HEARING

- 7.1 **PROJECT NO. 15-0958 – EASTVALE MARKETPLACE** – (1) Major Development Review for the development of a 72,779-square-foot neighborhood retail center on 7.64 acres; (2) a Conditional Use Permit for the establishment and operation of a tire store and associated shop space; (3) Conditional Use Permit for the establishment and operation of a bank with a drive-through facility; (4) Conditional Use Permit for the establishment and operation of a fast-food restaurant with a drive-through facility at Pad 1; (5) Conditional Use Permit for the establishment and operation of fast-food restaurant with a drive-through facility at Pad 2; (6) Conditional Use Permit for the sale of alcoholic beverages (for off-site consumption) in a grocery store; and (7) Tentative Parcel Map 37031 to subdivide Lot 10 of Tract Map 30633, a 7.64-acre lot, into seven parcels. A Mitigated Negative Declaration has been prepared for the project pursuant to the California Environmental Quality Act.

### RECOMMENDATION:

Staff recommends that the Planning Commission adopt the following Resolutions:

1. Resolution 15-\_\_\_\_\_ to adopt an Initial Study/Mitigated Negative Declaration pursuant to the California Environmental Quality Act (CEQA) for the project; and
2. Resolution 15-\_\_\_\_\_ to approve a Major Development Review for the development of a neighborhood retail center consisting of multi-tenant and single-tenant buildings with associated parking and landscape improvements, subject to conditions of approval; and
3. Resolution 15-\_\_\_\_\_ to approve a Conditional Use Permit for the establishment and operation of a tire store, subject to conditions of approval; and
4. Resolution 15-\_\_\_\_\_ to approve a Conditional Use Permit for the establishment and operation of a bank with a drive-through facility, subject to conditions of approval; and
5. Resolution 15-\_\_\_\_\_ to approve a Conditional Use Permit for the establishment and operation of a fast-food restaurant with a drive-through facility at Pad 1, subject to conditions of approval; and
6. Resolution 15-\_\_\_\_\_ to approve a Conditional Use Permit for the establishment and operation of a fast-food restaurant with a drive-through facility at Pad 2, subject to conditions of approval; and
7. Resolution 15-\_\_\_\_\_ to approve a Conditional Use Permit for the sales of alcoholic beverages in a proposed grocery store, subject to conditions of approval; and

8. Resolution 15-\_\_\_\_\_ to approve a Tentative Parcel Map 37031 to subdivide Lot 10 of Tract Map 30633, a 7.64-acre lot, into seven parcels, subject to conditions of approval.

**8. BUSINESS ITEMS**

**9. CITY STAFF REPORT**

**10. COMMISSION COMMUNICATIONS**

**11. ADJOURNMENT**

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The next regular meeting of the Eastvale Planning Commission will be held on **December 16, 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.

I, Marc Donohue, City Clerk, or my designee, hereby certify that a true and correct, accurate copy of the foregoing agenda was posted seventy-two (72) hours prior to the meeting, per Government Code Section 54954.2, at the following locations: City Hall, 12363 Limonite Avenue, Suite 910; Rosa Parks Elementary School, 13830 Whispering Hills Drive; Eastvale Library, 7447 Scholar Way; and on the City's website ([www.eastvaleca.gov](http://www.eastvaleca.gov)).

**MINUTES**  
**REGULAR MEETING OF THE PLANNING COMMISSION**  
**OF THE CITY OF EASTVALE**  
**Wednesday, November 4, 2015**  
**6:00 P.M.**  
**Rosa Parks Elementary School**  
**13830 Whispering Hills Drive**  
**Eastvale, CA 92880**

**1. CALL TO ORDER - 6:03 p.m.**

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

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

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

The Pledge of Allegiance was led by Commissioner Patel.

**3. PUBLIC COMMENT**

There was no public comment.

**4. PRESENTATIONS**

There were no presentations.

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

There were no Additions or Deletions to the Agenda.

**6. CONSENT CALENDAR**

**6.1 Planning Commission Minutes**

RECOMMENDATION: Approve the minutes from the September 16, 2015 regular meeting.

Motion: Moved by Patel, seconded by Oblea, to approve the Consent Calendar

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

## 7. PUBLIC HEARING

- 7.1 **Project No. 15-0783** – An amendment to The Ranch at Eastvale Specific Plan, Tentative Parcel Map No. 36787 for the subdivision of an approximately 98 acres into 14 parcels, and Major Development Review for the development of six light industrial/business park buildings totaling approximately 936,000 square feet and associated improvements on approximately 60 acres located at the northeast corner of Hellman and Limonite Avenues. An addendum to the certified Environmental Impact Report (EIR; SCH #20006091105) has been prepared for the project pursuant to the California Environmental Quality Act.

### RECOMMENDATION:

Staff recommends that the Planning Commission recommend that the City Council take the following actions:

1. Adopt the Addendum to the certified EIR (SCH #2006091105) prepared for the project; and
2. Approve the proposed amendment to The Ranch at Eastvale Specific Plan; and
3. Approve Tentative Parcel Map No. 36787 to subdivide the 98 acres into 14 parcels including; 4 Light Industrial lots, 4 Business Park lots, 5 Commercial Retail lots and one parcel for an infiltration basin, subject to conditions; and
4. Approve the Major Development Review for the development of six light industrial/business park buildings totaling 936,000 square feet and associated improvements, and one water quality detention basin on approximately 60 acres, subject to conditions of approval.

Assistant Planning Director Perring provided a PowerPoint presentation for the item, including a review of the proposed land use plan and summary of the amendments to the plan.

The Public Hearing was opened at 6:19 p.m.

Applicant Brian Bentrott of Summit Development provided a historical timeline of the project and thanked his associates and City staff. He requested the Planning Commission advocate for the project and share any potential tenants with him.

Commissioner Feng inquired about typical tenants that would occupy the buildings and stated that he is anticipating the project.

Mr. Bentrott stated that a similar project was Thoroughbred Business Park in Ontario and could be occupied by a wide variety of tenants that could create approximately 500 jobs. He also suggested the site as a potential location for Eastvale City Hall and Library.

Commissioner Van Leeuwen inquired about the status of Limonite connecting to Kimball. It was noted that the alignment has already been engineered.

Commissioner Van Leeuwen initiated discussion about landscape maintenance responsibility upon build out and drainage of water from the north.

Commissioner Patel initiated discussion about Landscape and Lighting Maintenance Districts that would need to be created for the project.

Commissioner Patel requested clarification on Parcels 7, 8, and 9 having Chino addresses. Assistant Planning Director Perring noted that the closest street access to those parcels was Remington St. in Chino, however property taxes and business licenses would be paid to Eastvale as the physical locations are within Eastvale City limits.

Commissioner Patel inquired about bus service to the project. It was noted that bus turnouts are required in the conditions of approval tied to the commercial development areas.

Commissioner Patel requested that the City plan for and coordinate with RTA for transit service between the east and west ends of Eastvale in the long range.

Commissioner Patel inquired about the marketing brochure referring to the area as “Chino Valley” and noted that she would like to see “Eastvale” on the brochure.

Commissioner Patel initiated discussion about allowable uses and density restrictions by the ALUC. Brian Bentrott noted that condition 40 regarding traffic studies for subsequent applications would be operational traffic studies.

Vice Chair Oblea initiated discussion about parking requirements.

Vice Chair Oblea inquired about the status of the future bridge connecting Limonite. It was noted that WRCOG included the segment of Limonite from Hellman to Archibald into the TUMF list.

Vice Chair Oblea inquired about the future of the Redwood Products business. A representative of Redwood products was in attendance and noted that they planned to remain in business indefinitely.

Vice Chair Oblea initiated discussion about a steel fence to mark the property line and screening between the new development and the Redwood Products site and the other adjacent sites.

Chair Charlson commended the developer and City staff on the thoroughness of the project.

He initiated discussion about the circulation plan – including right-of-way improvements, and street and pedestrian access.

There was discussion about infiltration basins and risk of overflow from a large rainfall. It was noted that the developer is working with a neighboring developer, Watson Development, to have the drainage conveyed to the Cucamonga Creek until the Chino side is developed. Once the Watson Development is built, their drainage would be directed to Chino.

Chair Charlson noted that he believes this development would bring the City together.

Commissioner Patel noted that there could be an opportunity to find possible tenants as there are several high value small parts companies utilizing the Chino Airport.

Staff reviewed the voting options for the Planning Commission.

The Public Hearing was closed at 7:18 p.m.

Motion: Moved by Oblea, seconded by Feng, to Adopt the Addendum to the certified EIR (SCH #2006091105) prepared for the project.

Motion passed 5-0 with Feng, Patel, Van Leeuwen Vice Chair Oblea, and Chair Charlson voting aye.

Motion: Moved by Oblea, seconded by Feng, to Approve the proposed amendment to The Ranch at Eastvale Specific Plan.

Motion passed 5-0 with Feng, Patel, Van Leeuwen Vice Chair Oblea, and Chair Charlson voting aye.

Motion: Moved by Patel, seconded by Oblea, to Approve Tentative Parcel Map No. 36787 to subdivide the 98 acres into 14 parcels.

Motion passed 5-0 with Feng, Patel, Van Leeuwen Vice Chair Oblea, and Chair Charlson voting aye.

Motion: Moved by Patel, seconded by Feng, to Approve the Major Development Review for the development of six light industrial/business park buildings totaling 936,000 square feet and associated improvements, and one water quality detention basin on approximately 60 acres, subject to conditions of approval.

Motion passed 5-0 with Feng, Patel, Van Leeuwen Vice Chair Oblea, and Chair Charlson voting aye.

Planning Director Norris noted that this item would go to City Council on December 9, 2015.

**8. BUSINESS ITEMS**

There were no Business Items.

**9. CITY STAFF REPORT**

Planning Director Norris noted that the EIR for the proposed WalMart would be available for Public Review by the end of November.

He also noted that the Eastvale Marketplace would be discussed at the November 18, 2015 Planning Commission Meeting.

**10. COMMISSION COMMUNICATIONS**

Commissioner Feng noted that he participated in International Walk to School Day and Administrator for a Day. He proposed that the City collaborate with the Intermediate Schools and High School for media editing, including marketing brochures or videos.

Commissioner Patel requested an update on the representation of Eastvale on the Riverside County EDA.

Vice-Chair Oblea requested a status report on the landscaping at the northeast corner of Schleisman and Scholar Way. Deputy Engineer Indrawan noted that work on the area would begin within a week.

Deputy City Engineer Indrawan introduced Ruben Castaneda, Associate Engineer.

**11. ADJOURNMENT**

There being no further business, the meeting was adjourned at 7:30 p.m.

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



**City of Eastvale**  
**Planning Commission Meeting Agenda**  
**Staff Report**

**ITEM 7.1**

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**MEETING DATE: NOVEMBER 18, 2015**

**TO: PLANNING COMMISSION**

**FROM: KANIKA KITH, SENIOR PLANNER**

**SUBJECT: PROJECT NO. 15-0958 – EASTVALE MARKETPLACE** – (1) Major Development Review for the development of a 72,779-square-foot neighborhood retail center on 7.64 acres; (2) a Conditional Use Permit for the establishment and operation of a tire store and associated shop space; (3) Conditional Use Permit for the establishment and operation of a bank with a drive-through facility; (4) Conditional Use Permit for the establishment and operation of a fast-food restaurant with a drive-through facility at Pad 1; (5) Conditional Use Permit for the establishment and operation of fast-food restaurant with a drive-through facility at Pad 2; (6) Conditional Use Permit for the sale of alcoholic beverages (for off-site consumption) in a grocery store; and (7) Tentative Parcel Map 37031 to subdivide Lot 10 of Tract Map 30633, a 7.64-acre lot, into seven parcels.

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**RECOMMENDATION**

Staff recommends that the Planning Commission adopt the following Resolutions:

1. Resolution 15-\_\_\_\_ to adopt an Initial Study/Mitigated Negative Declaration pursuant to the California Environmental Quality Act (CEQA) for the project; and
2. Resolution 15-\_\_\_\_ to approve a Major Development Review for the development of a neighborhood retail center consisting of multi-tenant and single-tenant buildings with associated parking and landscape improvements, subject to conditions of approval; and
3. Resolution 15-\_\_\_\_\_to approve a Conditional Use Permit for the establishment and operation of a tire store, subject to conditions of approval; and
4. Resolution 15-\_\_\_\_\_ to approve a Conditional Use Permit for the establishment and operation of a bank with a drive-through facility, subject to conditions of approval; and
5. Resolution 15-\_\_\_\_\_to approve a Conditional Use Permit for the establishment and operation of a fast-food restaurant with a drive-through facility at Pad 1, subject to conditions of approval; and
6. Resolution 15-\_\_\_\_\_ to approve a Conditional Use Permit for the establishment and operation of a fast-food restaurant with a drive-through facility at Pad 2, subject to conditions of approval; and

7. Resolution 15- \_\_\_\_\_ to approve a Conditional Use Permit for the sales of alcoholic beverages in a proposed grocery store, subject to conditions of approval; and
8. Resolution 15-\_\_\_\_\_ to approve a Tentative Parcel Map 37031 to subdivide Lot 10 of Tract Map 30633, a 7.64-acre lot, into seven parcels, subject to conditions of approval.

## BACKGROUND

The project site, which was created by Tract Map 30633 in June 2003, is approximately 7.64 acres in size (332,764 square feet) and located on the northeast corner of Limonite Avenue and Sumner Avenue as shown in **Figure 1**. Two homes are directly adjacent to the site at the northwest and southeast corners; the homes across Valencia Street face the site.

**Figure 1: Aerial Photograph of Project Site**



## PROJECT DESCRIPTION

The proposed project is a supermarket-anchored shopping center with a variety of uses, including a grocery store, several detached retail buildings, a tire store with associated service bays, two pad sites for potential fast-food restaurants (or similar use), and a bank. Proposed buildings and sizes are listed below:

- Grocery store (main anchor tenant) – 30,560 sq. ft.
- Shops “A” (in-line attached to grocery store) – 8,762 sq. ft.
- Shops “B” (detached along frontage of Sumner Avenue) – 12,000 sq. ft.
- Tire store with six service bays – 11,457 sq. ft.
- Pad 1 (potential fast-food w/drive-through) – 3,500 sq. ft.
- Pad 2 (potential fast-food w/drive-through) – 3,500 sq. ft.
- Bank (with drive-through) – 3,000 sq. ft.

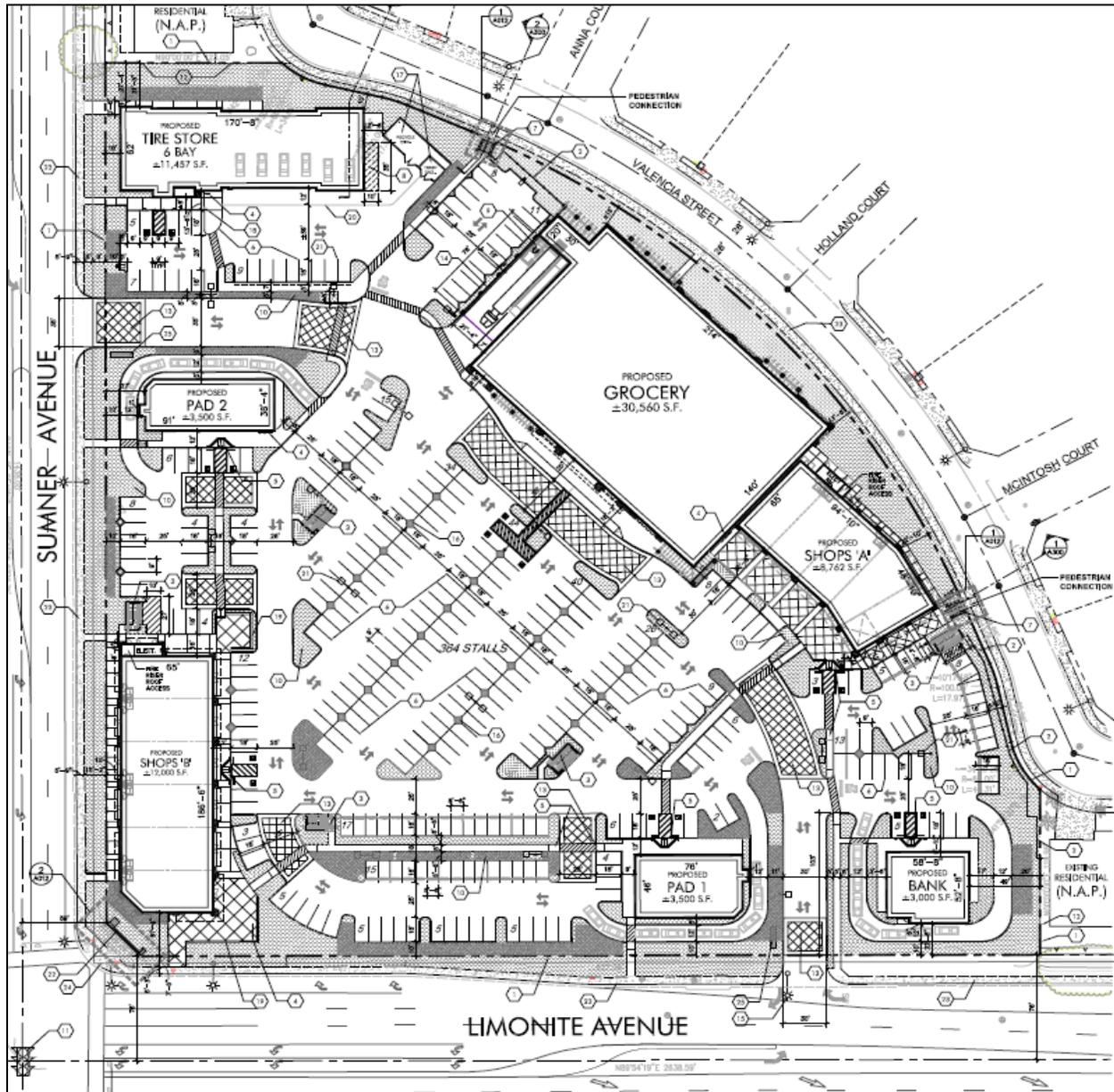
*TOTAL: 72,779 sq. ft.*

Based on the type of uses and buildings proposed for the site, the applicant has submitted applications for the following entitlements:

- Major Development Review for the development of a neighborhood retail center consisting of a grocery store, tire store, two multi-tenant buildings, three single-tenant buildings, and associated parking and landscape improvements. Total building size is approximately 72,779 square feet.
- Conditional Use Permit for the establishment and operation of a tire store consisting of six service bays and approximately 4,300 square feet of retail/office.
- Conditional Use Permit for the establishment and operation of a bank with a drive-through facility located along Limonite Avenue, at the southeast corner of the site.
- Conditional Use Permit for the establishment and operation of a fast-food restaurant with a drive-through facility at Pad 1 located along Limonite Avenue.
- Conditional Use Permit for the establishment and operation of a fast-food restaurant with a drive-through facility at Pad 2 located along Sumner Avenue.
- Conditional Use Permit for the sales of alcoholic beverages in the proposed grocery store for the sale of beer, wine, and spirits for off-site consumption.
- A Tentative Parcel Map to divide the ownership of the property into seven separate parcels.

A site plan of the proposed project and associated site improvements is shown in **Figure 2**.

Figure 2: Site Plan



### General Plan and Zoning Consistency

The General Plan land use designation of the site is Commercial Retail, which allows for the development of commercial retail uses, professional offices, and other visitor-oriented commercial uses. The proposed project is the development of a neighborhood retail center in the Scenic Highway Commercial (C-P-S) zone, which allows a variety of commercial retail uses such as grocery stores, fast-food restaurants, banks, tire stores, and other retail establishments. Because the proposed retail center proposes uses that are permitted or conditionally permitted in the underlying zone designation, and because the zoning and General Plan designation allow for retail commercial uses, the proposed project is consistent with the site's zoning and General Plan designations.

## Major Development Review

Approval of a Major Development Review to allow the development of the shopping center is being requested. The purpose of the Major Development Review process is to ensure that the proposed site layout and structural designs are suitable and compatible with zoning requirements and the desired character of the city. The proposed shopping center is a permitted use in the Scenic Highway Commercial (C-P-S) zone designation; however, the applicant is requesting a total of four Conditional Use Permits: the sales of alcoholic beverages for off-site consumption (grocery store only); two drive-through restaurants; and one drive-through bank.

The proposed project has been designed to meet the development standards of the Zoning Code including setbacks, landscaping, screening, and parking. Minor architectural changes (included as proposed conditions of approval) are needed to be consistent with the Eastvale Design Guidelines.

### Architectural Design

The proposed retail center will have an architectural design similar to other retail centers in Eastvale. The project's design is demonstrated through the use of various materials and style elements:

- Articulated roof lines with minor tower elements
- Exposed wood structural supports
- The use of metal trellis trim caps on the roof edges
- Varying wall surfaces
- Trellis structures to break up the building massing
- The use of complementary colors to differentiate storefronts
- Stucco exterior walls and stone veneer columns
- Decorative sconce-style lighting

Elevations visible to the public have articulated façades, which include variation in building plan and form, pop-outs, overhangs, and other enhanced architectural design details to provide variation and interest in the development. **Figure 3** shows a few of the building elevations. The outline of the building provided below each elevation shows the articulation of the façade. A complete set of the building elevations is provided as Attachment 16.

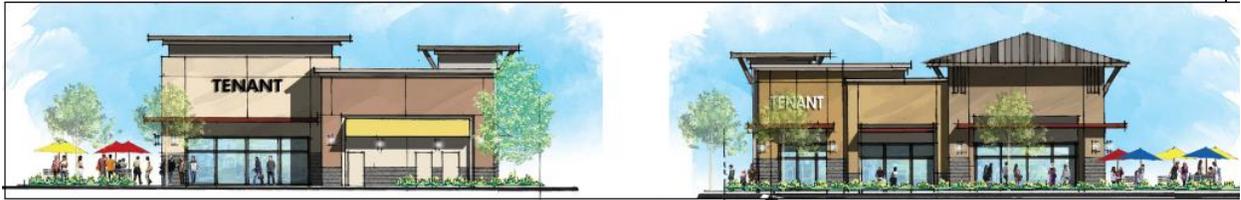
The proposed tire store will share the same basic design approach that will be used in the shopping center, constructed mainly of stucco, proposed cement block, glass, and metal awnings. The main façade will also feature roll-up bay doors, which will include windows to match the main façade. The rear elevation is proposed to incorporate many of the same elements as the main façade except that the long wall spans will include the use of wall-mounted “green screens,” which will be planted with vines. The west-facing façade, which will be visible from Sumner Avenue, will be mostly glass and stucco with a metal awning (see **Figure 3** below).

No building elevations are provided for the three buildings with drive-through facilities (bank, Pad 1, and Pad 2). The applicant is requesting that the Commission allow staff to review and approve the building elevations for these three buildings based on design consistencies with the building elevations provided. If the Commission approves this request, this review would require the applicant to apply for a Minor Development Review, which can be approved by the Planning Director. This is included as Condition 21. If the Commission would like to review and approve the elevations, then Condition 21 would be revised to reflect approval from the Commission.

Figure 3: Elevations



**Pad 1 and 2 Elevations**



**Tire Store – Facing Summer Avenue**



**Tire Store – Rear Elevation Facing Residential**



The Eastvale design standards require high-quality urban design for all development projects. With a few minor suggested improvements (provided below and included as proposed conditions of approval), staff finds that the proposed shopping center architecture is consistent with the City's Design Standards and Guidelines.

Staff's proposed changes are:

- Extend the stone veneers to the bottom of the awning for several columns to enhance the entrances for the individual units and to create the appearance of high-quality building design; and

- Double the thickness of the columns facing the street to provide better pop-outs on the building face: Shops B building facing Sumner and Limonite, grocery store building facing Valencia, all buildings along Limonite Avenue and Sumner Avenue (bank, Pad 1, and Pad 2); and
- Improve the center tower of the back of the grocery store by increasing the height of the stone veneer, and increasing the depth of the columns to create better pop-out of the center tower.

These suggested improvements are included as Condition No. 22. These improvements are similar to features required for other recent commercial projects (i.e., Panera and 99 Cents Only) that were recently approved by the Planning Commission. **Figure 4** illustrates the suggested areas that need improvements.

**Figure 4: Improvements**



Recommended Change: Double the thickness of the street-facing columns



Recommended Change: Increase the height of the stone veneer, and increase the thickness of the columns on the back of the grocery store



### *Shopping Center Interface with Adjacent Residential Neighborhood*

Because of its location, the shopping center will benefit the surrounding residential neighborhoods, which are within a convenient walking distance of the new retail center. Therefore, it is important to create an interface between the back of the shopping center and the adjacent residential neighborhood such that it provides an inviting and comfortable atmosphere for pedestrians walking to and from the retail center.

The applicant understood staff's concerns and designed the back of the shopping center such that it provides an inviting and comfortable atmosphere for pedestrians and nearby homes. An approximately 15-foot-wide landscape area is provided behind the grocery store to create a buffer between the shopping center and the homes across Valencia. Two pedestrian access points are provided at each end of the shopping center on Valencia Street, which feature attractive and inviting gateways for pedestrians. Streetscape perspectives and cross sections are provided in **Figure 5** to illustrate the interface between the shopping center and residential neighborhood.

**Figure 5: Street View along Valencia and Cross Sections**

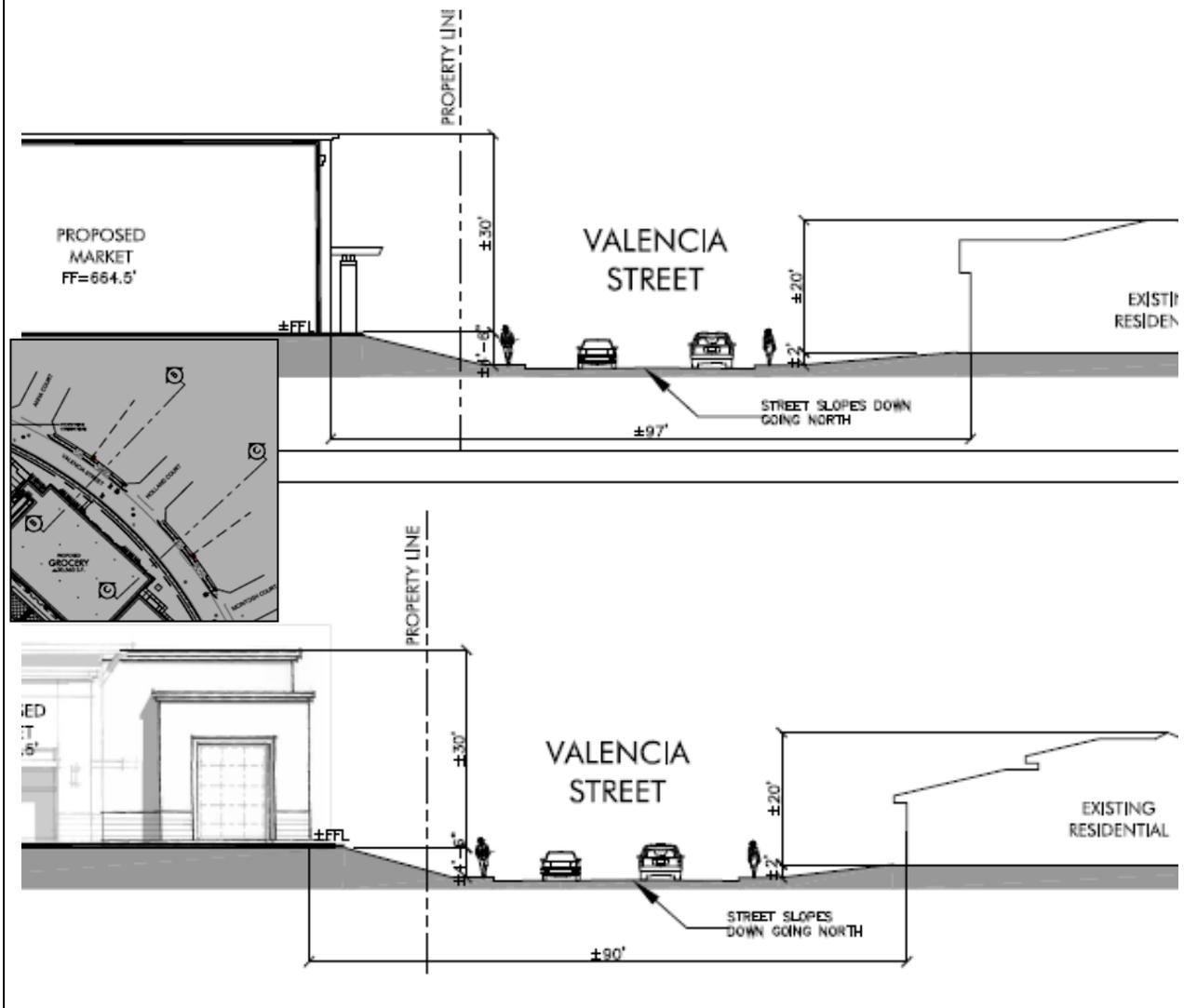
Back of grocery store – facing east



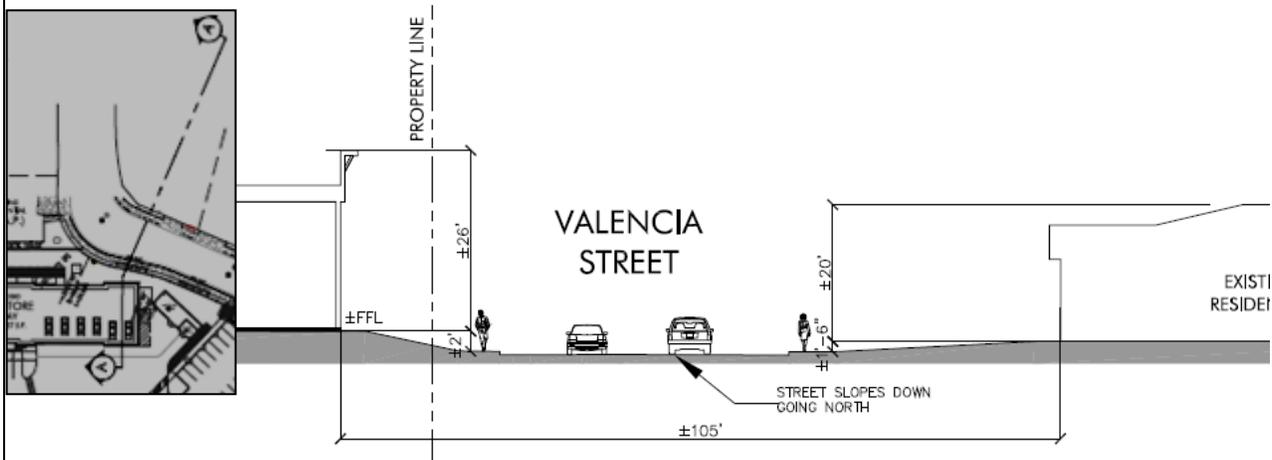
Back of tire center and pedestrian access point – facing west



Cross sections from the back of the grocery store



Cross section between the tire center and Valencia Street



### Parking

The proposed parking (365 spaces) meets the code based on the following analysis:

- Tire store – Requires four spaces for the business plus four spaces per service bay
- Remainder of the retail center – Requires 5.5 spaces per 1,000 square feet.

However, staff identified two customer amenities that were not included in the site plan because they would cause available parking to be reduced below the required amount:

- The proposed plans do not include shopping cart corrals, which are typically placed in grocery store parking lots. The Zoning Code does not require this, but the tenant may want to provide them for customer convenience. However, doing so will reduce the number of parking spaces available to customers.
- Staff previously asked for a continuous pedestrian pathway from the southwest corner of the site (Limonite/Sumner corner) to the grocery store/“Shops A” area of the site. Doing so, however, would also eliminate required parking needed by the shopping center because the site just meets the minimum parking requirements.

To address the possible need for shopping cart corrals and as allowed by the Zoning Code, the applicant is proposing to provide three bicycle parking spaces per one automobile parking space eliminated to accommodate the shopping cart corrals in the parking lot. The applicant agreed to not eliminate more than six automobile parking spaces. This has been included as Condition No. 25.

### Landscaping

The conceptual landscape plan meets the standards of 10 percent landscape coverage and 50 percent shading in the parking.

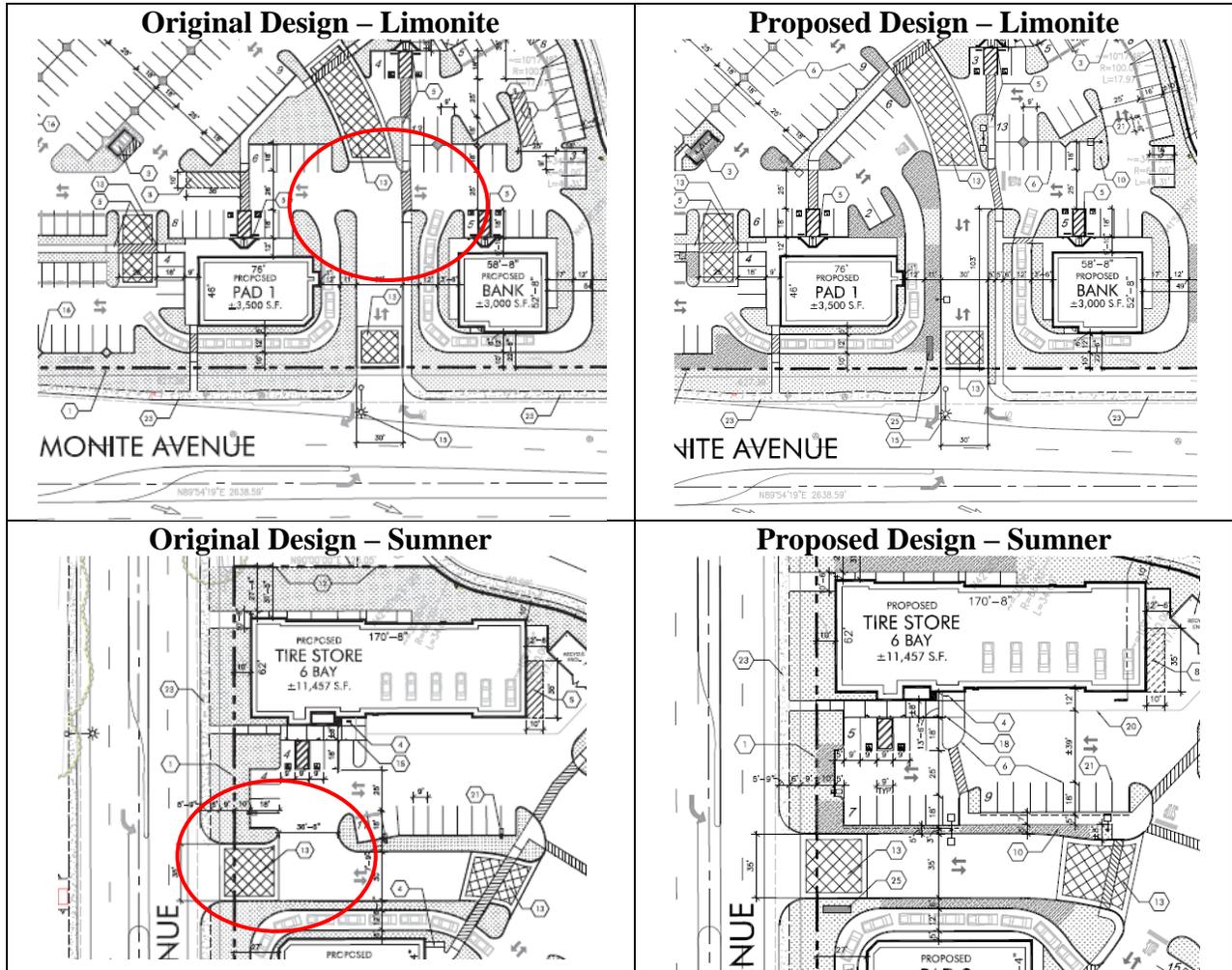
All perimeter and interior landscape and hardscape will be installed by the developer and maintained by the property owners association for the entire development. The edge of the project along Sumner Avenue and Limonite Drive will be enhanced with parking lot screening shrubs and street trees (True Green Elms). California-friendly, drought-tolerant shrubs and groundcover landscaping is proposed and there will be no turf (grass) used within the project. See **Figure 6**.



to create problems: the entrance near Bank of America and the entrance near Von's gas station. Illustrations of the original and new designs are provided in **Figure 7**.

The applicant agreed to eliminate the left-turn aisles to create longer stacking length but requested to keep the right-turn drive aisle for the entrance off Limonite (into the bank parking lot area). The City engineer requested a queuing analysis to support the proposed design. A copy of the queuing analysis is included as Attachment 13. The proposed design has been reviewed and determined acceptable by the City engineer.

**Figure 7: Project Entrances**



Left-turn pocket on Limonite Avenue

A left-turn pocket into the retail center from Limonite (heading east) is being proposed. The site plan indicates that the pocket would be approximately 75 feet long. The pocket would accommodate a line of one to three vehicles waiting to turn, assuming an average of 25 feet per vehicle. According to the traffic analysis, this proposed pocket would provide sufficient space for storage for the 95<sup>th</sup> percentile queue length, which is acceptable to the City engineer.

## Noise

The City General Plan Noise Element Policy N-23 requires that proposed new development adjacent to existing noise-sensitive land uses (houses) submit a construction-related noise mitigation plan to the City for review and approval prior to issuance of a grading permit. Therefore, construction-related noise will not be discussed in this report.

Implementation of the proposed project will result in noise related to operational activities associated with the project. Therefore, due to the close proximity of homes, a project-specific noise study has been prepared by Michael Baker International. The noise study determined existing and anticipated interior and exterior noise levels at surrounding sensitive receptors (homes). The noise study looked at all uses associated with the project, including the activities likely to generate an increase in the noise levels, such as the air impact wrenches from the tire center, transport truck-associated noise generated by the grocery store, and noise associated with the drive-through windows, menu boards, and vehicles. It was concluded that the tire center, grocery store, and drive-through uses would result in new noise sources in the project area.

Based on the City's exterior and interior noise standards for single-family residential uses that reflect CEQA requirements, noise generated by these on-site uses would be within standards. As such, no CEQA-related mitigation is required as a result of the noise study.

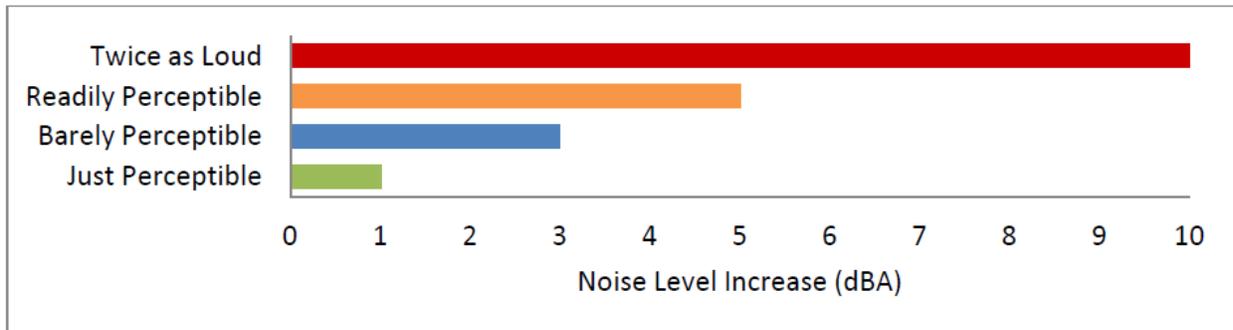
However, the study did find that when ambient (background) noise levels during peak times of the day rise above the threshold for ambient noise levels, the potential worst-case noise impacts from the project (L<sub>max</sub>) could be an issue on surrounding properties. Staff's concerns about potential noise issues are further addressed in the following discussions regarding the tire store and bank, which are closest to existing homes.

As shown in **Figure 8**, the noise generated from the truck docking area for the grocery store would result in an increase of approximately 0.6 dBA to 2.4 dBA. This increase is less than 3 dBA, which is considered barely perceptible to the human ears (see **Figure 9**). Thus, the truck loading area for grocery store would not create noise that impacts adjacent homes.

Figure 8: Loading Dock and Drive-Through Noise Contours



Figure 9: Noise Perception



Airport Land Use Commission Compatibility

The proposed project is located in the Chino Airport Influence Area, Compatibility Zone D, which is regulated by the Riverside County Airport Land Use Commission (ALUC). The project has been reviewed by ALUC for consistency with the Chino Airport Land Use Compatibility Plan. It was determined that the proposed site plan would result in an average intensity of 107 people for the overall site and a single-acre intensity of 256 people, which are consistent with the average intensity of 150 people and single-acre intensity of 450 people allowed for Zone D. A letter from ALUC is included as Attachment 11.

## Conditional Use Permits

The applicant is requesting a total of five Conditional Use Permits (CUPs) for the operation of a tire store, two drive-through restaurants, one drive-through bank, and sales of alcoholic beverages for off-site consumption for the grocery store. Each CUP request is discussed in further detail below.

### Conditional Use Permit for Tire Sales/Service

Tire sales and installation is a conditionally permitted use within the Scenic Highway Commercial (C-P-S) zone designation. This allows the City the opportunity to address key issues such as car maneuvering, parking of vehicles before and after service, and noises that are unique to this type of use.

The shopping center includes a proposed 11,457-square-foot tire store with six service bays. Each service bay will face the interior of the shopping, and are not drive-through; thus, there will be no rear access or openings to the building. The tire store meets code requirements for parking, and staff determined this is adequate. The redesign of the entrance by the applicant, in response to staff's concerns about stacking, addresses prior concerns about maneuvering in this area. Noise remains an issue for consideration under the CUP.

The tire shop will be located at the site's northwestern corner and directly south of an existing residential home as illustrated in **Figure 10**. The proposed tire shop will use equipment such as a scissor lift, vehicle hoist, box tire charger, rim clamp changer, and a number of compressed air impact driver/wrenches that will cause noise that may be noticeable and a nuisance to adjacent residents.

**Figure 10: Tire Shop in Relation to Residential Home**



*View Looking West from Valencia Street*

Typical hours of operation will be from 7AM to 6PM Monday through Saturday, and closed on Sunday, although hours may vary based on the local market demand. Such activities could expose adjacent residential uses to interior and/or exterior noise levels in excess of applicable standards established by the City's General Plan, as described above. Although there is an existing concrete block wall at the site's northwestern corner, the wall may not be of sufficient height or length to fully mitigate anticipated noise, particularly where the proposed tire shop would be constructed immediately adjacent to an existing house.

The project-specific noise study prepared by Michael Baker International found that the tire center would not generate enough additional noise to warrant additional mitigation beyond that which has been proposed. However, additional noise screening would certainly help to reduce the noise generated by the tire center at adjacent residences.

Even though standards are met, staff has concerns about the single-event "nuisance" noise that will be created by the tire center, such as impact wrenches and lifts. Although the tire center bays are not drive-through and they face the shopping center parking lot, there is still a potential for nuisance noise spilling over into the adjacent neighborhoods. **Figure 11** shows that impact noise (Lmax) from the operation of the tire store ranges from 11 dBA to 15 dBA above the average ambient noise for nearby homes. As shown in **Figure 9**, above, a noise level increase of 10 dBA can be heard and is considered twice as loud to the human ears.

**Figure 11: Tire Store Noise Measurements**



The Commission should consider whether the intrusion of noise from the tire center into the adjacent residential area is acceptable, and whether conditions should be imposed to reduce this noise. Below are a couple of suggested solutions:

1. Requiring the tire store to keep the service doors closed while working on the cars. This is included as Condition No. 8 of the Conditional Use Permit; and
2. Extending the existing block wall, between the tire store and the existing home to the north, to the edge of the sidewalk and step down to 4 feet as it approaches the sidewalk. The wall shall be designed as a decorative pilaster that is consistent with the pedestrian

gateway for the shopping center. This is included as Condition No. 23 of the Development Plan and Condition No. 11 of the Conditional Use Permit.

Staff also recommends a condition requiring the tire store to come back to the Planning Commission after one year of operations to allow for adjustments in operating times or other measures to address complaints, if any have been received by the City from the adjacent residents. Finally, staff has included a condition of approval which prohibits any servicing or maintenance on vehicles outside of the tire store and/or on the parking lot.

Conditional Use Permit – Drive-through Bank

The applicant is requesting approval of a CUP for a drive-through bank to be located in the southeast corner of the site adjacent to Limonite Avenue and an adjacent residence (see **Figure 12**). The bank user is not known; it is also not known if the drive-through will include a window for personal interaction with a bank teller, or simply be for an automated teller, or both. Either will have issues that require a certain level of noise mitigation.

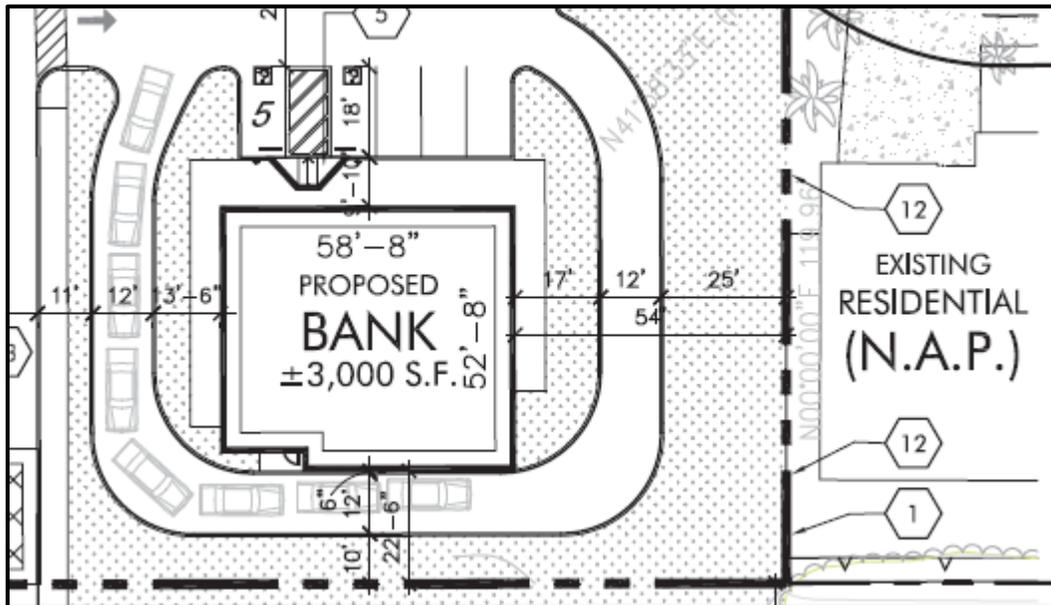
As shown in **Figure 13**, the bank is 54 feet away from the existing residential property and the drive-through lane is 25 feet away. The drive-through window/teller will be on the south side of the building, facing Limonite Avenue. The drive-through lane adjacent to the existing residential home will be utilized as the drive-through exit. Therefore, it is anticipated that vehicles will not be waiting in line and creating noise (music, engine noise, etc.), adjacent to the home.

**Figure 12: Proposed Bank Site Adjacent Residential Property**



*View Looking Northeast from Limonite Avenue*

Figure 13: Bank in Relation to Existing Residential



As previously mentioned, the noise study prepared by Michael Baker International determined that the drive-through facilities would be within the City’s exterior and interior noise standards for single-family residential uses. As such, no additional CEQA mitigation beyond that which has been proposed is required as a result of the noise study.

However, it is apparent that the potential worst-case noise impacts ( $L_{max}$ ) on surrounding properties could be an issue, as noise levels from the operation of the drive-through will be almost 10 dBA above the average ambient noise levels (see Figure 14 below). As mentioned above, an increase of the 10 dBA is considered twice as loud to the human ears.

Figure 14: Noise Contours



As with the proposed tire center, staff recommends that the Commission consider whether the noise impacts which would be created by the drive-through are acceptable.

To address the drive-through's potential maximum noise impacts, staff recommends the following conditions:

- The proposed ATM remains on the south side of the building as proposed; and
- Restrict the installation of any speaker or ATM on the east of the building; and
- Extend the existing block wall, between the shopping center and the existing home to the east, to the edge of the sidewalk with a maximum height of 6 feet and step down to 4 feet as it approaches the sidewalk. The wall shall be designed as a decorative pilaster that is consistent with the pedestrian gateway for the shopping center. This is included as Condition No. 23 of the Development Plan and Condition No. 13 of the Conditional Use Permit.

These conditions do not reduce potential noise created by the drive-through, but it would ensure that noise generated from the proposed drive-through operation will not be worsened by moving this noise source closer to the existing home to the east.

Based on staff's concern for noise levels created by the drive-through bank on surrounding properties, staff is recommending that a one-year review of the CUP be conducted by the Planning Commission to determine if the drive-through is a noise nuisance to the surrounding neighborhood. If the drive-through is a noise nuisance, other noise reduction measures such as installation of a temper glass wall along the east side of the drive-through lane may be appropriate.

#### *Drive-through stacking analysis for bank*

As shown in **Figure 13** above, the bank pad is currently planned to be approximately 3,000 square feet with eight cars stacking in the drive-through lane. The applicant did not provide a circulation and stacking analysis for the proposed bank. The applicant is requesting that the Commission approve the requested CUP subject to a condition requiring the applicant to submit a circulation and stacking analysis to the City for review and approval by staff prior to issuance of a building permits or change of occupancy. This request is included as Condition No. 21 of the Development Plan and Condition No. 11 of the CUP.

The applicant understands that the parking and circulation for the proposed bank may need to be modified if the circulation and stacking analysis finds that the proposed design is not adequate for the operation of the specific bank tenant.

#### Conditional Use Permits – Drive-through for Pads 1 and 2

Drive-through facilities, including fast-food restaurants, dry cleaners, etc., require a CUP in the Scenic Highway Commercial (C-P-S) zone designation. In addition to the drive-through bank, the applicant is requesting two drive-through pad sites.

As shown in **Figures 15** and **16**, Pad 1 and Pad 2 are each currently planned to be 3,500 square feet with nine cars stacking from the ordering window in the drive-through lane, with approximately 2 car lengths and 3 car lengths of exit space, respectively.

Similar to the requested CUP for the bank, the applicant did not provide a circulation and stacking analysis for the proposed Pad sites and would like the Commission to approve the requested CUPs subject to a condition requiring the circulation and stacking analysis be submitted for review and approval prior to the issuance of building permits or change of occupancy for each building. The applicant understands that the parking and circulation for and around each building may need to be modified if the circulation and stacking analysis finds that the proposed design is not adequate for the operation of the specific tenant.

**Figure 15: Pad 1 Stacking**

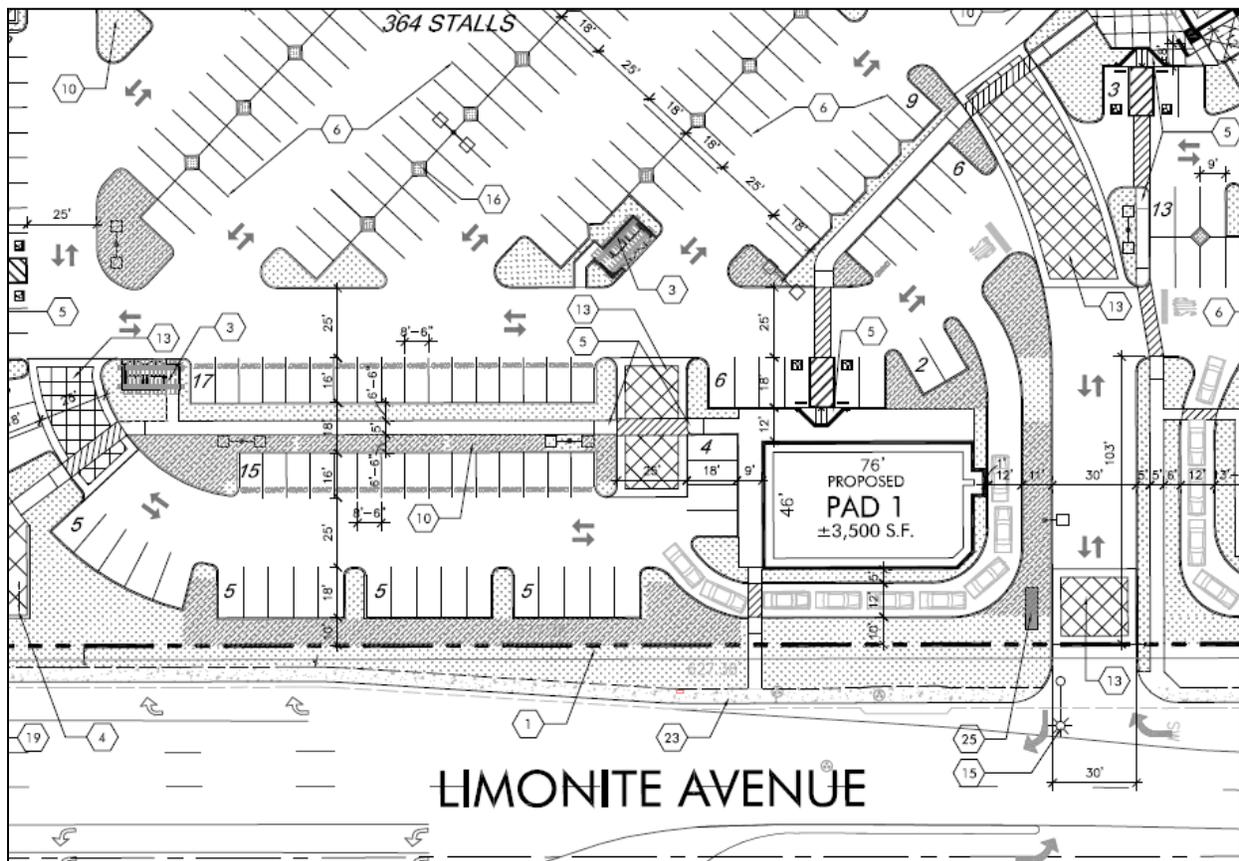
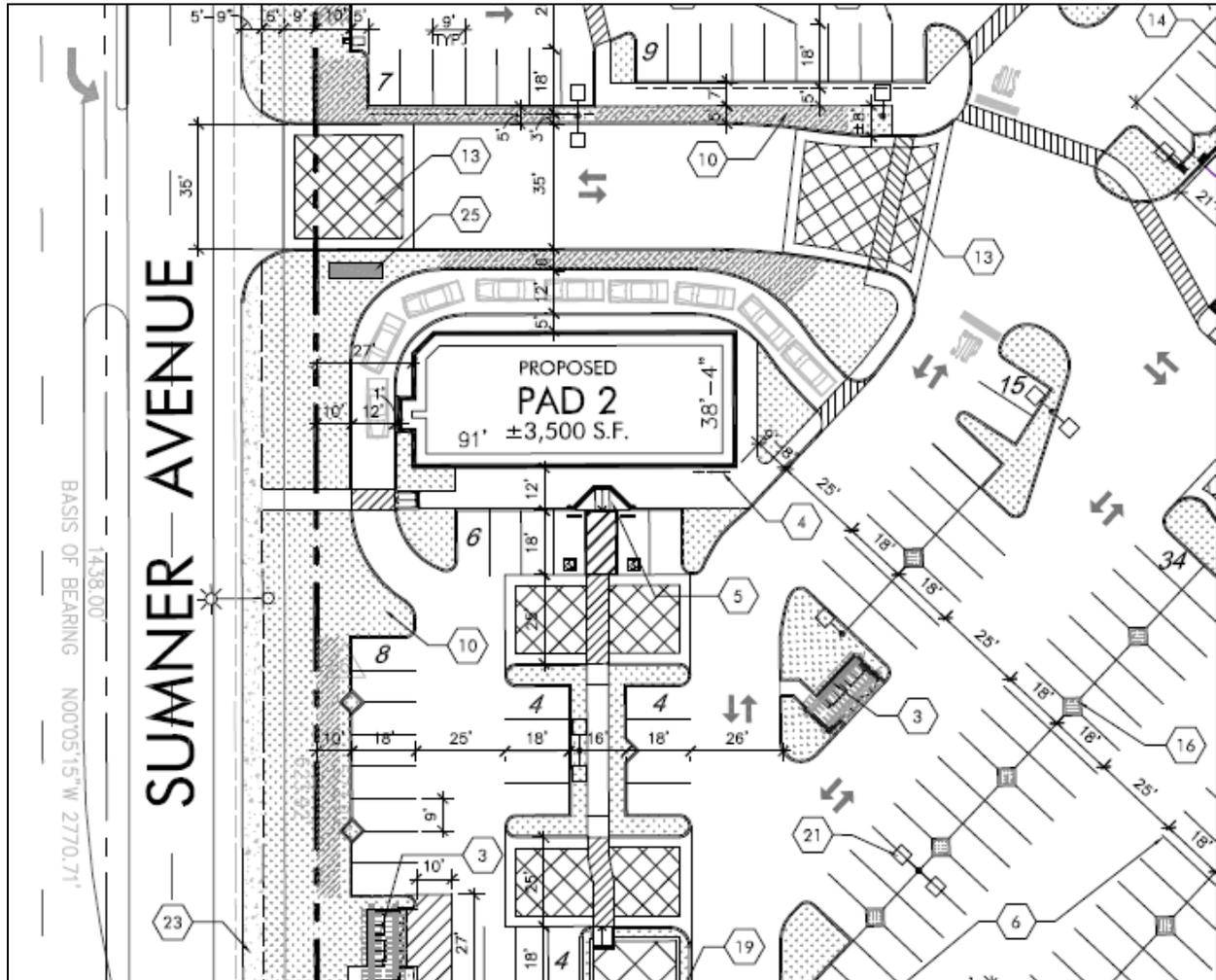


Figure 16: Pad 2 Stacking



#### Conditional Use Permit - Alcohol Sales at Grocery Store

The applicant is requesting approval of a CUP for alcohol sales in the proposed grocer. Approval of the CUP would allow for ancillary alcohol sales of all types of alcoholic beverages (beer, wine and spirits) for off-site consumption in original, sealed containers. The sales of alcohol will be incidental to the sale of food and the normal items typically found in a grocery store.

In addition to the City conditions of approval, the project will be subject to the requirements of the California Department of Alcoholic Beverage Control (ABC). The ABC places restrictions on alcohol sales, location of consumption, and hours of operation. A summary of regulations for alcoholic sale and an ABC acknowledgment form are provided as **Attachment 14**.

Staff supports the CUP for alcohol sales at this location. Sales of beer, wine, and spirits are typically found at grocery stores. The police department has reviewed the CUP application and offered no additional comments or conditions of approval.

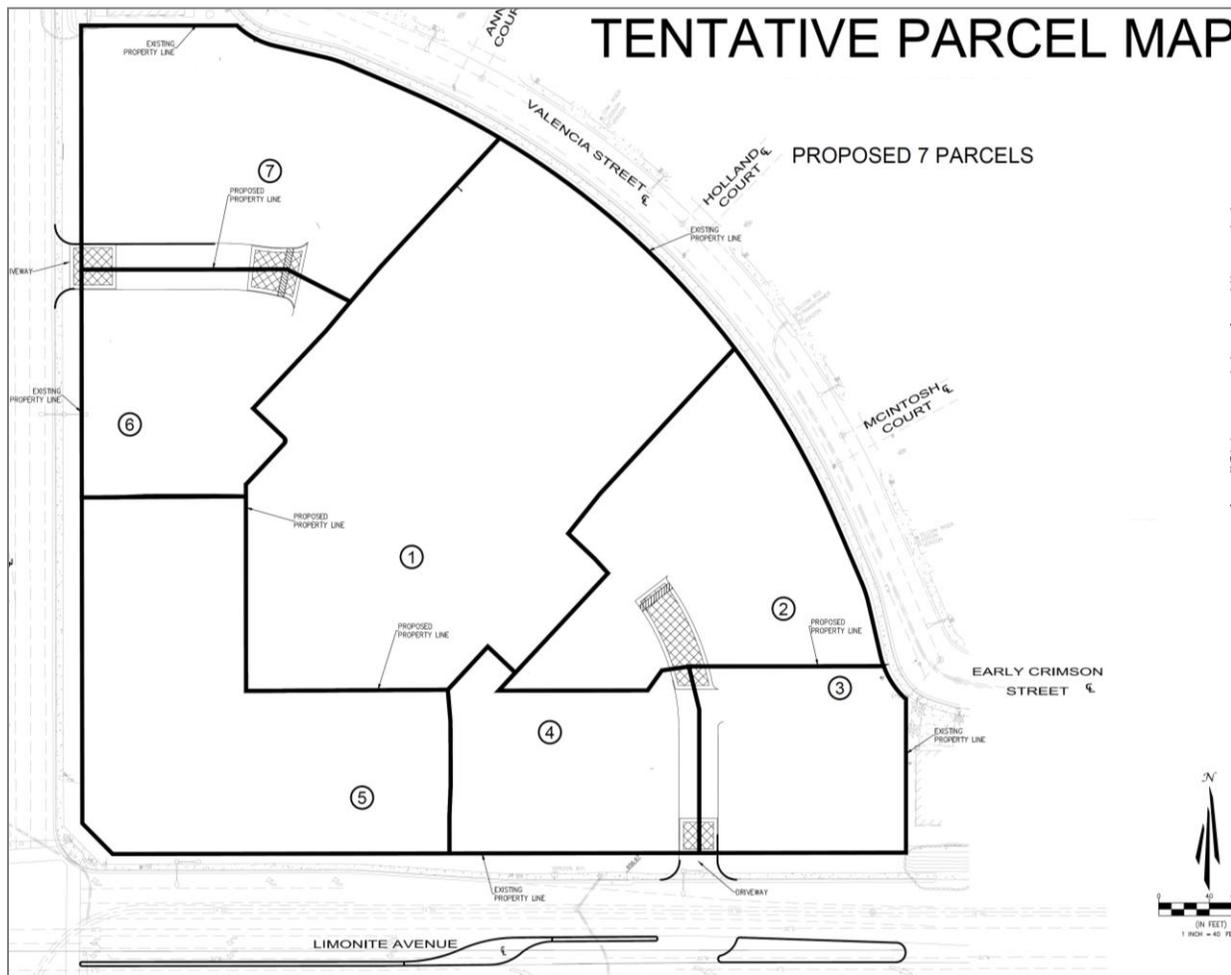
**Tentative Parcel Map 37031**

Tentative Parcel Map 37031 is a proposed subdivision of Lot 10 of Tract Map 30633.

After development of the site, the applicant would like to subdivide the parcel to allow individual ownership of each building. Therefore, an approval of a Tentative Parcel Map to subdivide the 7.64-acre project site into seven parcels is being requested.

The proposed Parcel Map (**Figure 17**) is located within the Scenic Highway Commercial (C-P-S) zone. According to the development standards listed in Eastvale Municipal Code Zoning District Regulations Chapter 3, Table 3.3-2 Development Standards for Commercial and Industrial Zones, the C-P-S zone does not have a minimum lot size requirement, but does require a minimum width of no less than 75 feet. Each of the proposed parcels meets or exceeds this standard.

**Figure 17: Tentative Parcel Map 37031**



## Public Hearing Notification and Comment

The proposed project requires a 10-day public hearing notification period for property owners located within a 1,000-foot radius of the project site. The notification was sent on November 5, 2015, for the Planning Commission meeting on November 18, 2015.

At the time of preparing this staff report, one letter in opposition to the proposed project has been received from a resident in the city. A copy of the letter is included as Attachment 17.

## Environmental Review

A Mitigated Negative Declaration (MND) in accordance with CEQA was prepared for the project. The MND analyzed the proposed project to determine any potentially significant impacts on the environment that would result from implementation of the project.

The Initial Study concluded that the proposed project could have a significant effect on the environment. However, specific mitigation measures have been proposed and agreed upon by the applicant that will reduce the impacts to a less than significant level. As a result, the City has prepared a Mitigation Monitoring and Reporting Program (MMRP) for consideration, and the proposed conditions of approval reflect these mitigation measures.

The Planning Department made the proposed MND available for public review beginning on June 22, 2015, and concluding on July 13, 2015. The City received six written comments concerning the MND. The comments received and responses are included as **Attachment 9**.

Staff is recommending that the Planning Commission adopt the MND and MMRP for the proposed project. Copies of the MND and MMRP are provided for Planning Commission consideration in **Attachments 10 and 1**.

## REQUIRED PROJECT FINDINGS

### California Environmental Quality Act

Pursuant to CEQA, and in light of the whole record before it, including but not limited to the City's local CEQA guidelines and thresholds of significance, the proposed Initial Study/MND incorporated therein by reference, any written comments received and responses provided, and other substantial evidence (within the meaning of Public Resources Code Sections 21080(e) and 21082.2) within the record and/or provided at the public hearing, the Planning Commission hereby finds and determines as follows:

**Finding:** The project qualifies for an MND pursuant to CEQA (California Public Resources Code Sections 21000 et seq.) and the State CEQA Guidelines (California Code of Regulations Sections 15000 et seq.).

### Major Development Review

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

Evidence: The General Plan land use designation of the site is Commercial Retail, which allows for the development of commercial retail uses, professional offices, and other visitor-oriented commercial uses. The proposed project is the development of a neighborhood retail center in the Scenic Highway Commercial (C-P-S) zone, which allows a variety of commercial retail uses such as grocery stores, fast-food restaurants, banks, tire stores, and other retail establishments. Because the proposed retail center proposes uses allowed in the underlying zone designation, and because the zoning and General Plan designation allows for retail commercial uses, the proposed project is consistent with the General Plan.

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

Evidence: The proposed project has been designed to conform to the logical pattern of development as envisioned by the Eastvale General Plan and has been designed to satisfy the General Plan design policies. The project has been designed with high-quality urban design, architecture, and landscaping, which includes providing pedestrian open space area and connectivity between the buildings, as well as landscaping along the proposed private street and driveways. The project provides direct access to the adjacent residential neighborhood, allowing easy vehicular and pedestrian access to the shopping center. A condition requiring changes to some of the proposed building materials will also better achieve compliance with the City's Design Guidelines and the Design Element of the General Plan. Thus, as conditioned, the proposed shopping center meets the standards of the Design Element of the General Plan.

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

Evidence: The architecture of the proposed buildings, as conditioned, has been designed to satisfy the design goals and policies of the General Plan. The elevations of the buildings that are visible to the public have been designed to create variation and interest to minimize massing and avoid the look of a large-scale building. Thus, the architecture will satisfy the design goals.

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

Evidence: The entire site is surrounded by public streets and easy access is achieved from Limonite and Sumner Avenues. All streets have also been designed to handle the type and quantity of vehicular traffic associated with the project proposal. All adjacent streets have been previously improved with curb, gutter, sidewalk, turning lanes at major intersections, etc. Pedestrian walkways separate from any vehicular access to the site have been included between the project site and residences immediately adjacent off Valencia.

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

Evidence: The Airport Land Use Compatibility Plan shows that the project is located in Zone D, which prohibits highly noise-sensitive outdoor nonresidential uses, discourages schools, hospitals, and nursing homes, and requires airspace review for structures higher than 70 feet. The proposed project does not involve development of prohibited or discouraged uses in Zone D; the proposed structures have been designed to not exceed 35 feet in height; and the intensity of the project is within the maximum intensity allowed in Zone D. Additionally, the project site plan has been reviewed and determined by the Riverside County Airport Land Use Commission to result in an average intensity of 107 people for the overall site and a single-acre intensity of 256 people, which are consistent with the average intensity of 150 people and single-acre intensity of 450 people allowed for Zone D. For these reasons, the proposed project is consistent with the policies of the City of Eastvale General Plan and the Airport Land Use Compatibility Plan.

### **Conditional Use Permits**

The Eastvale Zoning Code (Section 2.2) requires that the Planning Commission make the following findings in order to approve a Conditional Use Permit. The shopping center as proposed will need a total of five CUPs: one for the tire sales, one for the alcohol sales in the grocery store, and one for each of the three drive-through facilities (two fast-food restaurants and one bank). Below are the recommended findings for the tire center.

### **Tire Center**

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

Evidence: The General Plan land use designation for the site is Commercial Retail. Per the Eastvale General Plan, the intent of the Commercial Retail land use designation is to enable the establishment and operation of the community-serving commercial, service, and office businesses. The proposed tire store is a retail facility that offers installation of tires and other similar services (flat repair, shocks, oil changes, and other minor repair). The proposed use will further the objectives and policies of the General Plan and it will be compatible with the general land uses as specified in the plan.

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

Evidence: The new tire center will be integrated into the overall shopping center, which will provide adequate parking, circulation, and access to major roadway systems that provide local and regional connectivity. The project is not located near any public schools, day care centers, or other sensitive receptors other than those who live nearby to the project site. As conditioned, the project addresses potential noise which could disrupt the peace of adjacent neighbors.

### **Grocery Store Alcohol Sales**

Below are the recommended findings for the approval of alcohol sales at the grocery store.

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

Evidence: The General Plan land use designation for the site is Commercial Retail. Per the Eastvale General Plan, the intent of the Commercial Retail land use designation is to enable the establishment and operation of the community-serving commercial, service, and office businesses. The grocery store is also a retail center that primarily will sell food items, beverages, and the associated sundry items typically sold within a grocery store, including alcoholic beverages, which will require a permit for the sale of alcoholic beverages for off-site consumption. The proposed use will further the objectives and policies of the General Plan and it will be compatible with the general land uses as specified in the plan.

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

Evidence: The new grocery store would allow the sale of beer, wine, or spirits for sale for off-site consumption, which is not expected to be detrimental to the health, safety, peace, morals, comfort, or general welfare of the city.

### **Drive-Through Pad Sites**

Below are the recommended findings for the proposed drive-through facilities.

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

Evidence: The General Plan land use designation for the site is Commercial Retail. Per the Eastvale General Plan, the intent of the Commercial Retail land use designation is to enable the establishment and operation of the community-serving commercial, service, and office businesses. The two drive-through restaurants will serve the community and will be close and convenient to the nearby neighborhood. The design, layout, access, and circulation of the shopping center are configured to accommodate the needs of resident retail and commercial uses. The proposed use will further the objectives and policies of the General Plan and it will be compatible with the general land uses as specified in the plan.

Finding 2: The establishment, maintenance, or operation of the use applied for will not, under the circumstances of the particular case (location, size, design, and operating characteristics), be detrimental to the health, safety, peace, morals,

comfort, or general welfare of persons residing or working in the neighborhood or such use, or the general welfare of the city.

Evidence: The proposed use will not be detrimental or injurious to property in the vicinity nor to the public health, safety, and general welfare because of its adequate stacking. Additionally, the proposed driveways are of sufficient length and have been designed to accommodate vehicles entering and exiting in a private commercial parking area. The applicant did not provide a circulation and stacking analysis for the proposed pad sites. However, staff has added this requirement in the conditions of approval prior to the issuance of a building permit or change of occupancy. The new drive-through restaurants will be integrated into the overall shopping center, which will provide adequate parking, circulation, and access to major roadway systems that provide local and regional connectivity. The project is not located near any public schools, day care centers, or other sensitive receptors other than those who live nearby to the project site.

### **Drive-Through (Bank)**

Below are the staff's recommended findings for the proposed bank drive-through facility.

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

Evidence: The General Plan land use designation for the site is Commercial Retail. Per the Eastvale General Plan, the intent of the Commercial Retail land use designation is to enable the establishment and operation of the community-serving commercial, service, and office businesses. The bank will provide financial services to the shopping plaza and the residents who live adjacent to the site. The design, layout, access, and circulation of the bank building are configured to accommodate the needs of resident retail and commercial uses. The proposed use will further the objectives and policies of the General Plan and it will be compatible with the general land uses as specified in the plan.

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

Evidence: The proposed use, as conditioned, will not be detrimental or injurious to property in the vicinity nor to the public health, safety, and general welfare because of its adequate stacking. Additionally, the proposed driveway is of sufficient length and has been designed to accommodate vehicles entering and exiting in a private commercial parking area. The applicant did not provide a circulation and stacking analysis for the proposed bank. However, staff has added this requirement in the conditions of approval prior to the issuance of a building permit or change of occupancy. The bank will be integrated into the overall shopping center, which

will provide adequate parking, circulation, and access to major roadway systems that provide local and regional connectivity. The project is not located near any public schools, day care centers, or other sensitive receptors other than those who live nearby to the project site.

### **Recommendation**

Staff recommends that the Planning Commission take the following actions:

1. Adopt an Initial Study/Mitigated Negative Declaration pursuant to the California Environmental Quality Act; and
2. Approve a Major Development Plan; and
3. Approve a CUP for an ABC license for the proposed grocery store; and
4. Approve a CUP for the proposed drive-through bank; and
5. Approve two CUPs for proposed drive-through fast-food restaurants; and
6. Approve a CUP for the proposed tire shop.

Alternatively, if the Planning Commission finds that the proposed design is not appropriate, such as the location of the tire store and drive-through bank, or if the proposed conditions are not satisfactory, the Commission has the following options:

1. Approve the project with the changes to the conditions of approval; or
2. Continue the project and provide directions to the applicant and staff for changes to the project; or
3. Deny the project.

### **FISCAL IMPACT**

Conditions of approval on the project require the payment of development impact fees to offset the incremental increase in the cost of providing services as a result of this project. The developer of the project will be responsible for the construction of all infrastructure and street improvements needed for the project. Maintenance costs for public improvements will be provided through a variety of mechanisms acceptable to the City.

Due to the aforementioned impact fees, as well as the likely increase in property taxes generated by the development of the site and the sales taxes collected from all of the retail sales generated by the various uses, the project is expected to have a direct and somewhat immediate positive financial impact on the City's budget.

Fiscal analyses were not prepared specifically for the Eastvale Marketplace project. However, using rule-of-thumb estimates of fiscal benefits to the City for commercial uses, the proposed project is estimated to generate a per acre net fiscal impact of \$23,459, for a total net fiscal

impact of \$179,226.76. The net per acre fiscal impact was originally prepared for the Goodman Commerce Center project, which looked at two scenarios of commercial/retail uses: one of large retail chains, the other of smaller neighborhood retail similar to this site.

## ATTACHMENTS

1. Resolution for CEQA and MMRP
2. Resolution for Major Development Review and Conditions of Approval
3. Resolution for CUP Tire Store and Conditions of Approval
4. Resolution for CUP Drive-Through for Bank and Conditions of Approval
5. Resolution for CUP Drive-Through for Pad 1 and Conditions of Approval
6. Resolution for CUP Drive-Through for Pad 2 and Conditions of Approval
7. Resolution for CUP Alcohol Sales and Conditions of Approval
8. Resolution for TPM and Conditions of Approval
9. Comments received for MND and Responses
10. Mitigated Negative Declaration (MND) (**Available on City Website**)
11. ALUC letter
12. Noise Study (**Available on City Website**)
13. Queuing Analysis
14. ABC Regulation
15. Notification Map
16. Development Plans and TPM (**Available on City Website**)
17. Opposition Letter

Prepared by: Kanika Kith and Mat Evans, Senior Planners  
Reviewed by: Eric Norris, Planning Director  
Cathy Perring, Assistant Planning Director  
John Cavanaugh, City Attorney

**Attachment 1**  
**Resolution for CEQA and MMRP**

**RESOLUTION NO. 15-\_\_\_**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EASTVALE, CALIFORNIA, ADOPTING AN INITIAL STUDY/MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FOR PROJECT NO. 15-0958 INVOLVING THE DEVELOPMENT OF A NEW 72,779-SQUARE-FOOT NEIGHBORHOOD RETAIL CENTER ON 7.64 ACRES, CONDITIONAL USE PERMITS FOR OPERATIONS OF A TIRE STORE AND THREE DRIVE-THROUGH FACILITIES, A CONDITIONAL USE PERMIT FOR THE SALES OF A FULL LINE OF ALCOHOLIC BEVERAGES IN THE PROPOSED GROCERY STORE, AND A TENTATIVE PARCEL MAP TO SUBDIVIDE THE SITE INTO SEVEN PARCELS FOR THE REAL PROPERTY LOCATED ON THE NORTHEAST CORNER OF SUMNER AVENUE AND LIMONITE AVENUE, ASSESSOR'S PARCEL NUMBER 164-030-019

**WHEREAS**, Project No. 15-0958 consisting of seven applications – a Major Development Review for the development of a neighborhood retail center with multi-tenant and single-tenant buildings totaling 72,779 square feet and associated parking facilities on an approximately 7.64-acre vacant land; a Conditional Use Permit for the establishment and operation of a tire store consisting of six service bays and approximately 4,300 square feet of retail/office; a Conditional Use Permit for the sales of a full line of alcoholic beverages in the proposed grocery store for off-site consumption; a Conditional Use Permit for the establishment and operation of a bank with an associated drive-through facility; a Conditional Use Permit for the establishment and operation of a drive-through facility for a future fast-food restaurant at the Pad 1 building site; a Conditional Use Permit for the establishment and operation of a drive-through facility for a future fast-food restaurant at the Pad 2 building site; and a Tentative Parcel Map to subdivide the 7.64-acre site into seven parcels – have been filed by Evergreen Devco, Inc. for real property located on the northeast corner of Sumner Avenue and Limonite Avenue, Assessor's Parcel Number 164-030-019; and

**WHEREAS**, the proposed Major Development Review, Conditional Use Permits, and Tentative Parcel Map (Project No. 15-0958) are considered a "project" as defined by CEQA, Public Resources Code Section 21000 et seq.; and

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

**WHEREAS**, on June 22, 2015, using the method required under CEQA Guidelines Section 15072(b), the City provided a Notice of Availability/Notice of Intent (NOA/NOI) to adopt the proposed Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program to the state Office of Planning and Research and the Riverside County Clerk, and also published said NOA/NOI in compliance with state law in the *Press Enterprise*, a local newspaper of general circulation, regarding the public review period; and

**WHEREAS**, the City made the proposed Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program available for public review beginning on June 22, 2015, and concluding on July 13, 2015, a period of not less than 21 days as prescribed by law, and which during said public review period, the City received six written comments concerning traffic and other issues. The project has been conditioned to address the concerns and the proposed Mitigation Monitoring and Reporting Program has been revised as described in the Mitigated Negative Declaration; and

**WHEREAS**, in accordance with state law, on November 8, 2015, the City of Eastvale Planning Department published a legal notice in compliance with state law concerning Project No. 15-0958 and the Mitigated Negative Declaration in the *Press Enterprise*, a local newspaper of general circulation, regarding the Planning Commission meeting on November 18, 2015. In addition, on November 5, 2015, a public hearing notice was mailed to each property owner and commercial tenant within a 1,000-foot radius of the project site, indicating the date and time of the public hearing at the Planning Commission meeting for Project No. 15-0958; and

**WHEREAS**, the City of Eastvale Planning Commission conducted a duly noticed public hearing on November 18, 2015, at which public testimony was received concerning Project No. 15-0958, considered the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the project pursuant to Section 15074 (Article 6) of CEQA.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF EASTVALE DOES HEREBY RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:

## **SECTION 1. ENVIRONMENTAL FINDINGS**

Finding 1: The proposed project requires the adoption of a Mitigated Negative Declaration pursuant to Section 15074 (Article 6) of the CEQA Guidelines.

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

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

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

Independent Judgment: That the Mitigated Negative Declaration attached hereto as Exhibit A reflects the independent judgment and analysis of the City of Eastvale.

Mitigation Monitoring Program: A Mitigation Monitoring and Reporting Program, attached hereto as Exhibit B, was prepared for adoption along with the project to ensure compliance during project implementation in that changes to the project and/or mitigation measures have been incorporated into the project and are fully enforceable through permit conditions, agreements, or other measures as required by Public Resources Code Section 21081.6.

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

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

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

## **SECTION 3. RECORD OF PROCEEDING**

The Mitigated Negative Declaration, Mitigation Monitoring and Reporting Program, Development Plans, all special studies, and other materials that constitute the record of the proceedings upon which the City Council's decision is based are located in the City Clerk's office of the City of Eastvale at 12363 Limonite Avenue, Suite 910, Eastvale, CA 91752. The custodian of these documents is the City Clerk of the City of Eastvale.

## **SECTION 4. DETERMINATION**

Based upon the findings outlined in Sections 1 through 3, the Planning Commission of the City of Eastvale hereby takes the following actions:

- A. Adopt a Mitigated Negative Declaration, attached hereto as Exhibit A, and Mitigation Monitoring and Reporting Program, attached hereto as Exhibit B, for Project No. 15-0958 consisting of a Major Development Review for the development of a new neighborhood retail center, Conditional Use Permits for the establishment and operation of a tire store and three drive-through facilities, a Conditional Use Permit for the sales of a full line of alcoholic beverages, and a Tentative Parcel Map to subdivide the 7.64-acre site into 7 parcels; and

B. Direct the Planning Director to file a Notice of Determination with the County of Riverside Clerk of the Board of Supervisors along with the County Clerk and California Department of Fish & Wildlife filing fee within five (5) days of the approval date.

PASSED, APPROVED, AND ADOPTED this 18th day of November 2015.

\_\_\_\_\_  
Daryl Charlson, Chair

APPROVED AS TO FORM:

ATTEST:

\_\_\_\_\_  
John E. Cavanaugh, City Attorney

\_\_\_\_\_  
Marc Donohue, Secretary

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

I, Marc Donohue, Secretary of the Planning Commission of the City of Eastvale, California, do hereby certify that the foregoing Planning Commission Resolution, No. 15-\_\_\_\_, was duly adopted by the Planning Commission of the City of Eastvale, California, at a regular meeting thereof held on the 18th day of November, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Marc Donohue, Secretary

Exhibit A

Mitigated Negative Declaration

(Included as Attachments 8 and 9 to the staff report)

Exhibit B

Mitigation Monitoring and Reporting Program

# EASTVALE MARKETPLACE

## MITIGATION MONITORING AND REPORTING PROGRAM

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### 1. INTRODUCTION

This document is the Mitigation Monitoring and Reporting Program (MMRP) for the Eastvale Marketplace. An MMRP is required for the proposed project because the Initial Study/Mitigated Negative Declaration (IS/MND) has identified significant adverse impacts, and measures have been identified to mitigate those impacts. This MMRP has been prepared pursuant to Section 21081.6 of the California Public Resources Code, which requires public agencies to "adopt a reporting and monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment."

### 2. MITIGATION MONITORING AND REPORTING PROGRAM

As the lead agency, the City of Eastvale will be responsible for monitoring compliance with all mitigation measures. Different City departments are responsible for various aspects of the project. The MMRP identifies the department with the responsibility for ensuring the measure is completed; however, it is expected that one or more departments will coordinate efforts to ensure compliance.

The MMRP is presented in tabular form on the following pages. The components of the MMRP are described briefly below.

- **Mitigation Measure:** The mitigation measures are taken from the IS/MND, in the same order they appear in that document.
- **Timing:** Identifies at which stage of the project the mitigation must be completed.
- **Monitoring Responsibility:** Identifies the department within the City with responsibility for mitigation monitoring.
- **Verification (Date and Initials):** Provides a contact who reviewed the mitigation measure and the date the measure was determined complete.

**EASTVALE MARKETPLACE  
MITIGATION MONITORING AND REPORTING PROGRAM**

**MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Timing	Monitoring Responsibility	Verification (Date and Initials)
<b>Biological Resources</b>			
<p><b>BIO-1</b> A habitat assessment shall be conducted by a qualified biologist to determine whether the site has the potential to be appropriate habitat for burrowing owl. If suitable habitat is not found on the project site, no further surveys are needed. If burrows and/or suitable habitat for burrowing owls are found, three separate focused surveys shall be conducted during the nesting season to determine the presence or absence of burrowing owls. Preconstruction surveys shall be conducted if the site contains burrows or suitable habitat whether burrowing owls were found in previous surveys or not. Per MSHCP Species-Specific Objective 6, preconstruction presence/absence surveys for burrowing owl shall be conducted within 500 feet of the project work areas, where feasible. Surveys shall be conducted prior to project approval. All occupied burrows will be mapped on an aerial photo. Take of active nests will be avoided during construction. If construction is delayed or suspended for more than 30 days after the survey, the work area shall be resurveyed. If burrowing owls are found to be present on-site, the project applicant shall develop a conservation strategy in cooperation with the CDFW and the Regional Conservation Authority in accordance with the CDFW's Staff Report on Burrowing Owl Mitigation (2012).</p>	Prior to project approval	City of Eastvale Planning Department and Public Works Department	
<p><b>BIO-2</b> The project applicant shall conduct construction and clearing activities outside of the avian nesting season (September 1–January 14), where feasible. If clearing and/or construction activities occur during the nesting season (January 15–August 31), preconstruction surveys for nesting raptors and migratory birds shall be conducted by a qualified biologist, no more than 3 days before initiation of construction activities. The qualified biologist shall survey the construction zone and a 250-foot radius surrounding the construction zone, where feasible, to determine whether the activities taking place have the potential to disturb or otherwise harm nesting birds.</p> <p>If an active nest is located within 100 feet (250 feet for raptors) of construction activities, the project applicant shall establish an</p>	The project applicant shall incorporate requirements into all rough and/or precise grading plan documents. The project applicant's construction inspector shall monitor to ensure that measures are implemented during construction.	City of Eastvale Planning Department and Public Works Department	

Mitigation Measure	Timing	Monitoring Responsibility	Verification (Date and Initials)
<p>exclusionary zone (no ingress of personnel or equipment at a minimum radius of 100 feet or 250 feet, as appropriate, around the nest). Alternative exclusionary zones may be established through consultation with the CDFW and the USFWS, as necessary. The exclusionary zones shall remain in place until all young have fledged or the nest is deemed inactive by a qualified biologist.</p> <p>Reference to this requirement and to the Migratory Bird Treaty Act shall be included in the construction specifications.</p> <p>If construction activities and tree removal are proposed to occur during the non-breeding season (September 1–January 14), a survey is not required, no further studies are necessary, and no mitigation is required.</p>			
<b>Cultural Resources</b>			
<p><b>CUL-1</b> If during grading or construction activities cultural resources are discovered on the project site, work shall be halted immediately within 50 feet of the discovery and the resources shall be evaluated by a qualified archeologist. Any unanticipated cultural resources that are discovered shall be evaluated and a final report prepared by the qualified archeologist. The report shall include a list of the resources discovered, documentation of each site/locality, interpretation of the resources identified, and the method of preservation and/or recovery for identified resources. In the event the significant resources are recovered and the qualified archaeologist determines the resources to be historic or unique, avoidance and/or mitigation would be required pursuant to and consistent with CEQA Guidelines Sections 15064.5 and 15126.4, Public Resources Code Section 21083.2, and the Cultural Resources Treatment and Monitoring Agreement required by mitigation measure <b>CUL-3</b>.</p> <p>This mitigation measure shall be incorporated in all construction contract documentation.</p>	Implemented during ground-disturbing activities	City of Eastvale Planning Department and Public Works Department	
<p><b>CUL-2</b> The landowner shall relinquish ownership of all cultural resources, including sacred items, burial goods, and all archaeological artifacts, that are found on the project site to the appropriate Tribe for proper treatment and disposition.</p>	Implemented during ground-disturbing activities	City of Eastvale Planning Department and Public Works Department	
<p><b>CUL-3</b> At least 30 days prior to seeking a grading permit, the applicant shall coordinate with the City to develop a Cultural Resources Treatment and Monitoring Agreement. The agreement shall address the</p>	Implemented during ground-disturbing activities	City of Eastvale Planning Department and Public	

Mitigation Measure	Timing	Monitoring Responsibility	Verification (Date and Initials)
<p>treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the project site; designation, responsibilities, and participation of Native American Tribal monitors during ground-disturbing activities; project grading and development scheduling; and terms of compensation. If subsurface archaeological resources are discovered during grading related to development associated with the project, the project applicant, the project archaeologist, and the appropriate Tribe(s) shall assess the significance of such resources and shall meet and confer regarding the mitigation for such resources, in accordance with the Cultural Resources Treatment and Monitoring Agreement. If the parties cannot agree on the significance or the mitigation for such resources, these issues will be presented to the City's Planning Director for decision. The Planning Director shall make the determination based on the provisions of CEQA with respect to archaeological resources and shall take into account the religious beliefs, customs, and practices of the appropriate Tribe. Notwithstanding any other rights available under the law, the Planning Director's decision shall be appealable to the City of Eastvale (Planning Commission and City Council).</p>		Works Department	
<p><b>CUL-4</b> If paleontological resources are encountered during grading or construction activities related to the proposed development, all work in the area of the find shall cease. The project applicant shall notify the City of Eastvale, and a qualified paleontologist shall evaluate the find(s) and recommend appropriate next steps to ensure that the resource(s) is not substantially adversely impacted, including but not limited to avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. The qualified paleontologist shall make recommendations as to the paleontological resource's disposition to the City's Planning Director. The project applicant shall pay for all required treatment and storage of the discovered resources.</p>	Implemented during ground-disturbing activities	City of Eastvale Planning Department and Public Works Department	

Mitigation Measure	Timing	Monitoring Responsibility	Verification (Date and Initials)
<b>Geology and Soils</b>			
<b>GEO-1</b> The project applicant shall incorporate the recommendations of the geotechnical engineering report dated September 7, 2007, prepared by Geotechnical Solutions, Inc., or as approved by the City Engineer. The project's building plans shall demonstrate that they incorporate all applicable recommendations of the design-level geotechnical study and comply with all applicable requirements of the latest adopted version of the California Building Standards Code. A licensed professional engineer shall prepare the plans, including those that pertain to soil engineering, structural foundations, pipeline excavation, and installation. All on-site soil engineer activities shall be conducted under the supervision of a licensed geotechnical engineer or certified engineering geologist.	Reviewed as part of the construction plans, and verified prior to occupancy	City of Eastvale Planning Department and Public Works Department	
<b>Hazards and Hazardous Materials</b>			
<b>HAZ-1</b> The proposed development shall be designed and constructed consistent with the recommendations of the postgrading methane survey prepared for the project site by Leighton and Associates dated December 11, 2014 ( <b>Appendix 8b</b> ). All buildings constructed in areas with subsurface methane concentrations greater than the action level of 15,000 ppmv shall receive a sub-slab ventilation system, trench dams, and vapor barrier in accordance with a detailed methane mitigation design, installation, and inspection. In addition, the survey recommends that all buildings constructed in areas with subsurface methane concentrations between 1,000 and 15,000 ppmv be designed to include a 10-mil vapor retarder and seals on all utility conduit penetration points.	Reviewed as part of the construction plans, and verified prior to occupancy	City of Eastvale Planning Department and Public Works Department	
<b>Noise</b>			
<b>NOI-1</b> The project applicant shall submit a project-specific noise study prepared by a qualified noise analyst to the City of Eastvale Planning Department for review and approval prior to issuance of a building permit or change of occupancy. The noise study shall determine existing and anticipated interior and exterior noise levels at surrounding sensitive receptors and shall recommend mitigation measures to reduce anticipated noise levels to comply with applicable City noise standards. Such measures could include an increase in the height and/or length of the existing sound walls,	Reviewed as part of the construction plans, or with any change of occupancy, and verified prior to occupancy	City of Eastvale Planning Department and Public Works Department	

Mitigation Measure	Timing	Monitoring Responsibility	Verification (Date and Initials)
changes to proposed building orientation, and/or relocation of proposed HVAC or other equipment. Measures recommended by the noise study shall be incorporated into project construction plans.			
<b>Utilities and Service Systems</b>			
<b>UTL-1</b> Prior to any ground-disturbing activity, the project applicant, developer, or successor in interest shall provide written verification that the Jurupa Community Services District can and will provide potable water service to the project.	Prior to any ground-disturbing activity	City of Eastvale Planning Department and Public Works Department	

**Attachment 2**  
**Resolution for Major Development Review**  
**and Conditions of Approval**

**RESOLUTION NO. 15-\_\_\_**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EASTVALE, CALIFORNIA, APPROVING MAJOR DEVELOPMENT REVIEW NO. 15-0958 FOR THE DEVELOPMENT OF A 72,779-SQUARE-FOOT NEIGHBORHOOD RETAIL CENTER ON A 7.64-ACRE SITE LOCATED AT THE NORTHEAST CORNER OF SUMNER AVENUE AND LIMONITE AVENUE, ASSESSOR'S PARCEL NUMBER 164-030-019

**WHEREAS**, Project No. 15-0958 consisting of seven applications – a Major Development Review for the development of a neighborhood retail center with multi-tenant and single-tenant buildings totaling 72,779 square feet and associated parking facilities on an approximately 7.64-acre vacant land; a Conditional Use Permit for the establishment and operation of a tire store consisting of six service bays and approximately 4,300 square feet of retail/office; a Conditional Use Permit for the sales of a full line of alcoholic beverages in the proposed grocery store for off-site consumption; a Conditional Use Permit for the establishment and operation of a bank with an associated drive-through facility; a Conditional Use Permit for the establishment and operation of a drive-through facility for a future fast-food restaurant at the Pad 1 building site; a Conditional Use Permit for the establishment and operation of a drive-through facility for a future fast-food restaurant at the Pad 2 building site; and a Tentative Parcel Map to subdivide the 7.64-acre site into seven parcels – have been filed by Evergreen Devco, Inc. for real property located on the northeast corner of Sumner Avenue and Limonite Avenue, Assessor's Parcel Number 164-030-019; and

**WHEREAS**, the proposed Major Development Review, Conditional Use Permits, and Tentative Parcel Map (Project No. 15-0958) are considered a "project" as defined by the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq.; and

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

**WHEREAS**, on June 22, 2015, using the method required under CEQA Guidelines Section 15072(b), the City provided a Notice of Availability/Notice of Intent (NOA/NOI) to adopt the proposed Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program to the state Office of Planning and Research and the Riverside County Clerk, and also published said NOA/NOI in compliance with state law in the *Press Enterprise*, a local newspaper of general circulation, regarding the public review period; and

**WHEREAS**, the City made the proposed Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program available for public review beginning on June 22, 2015, and concluding on July 13, 2015, a period of not less than 21 days as prescribed by law, and which during said public review period, the City received six written comments concerning traffic and other issues. The project has been conditioned to address the concerns and the proposed Mitigation Monitoring and Reporting Program has been revised as described in the Mitigated Negative Declaration; and

**WHEREAS**, in accordance with state law, on November 8, 2015, the City of Eastvale Planning Department published a legal notice in compliance with state law concerning Project No. 15-0958 and the Mitigated Negative Declaration in the *Press Enterprise*, a local newspaper of general circulation, regarding the Planning Commission meeting on November 18, 2015. In addition, on November 5, 2015, a public hearing notice was mailed to each property owner and commercial tenant within a 1,000-foot radius of the project site, indicating the date and time of the public hearing at the Planning Commission meeting for Project No. 15-0958; and

**WHEREAS**, the City of Eastvale Planning Commission conducted a duly noticed public hearing on November 18, 2015, at which public testimony was received concerning Project No. 15-0958, adopted the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the project pursuant to Section 15074 (Article 6) of CEQA, and considered the Major Development Review for the development of a new neighborhood retail center which includes approximately 72,779 square feet of multi-tenant and single-tenant buildings and associated parking facilities.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF EASTVALE DOES HEREBY RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:

### **SECTION 1. MAJOR DEVELOPMENT REVIEW**

Pursuant to Section 2.2 of the Eastvale Zoning Code, the Planning Commission makes the following findings pertaining to the approval of Major Development Review No. 15-0958:

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

Evidence: The General Plan land use designation of the site is Commercial Retail, which allows for the development of commercial retail uses, professional offices, and other visitor-oriented commercial uses. The proposed project is the development of a neighborhood retail center in the Scenic Highway Commercial (C-P-S) zone, which allows a variety of commercial retail uses such as grocery stores, fast-food restaurants, banks, tire stores, and other retail establishments. Because the proposed retail center proposes uses allowed in the underlying zone designation, and because the zoning and General Plan designation allows for retail commercial uses, the proposed project is consistent with the General Plan.

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

Evidence: The proposed project has been designed to conform to the logical pattern of development as envisioned by the Eastvale General Plan and has been designed to satisfy the General Plan design policies. The project has been designed with high-quality urban design, architecture, and landscaping that includes providing pedestrian open space area and connectivity between the buildings, as well as landscaping along the proposed private street and driveways. The project provides direct access to the adjacent residential neighborhood, allowing easy vehicular and pedestrian access to the shopping center. A condition requiring changes to some of the proposed building materials will also better achieve compliance with the City's Design Guidelines and the Design Element of the General Plan. Thus, as conditioned, the proposed shopping center meets the Design Element of the General Plan.

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

Evidence: The architecture of the proposed buildings, as conditioned, has been designed to satisfy the design goals and policies of the General Plan. The elevations of the buildings that are visible to the public have been designed to create variation and interest to minimize massing and avoid the look of a large-scale building; thus the architecture will satisfy the design goals.

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

Evidence: The entire site is surrounded by public streets and easy access is achieved from Limonite and Sumner Avenues. All streets have also been designed to handle the type and quantity of vehicular traffic associated with the project proposal. All adjacent streets have been previously improved with curb, gutter, sidewalk, turning lanes at major intersections, etc.

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

Evidence: The Airport Land Use Compatibility Plan shows that the project is located in Zone D, which prohibits highly noise-sensitive outdoor nonresidential uses, discourages schools, hospitals, and nursing homes, and requires airspace review for structures higher than 70 feet. The proposed project does not involve development of prohibited or discouraged uses in Zone D; the proposed structures have been designed to not exceed 35 feet in height; and the intensity of the project is within the maximum intensity allowed in Zone D. Additionally, the project site plan has been reviewed and determined by the Riverside County Airport Land Use Commission to result in an average intensity of 107 people for the overall site and a single-acre intensity of 256 people, which are consistent with the average intensity of 150 people and single-acre intensity of 450 people allowed for Zone D. For these reasons, the proposed project is consistent with the policies of the City of Eastvale General Plan and the Airport Land Use Compatibility Plan.

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

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

## **SECTION 3. RECORD OF PROCEEDING**

The documents and other materials that constitute the record of the proceedings upon which the Planning Commission's decision is based, which include but are not limited to the staff reports as well as all materials that support the staff reports for the proposed project, are located in the Planning Department of the City of Eastvale at 12363 Limonite Avenue, Suite 910, Eastvale, CA 91752. The custodian of these documents is the Planning Department of the City of Eastvale.

**SECTION 4. DETERMINATION**

Based upon the findings outlined in Sections 1 through 3, the Planning Commission of the City of Eastvale hereby approves Major Development Review No. 15-0958 to allow the development of a new neighborhood retail center which includes approximately 72,779 square feet of multi-tenant and single-tenant buildings and associated parking facilities, subject to conditions of approval attached hereto as Exhibit A.

PASSED, APPROVED, AND ADOPTED this 18th day of November 2015.

\_\_\_\_\_  
Daryl Charlson, Chair

APPROVED AS TO FORM:

ATTEST:

\_\_\_\_\_  
John E. Cavanaugh, City Attorney

\_\_\_\_\_  
Marc Donohue, Secretary

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

I, Marc Donohue, Secretary of the Planning Commission of the City of Eastvale, California, do hereby certify that the foregoing Planning Commission Resolution, No. 15-\_\_\_\_, was duly adopted by the Planning Commission of the City of Eastvale, California, at a regular meeting thereof held on the 18th day of November, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Marc Donohue, Secretary

Exhibit A

Conditions of Approval for Major Development Review No. 15-0958

<b>CONDITIONS OF APPROVAL</b>					
<b>Planning Application Number and Description: Project No. 15-0598</b> – Major Development Review for development of an approximately 72,779-square-foot neighborhood retail center on 7.64 acres with multi-tenant and single-tenant buildings and associated parking facilities					
<b>Assessor’s Parcel Number: 164-030-019</b>					
<b>Planning Commission Approval Date: November 18, 2015</b>					
<b>Conditions of Approval</b>		<b>Timing/ Implementation</b>	<b>Enforcement/ Monitoring</b>	<b>Verification (Date and Signature)</b>	
<b>General Conditions/Requirements</b>					
1.	The applicant shall review and sign below verifying the “Acceptance of the Conditions of Approval” and return the signed page to the Eastvale Planning Department by <b>December 9, 2015</b> . Project approval is not final until a signed copy of these conditions is filed with the City.		December 9, 2015	Planning Department	
	<hr/> <div style="display: flex; justify-content: space-between;"> <span>Applicant Signature</span> <span>Date</span> </div>				
2.	The applicant shall indemnify, protect, defend, and hold harmless the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, from any and all claims, demands, law suits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative, or adjudicatory in nature), and alternative dispute resolutions procedures (including but not limited to arbitrations, mediations, and other such procedures) (collectively “Actions”), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul any action of, or any permit or approval issued by, the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by the voters of the		Ongoing	Planning Department	

<b>CONDITIONS OF APPROVAL</b>				
	City), for or concerning the project, whether such Actions are brought under the California Environmental Quality Act (CEQA), the Planning and Zoning Law, the Subdivisions Map Act, Code of Civil Procedure Section 1085 or 1094.5, or any other state, federal, or local statute, law, ordinance, rule, regulation, or any decision of a court of competent jurisdiction. It is expressly agreed that the City shall have the right to approve, which approval will not be unreasonably withheld, the legal counsel providing the City’s defense, and that applicant shall reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. City shall promptly notify the applicant of any Action brought and City shall cooperate with applicant in the defense of the Action.			
3.	The project shall be developed in accordance with the Major Development Review application approved by the Planning Commission November 18, 2015 including the approved site plan, architectural elevations, etc. The applicant may request modifications or revisions to the approved project as outlined in the Eastvale Zoning Code.	Ongoing	Planning Department	
4.	Any approval shall not be final until and unless the applicant’s deposit account to cover the costs of application processing is made current and a positive balance of at least \$5,000 is on hand to cover the costs of staff review and follow-up during the construction process. Make check payable to the <b>City of Eastvale</b> and include <b>Project No. 15-0958</b> on the check.	Ongoing	Planning Department	
5.	Applicant understands and agrees that failure to comply with all Conditions of Approval may result in the Planning Commission taking action resulting in modification of Conditions of Approval and/or suspension or revocation of any Conditional Use Permit.	Ongoing	Code Enforcement and Planning Departments	

<b>CONDITIONS OF APPROVAL</b>				
<b>Prior to Issuance of Grading Permit</b>				
6.	<p>This condition shall be included as a note on the grading plan, and a habitat assessment and preconstruction survey for burrowing owls shall be provided to the City for review and approval prior to issuance of any grading permit.</p> <p>A habitat assessment shall be conducted by a qualified biologist to determine whether the site has the potential to be appropriate habitat for burrowing owl. If suitable habitat is not found on the project site, no further surveys are needed. If burrows and/or suitable habitat for burrowing owls are found, three separate focused surveys shall be conducted during the nesting season to determine the presence or absence of burrowing owls.</p> <p>Preconstruction surveys shall be conducted if the site contains burrows or suitable habitat whether burrowing owls were found in previous surveys or not. Per the Multiple Species Habitat Conservation Plan (MSHCP) Species-Specific Objective 6, preconstruction presence/absence surveys for burrowing owl shall be conducted within 500 feet of the project work areas, where feasible. Surveys shall be conducted prior to the issuance of a grading permit. All occupied burrows shall be mapped on an aerial photo. Take of active nests shall be avoided during construction. If construction is delayed or suspended for more than 30 days after the survey, the work area shall be resurveyed. If burrowing owls are found to be present on-site, the project applicant shall develop a conservation strategy in cooperation with the California Department of Fish and Wildlife (CDFW) and the Regional Conservation Authority in accordance with the CDFW’s Staff Report on Burrowing Owl Mitigation (2012). (<i>MM BIO-1</i>)</p>	<p>Prior to issuance of grading permit and within 30 days prior to commencement of grading and construction</p>	<p>Planning and Public Works Departments</p>	
7.	<p>Prior to the issuance of a grading permit, this condition shall be incorporated into all rough and/or precise grading plans.</p> <p>Construction and clearing activities shall occur outside of the avian nesting season (September 1–January 14), where feasible. If clearing and/or</p>		<p>Planning Department</p>	

<b>CONDITIONS OF APPROVAL</b>				
	<p>construction activities occur during the nesting season (January 15–August 31), preconstruction surveys for nesting raptors and migratory birds shall be conducted by a qualified biologist, no more than three days before initiation of construction activities. The qualified biologist shall survey the construction zone and a 250-foot radius surrounding the construction zone, where feasible, to determine whether the activities taking place have the potential to disturb or otherwise harm nesting birds.</p> <p>If an active nest is located within 100 feet (250 feet for raptors) of construction activities, the project applicant shall establish an exclusionary zone (no ingress of personnel or equipment at a minimum radius of 100 feet or 250 feet, as appropriate, around the nest). Alternative exclusionary zones may be established through consultation with the CDFW and the US Fish and Wildlife Service, as necessary. The exclusionary zones shall remain in place until all young have fledged or the nest is deemed inactive by a qualified biologist.</p> <p>Reference to this requirement and to the Migratory Bird Treaty Act shall be included in the construction specifications.</p> <p>If construction activities and tree removal are proposed to occur during the non-breeding season (September 1–January 14), a survey is not required, no further studies are necessary, and no mitigation is required.</p> <p>The project applicant’s construction inspector shall monitor to ensure that measures are implemented during construction. (<i>MM BIO-2</i>)</p>			
8.	A construction-related noise mitigation plan shall be approved by the City prior to the issuance of a grading permit.	Prior to Issuance of a Grading Permit	Planning and Public Works Departments	
9.	Prior to the issuance of a grading permit, the developer shall pay all necessary fees as determined by the City engineer to include but not be limited to MSHCP fees and grading permit fees.	Prior to Issuance of a Grading Permit	Planning and Public Works Departments	

<b>CONDITIONS OF APPROVAL</b>				
10.	<p>At least 30 days prior to seeking a grading permit, the applicant shall coordinate with the City to develop a Cultural Resources Treatment and Monitoring Agreement. The agreement shall address the treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the project site; designation, responsibilities, and participation of Native American tribal monitors during ground-disturbing activities; project grading and development scheduling; and terms of compensation. If subsurface archaeological resources are discovered during grading related to development associated with the project, the project applicant, the project archaeologist, and the appropriate tribe(s) shall assess the significance of such resources and shall meet and confer regarding the mitigation for such resources, in accordance with the Cultural Resources Treatment and Monitoring Agreement. If the parties cannot agree on the significance or the mitigation for such resources, these issues will be presented to the City’s Planning Director for a decision. The Planning Director shall make the determination based on the provisions of CEQA with respect to archaeological resources and shall take into account the religious beliefs, customs, and practices of the appropriate tribe. Notwithstanding any other rights available under the law, the Planning Director’s decision shall be appealable to the City of Eastvale (Planning Commission and City Council). <i>(MM CUL-3)</i></p>	<p>Prior to Issuance of a Grading Permit</p>	<p>Planning and Public Works Departments</p>	
11.	<p>Prior to the issuance of a grading permit or any ground-disturbing activity, the project applicant, developer, or successor in interest shall provide written verification that the Jurupa Community Services District can and will provide potable water service to the project. <i>(MM UTL-1)</i></p>	<p>Prior to Issuance of a Grading Permit</p>	<p>Planning and Public Works Departments</p>	

<b>CONDITIONS OF APPROVAL</b>					
12.	Grading plans shall incorporate all applicable recommendations of the design-level geotechnical engineering study dated September 7, 2007, prepared by Geotechnical Solutions, Inc., and shall comply with all applicable requirements of the latest adopted version of the California Building Standards Code. A licensed professional engineer shall prepare the plans, including those that pertain to soil engineering, structural foundations, pipeline excavation, and installation. All on-site soil engineer activities shall be conducted under the supervision of a licensed geotechnical engineer or certified engineering geologist ( <i>MM GEO-1</i> ).	Prior to Issuance of Grading Permit	Planning and Public Works Departments		
<b>Implemented during Ground Disturbing Activities</b> – These conditions shall be included as notes on the grading and construction plans and shall be implemented during construction.					
13.	If during grading or construction activities cultural resources are discovered on the project site, work shall be halted immediately within 50 feet of the discovery and the resources shall be evaluated by a qualified archeologist. Any unanticipated cultural resources that are discovered shall be evaluated and a final report prepared by the qualified archeologist. The report shall include a list of the resources discovered, documentation of each site/locality, interpretation of the resources identified, and the method of preservation and/or recovery for identified resources. In the event the significant resources are recovered and the qualified archaeologist determines the resources to be historic or unique, avoidance and/or mitigation would be required pursuant to and consistent with CEQA Guidelines Sections 15064.5 and 15126.4, Public Resources Code Section 21083.2, and the Cultural Resources Treatment and Monitoring Agreement required by mitigation measure <b>CUL-3</b> of the Mitigated Negative Declaration. ( <i>MM CUL-1</i> )	During Ground-Disturbing Activities	Planning and Public Works Departments		
14.	The landowner shall relinquish ownership of all cultural resources, including sacred items, burial goods, and all archaeological artifacts, that are found on the project site to the appropriate tribe for proper treatment and disposition. ( <i>MM CUL-2</i> )	During Ground-Disturbing Activities	Planning and Public Works Departments		

<b>CONDITIONS OF APPROVAL</b>				
15.	<p>If paleontological resources are encountered during grading or construction activities related to the proposed development, all work in the area of the find shall cease. The project applicant shall notify the City of Eastvale, and a qualified paleontologist shall evaluate the find(s) and recommend appropriate next steps to ensure that the resource(s) is not substantially adversely impacted, including but not limited to avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. The qualified paleontologist shall make recommendations as to the paleontological resource’s disposition to the City’s Planning Director. The project applicant shall pay for all required treatment and storage of the discovered resources. (<i>MM CUL-4</i>)</p>	During Ground-Disturbing Activities	Planning and Public Works Departments	
<b>Prior to Issuance of Building Permit</b>				
16.	<p>Prior to the issuance of a building permit, the applicant shall submit a photometric plan including the following:</p> <ul style="list-style-type: none"> <li>a. The trash and recycling enclosure east of the proposed tire store needs to be illuminated with a minimum 1 foot-candle of light per Section 5.5(D)(3)(a) in the Eastvale Zoning Code.</li> <li>b. The pedestrian connection located southeast of Shops A building needs to have a minimum 1/2 foot-candle of light and an average not to exceed 2 foot-candles of light per Section 5.5(D)(3)(c) of the Eastvale Zoning Code.</li> <li>c. The plaza area in front of Shops A needs to have a minimum 1 foot-candle of light measured within a 5-foot radius on each side of the door at ground level per Section 5.5(D)(3)(d) of the Eastvale Zoning Code.</li> <li>d. The front of the bank building needs to have a minimum 1 foot-candle measured within a 5-foot radius on each side of the door at ground level of light per Section 5.5(D)(3)(d) of the Eastvale Zoning Code.</li> <li>e. The proposed tire store shall have a minimum 1 foot-candle measured within a 5-foot radius on each side of the door at ground level of light</li> </ul>	Prior to Issuance of Building Permit	Planning and Police Departments, Building Safety Division	

<b>CONDITIONS OF APPROVAL</b>			
	per Section 5.5(D)(3)(d) of the Eastvale Zoning Code.		
17.	<p>Prior to the issuance of a building permit, the applicant shall submit a signage plan and security plan to the Eastvale Police Department for review and approval to ensure compliance with the following:</p> <p><b>PROPERTY SIGN</b></p> <p>a. Proper display of “No Trespassing or Loitering” signs prominently around business and any exterior perimeter fencing and adhering to City of Eastvale Municipal Code.</p> <p><b>ADDRESS NUMBERING</b></p> <p>b. Prominently displayed address numbering in appropriate size and in contrasting color from the building façade or on a fixed sign near the street/main entrances. The numbers need to be visible from the street and interior property sides for any approaching emergency vehicles. No obstructions should limit their visibility (e.g., landscaping).</p> <p><b>SECURITY PLAN</b></p> <p>c. Adequate crime prevention measures, including security cameras, shall be installed to assist with identifying any suspect(s) of any potential future vandalism or theft attempts. Due to the high possibility of theft/vandalism attempts during construction, additional security measures should be added during the time frame of the proposed construction. All exterior access points should be properly secured and illuminated to make clearly visible any person on or about the premises during the hours of darkness.</p>	Prior to issuance of Building Permit	Planning and Police Departments, Building Safety Division
18.	<p>A project-specific noise study prepared by a qualified noise analyst shall be submitted to the City of Eastvale Planning and Building departments for review and approval prior to issuance of any building permit or change of occupancy. The noise study shall determine existing and anticipated interior and exterior noise levels at surrounding sensitive receptors and shall recommend mitigation measures to reduce anticipated noise levels to comply with applicable City noise standards. Such measures could include an increase in the height and/or length of the existing sound walls, changes</p>	Prior to Issuance of Building Permit	Planning Department, and Building Departments

<b>CONDITIONS OF APPROVAL</b>				
	to proposed building orientation, and/or relocation of proposed HVAC or other equipment. Measures recommended by the noise study shall be incorporated into project construction plans. <i>(MM NOI-1)</i>			
19.	Construction plans shall incorporate all applicable recommendations of the design-level geotechnical engineering study dated September 7, 2007, prepared by Geotechnical Solutions, Inc., and shall comply with all applicable requirements of the latest adopted version of the California Building Standards Code. A licensed professional engineer shall prepare the plans, including those that pertain to soil engineering, structural foundations, pipeline excavation, and installation. All on-site soil engineer activities shall be conducted under the supervision of a licensed geotechnical engineer or certified engineering geologist <i>(MM GEO-1)</i> .	Prior to Issuance of Building Permit	Planning, Public Works, and Building Departments	
20.	Construction plans shall demonstrate that the proposed development will be designed and constructed consistent with the recommendations of the postgrading methane survey prepared for the project site by Leighton and Associates dated December 11, 2014 (included as Appendix 8b to the Mitigated Negative Declaration).  All buildings constructed in areas with subsurface methane concentrations greater than the action level of 15,000 ppmv shall receive a sub-slab ventilation system, trench dams, and vapor barrier in accordance with a detailed methane mitigation design, installation, and inspection.  In addition, the survey recommends that all buildings constructed in areas with subsurface methane concentrations between 1,000 and 15,000 ppmv be designed to include a 10-mil vapor retarder and seals on all utility conduit penetration points. <i>(MM HAZ-1)</i>	Prior to Issuance of Building Permit	Planning, Public Works, and Building Departments	
21.	Prior to issuance of building permits for Pad 1, Pad 2, or bank (three pad sites with drive-through), the applicant shall apply and receive approval of a Minor Development Review for each building. The application shall include the following:  a. A circulation and drive-through lane queuing (stacking) analysis for	Prior to Issuance of Building Permit	Planning, Public Works, and Building Departments	

<b>CONDITIONS OF APPROVAL</b>				
	<p>review and approval. The design of the drive-through lane, location of drive-through window(s), menu board, and surrounding parking layout may need to be modified to the satisfaction of the City Engineer and Planning Director; and</p> <p>b. Site plan, elevations, and landscape and irrigation plans for each building.</p>			
22.	<p>Prior to issuance of building permits, revised elevations shall be submitted for review and approval demonstrating the following improvements:</p> <p>a. Extend the stone veneers to the bottom of the awning for several columns to enhance the entrances for the individual units and to create the appearance of high-quality building design; and</p> <p>b. Double the thickness of the columns facing the street to provide better pop-outs on the building face: Shops B building facing Sumner and Limonite, grocery store building facing Valencia Street, and all buildings along Limonite Avenue and Sumner Avenue (bank, Pad 1, and Pad 2); and</p> <p>c. Improve the center tower of the back of the grocery store by increasing the height of the stone veneer, and increasing the depth of the columns to create articulation of the center tower.</p>	Prior to Issuance of Building Permit	Planning and Building Departments	
23.	<p>Prior to the issuance of a building permit, the applicant shall apply for a minor development review for extending the existing block wall along the northern and eastern property boundary. The wall shall be constructed of textured (split-face) block and step down to 4 feet as it approaches the sidewalk. The end of the wall shall be designed as a decorative pilaster that is consistent with the pedestrian gateway for the shopping center.</p>	Prior to Issuance of Building Permit	Planning and Building Departments	
24.	<p>Construction and landscape plans shall show the location and site design for 15 bicycle parking installations using Class I lockers or Class II racks in an enclosed lockable area for employees and 11 bicycle parking using Class II racks for visitors (26 total spaces).</p>	Prior to Issuance of Building Permit	Planning Department	

<b>CONDITIONS OF APPROVAL</b>				
	The location of bicycle parking is subject to approval by the Planning Department.			
25.	For any future loss of parking spaces due to placement of shopping cart corrals for the grocery store, three (3) bicycle parking spaces shall be provided per one automobile parking space removed; up to a maximum of six (6) parking spaces may be eliminated.	Prior to Issuance of Building Permit	Planning Department	
26.	Prior to the issuance of a building permit, the applicant shall provide a construction drawing, including landscape and irrigation plans, for the design and construction of the median on Limonite Avenue and Sumner Avenue. The landscape and irrigation plans shall also be reviewed and approved by the Jurupa Community Services District prior to issuance of building permit.	Prior to Issuance of Building Permit	Planning and Building Departments	
27.	Prior to the issuance of a building permit, the applicant shall provide details and photograph of the proposed stone veneers to the Planning Director for approval.	Prior to Issuance of Building Permit	Planning Department	
<b>Prior to Certificate of Occupancy</b>				
28.	Prior to the issuance of first certificate of occupancy, the applicant shall provide a copy of a reciprocal access and parking agreement and documentation showing the responsible entity for maintaining landscaping and parking in the shopping center and landscape maintenance along Valencia Street, Limonite Avenue, and Sumner Avenue, for review and approval by the City engineer.	Prior to issuance of certificate of occupancy	Public Works Department	
29.	Prior to the issuance of first certificate of occupancy, developer shall construct raised landscaped median on Limonite Avenue between Sumner Avenue and east project limits. Design shall be consistent with Riverside County Standard No. 91 and/or as required by City engineer.	Prior to Issuance of First Certificate of Occupancy	Planning and Public Works Departments	
30.	Prior to the issuance of first certificate of occupancy, developer shall submit signing and striping plans for Sumner Avenue and Limonite	Prior to Issuance of First	Public Works Department	

<b>CONDITIONS OF APPROVAL</b>				
	Avenue. Developer shall be responsible for any additional paving, channelization, and/or striping removal caused by the signing and striping plans beyond the project boundary to the satisfaction of the City engineer.	Certificate of Occupancy		
31.	Prior to the issuance of first certificate of occupancy, the developer shall annex into all applicable community service areas and landscaping maintenance districts for landscaping, lighting, drainage and maintenance to the satisfaction of the City engineer or otherwise form a district where one is not currently in place.	Prior to Issuance of First Certificate of Occupancy	Public Works Department	
32.	Prior to the issuance of a certificate of occupancy, all required landscape planting and irrigation shall have been installed consistent with the approved construction plans and shall be in a condition acceptable to the Planning Director. The plants shall be healthy and free of weeds, disease, or pests. The irrigation system shall be properly constructed and in good working order. The applicant shall contact the Planning Department to schedule the final inspection(s).	Prior to issuance of certificate of occupancy	Planning Department	

### **Fire Department Conditions of Approval**

The Fire Department requires the listed fire protection measures be provided in accordance with the City of Eastvale and/or the Riverside County Fire Department Fire Protection Standards. Final conditions will be addressed when complete building plans are reviewed.

1. Provide or show that a water system exists that is capable of delivering the required fire flow of 2,375 gallons per minute at 20 psi for 4 hours duration. On-site water supply must be available before any combustible material is placed on the construction site.
2. Approved accessible on-site fire hydrants shall be located not to exceed 225 feet apart in any direction. Any portion of the facility or of an exterior wall of the first story of the building shall not be located more than 150 feet from fire apparatus access as measured by an approved route around the complex, exterior of the facility, or building. No portion of a building shall be farther than 400 feet from a fire hydrant.
3. “Blue dot” hydrant locators shall be provided in accordance with Riverside County Fire Standard 06-11.
4. Prior to building plan approval and construction, applicant/developer shall furnish two copies of the water system fire hydrant plans to the Fire Department for review and approval. Plans shall be signed by a registered civil engineer, and shall confirm hydrant type, location, spacing, and minimum fire flow. Once plans are signed and approved by the local water authority, the originals shall be presented to the Fire Department for review and approval.
5. Fire apparatus access roads, minimum 30 feet wide for the grocery store and 24 feet wide for others, shall be in compliance with the Riverside County Fire Department Standard 06-05. Access roads shall have an unobstructed vertical clearance not less than 13 feet and 6 inches. Access lanes will be designed to withstand the weight of 60,000 thousand pounds over 2 axles. Access will have a turning radius capable of accommodating fire apparatus. Access lanes shall be constructed with a surface so as to provide all weather driving capabilities.
6. Where fire apparatus access roads are utilized for loading or unloading, an additional 8 feet of width shall be added to the fire apparatus access road (see loading areas near grocery and Pad 1). This width is in addition to the minimum required access road width.
7. Driveway loops, fire apparatus access lanes, and entrance curb radii should be designed to adequately allow access of emergency fire vehicles. The applicant or developer shall include in the building plans the required fire lanes and include the appropriate lane printing and/or signs.
8. Install commercial fire sprinkler systems (per NFPA 13, 2013 edition). Fire sprinkler systems with pipe sizes in excess of 4 inches in diameter will require the project structural engineer to certify with a “wet signature” that the structural system is designed to support the seismic and gravity loads to support the additional weight of the sprinkler system. All fire sprinkler risers

### **Fire Department Conditions of Approval**

shall be protected from any physical damage. The PIVs and FDCs shall be located to the front, within 50 feet of an approved roadway or driveway, and arranged so that hose lines can be readily attached to the inlets without interference from any nearby objects including buildings, fences, posts, or plantings. FDCs shall be within 200 feet of an approved hydrant and shall not be allowed in the rear of any building.

9. Install a fire sprinkler alarm monitoring systems. A C-10 licensed contractor must submit plans along with the current permit fees to the City of Eastvale for review and approval prior to installation.
10. Install a fire alarm system for the grocery store, designed in accordance with 907.2 of the California Fire Code.
11. If the grocery store machinery room uses refrigerant, it shall have a detector with audible and visual alarms that comply with NFPA 72, 2013 edition. The detector, or a sampling tube that draws air into the detector, shall be located in an area where a refrigerant leak may be expected to concentrate.
12. Air handling systems supplying air in excess of 2,000 cubic feet per minute to enclosed spaces within buildings shall be equipped with an automatic shut-off.
13. An approved Fire Department access key lock box (minimum Knox 3200 series) shall be installed at the main entrance to each building. Shall be monitored for tampering and tied into the alarm system. Order forms and installation standards may be obtained at the Fire Department. Building plans shall include mounting location/position and operating standards for Fire Department approval.
14. The location of address numbers shall be indicated on the building plans. Street numbers shall be displayed in a prominent location on the street or fire apparatus access side of buildings. Numbers and letters for the grocery store shall be a minimum of 24 inches in height; for other buildings, shall be 12 inches in height; both with a minimum stroke of .05 inch. Suite numbers or letters shall be a minimum 6 inches in height. Addresses must be legible, of a contrasting color, and adequately illuminated so as to be visible from the street at all hours.
15. Install portable fire extinguishers, with a minimum rating of 2A-10BC, for every 3,000 square feet and/or 75 feet of travel distance. Where not readily visible, signs shall be posted above all extinguishers to indicate their locations. Extinguishers must have current CSFM service tags affixed.
16. No hazardous materials shall be stored and/or used in the building which exceeds quantities listed in the California Fire Code. No Class I, II, or IIIA combustible/flammable liquid shall be used in any amount in the building.
17. Exit signs, door hardware, markers, and exit path marking shall be per the 2013 California Building Code.

### **Fire Department Conditions of Approval**

18. Fire sprinkler riser doors shall be posted “FIRE RISER” on the outside of the doors.
19. Electrical room doors shall be posted “ELECTRICAL ROOM” on the outside of the doors.
20. Fire alarm control panel doors shall be posted “FACP” on the outside of the doors.
21. Roof access doors shall be posted “ROOF ACCESS” on the outside of the doors.
22. A survey and report by a licensed fire protection engineer may be required for the grocery store prior to building permit issuance.

Provide specific Fire Department conditions on plans for building permit submittal.

**The proposed project may have a cumulative adverse impact on the Fire Department’s ability to provide an acceptable level of service. These impacts include an increase in the number of emergency and public service calls due to the increased presence of structures, traffic, and population. The project proponents/developers will be expected to provide for a proportional mitigation to these impacts via capital improvements and/or impact fees.**

### **General Compliance Items/Requirements and Information**

The following items are noted for the applicant’s information. These items are generally required for all projects by City ordinances, other local agencies, and state or federal agencies. PLEASE NOTE: This list is not comprehensive. The project is subject to all applicable standards, fees, policies, rules, and regulations for Eastvale and many other agencies, including but not limited to the Jurupa Community Services District, Riverside County Flood Control District, and state and federal agencies.

Developer and applicant are used interchangeably below.

1. In compliance with Section 15075 of the CEQA Guidelines, a Notice of Determination (NOD) must be filed with the Riverside County Clerk within five (5) County working days of project approval in order for the NOD to commence the 30-day statute of limitations on the environmental document. The City must include the required California Department of Fish and Wildlife (Code Section 711.4.d.3) fee and the Riverside County Clerk administrative fee. The applicant shall submit to the Planning Department a check or money order made payable to “Riverside County Clerk” in the amount of **\$2,260.00 within one (1) City working day after project approval**. Failure to pay the required fees will result in the project being deemed null and void (California Fish and Game Code Section 711.4(c)). The fee is broken down as follows:

- a. Riverside County Clerk administrative fee of \$50.00.
  - b. California Department of Fish and Wildlife fee of \$2,210.00.
2. Prior to the issuance of a grading permit, the developer shall pay all necessary fees as determined by the City engineer to include but not be limited to Multiple Species Habitat Conservation Plan (MSHCP) fees and grading permit fees.
3. Transportation Uniform Mitigation Fees (TUMF) and any development impact fees that are in effect at that time shall be paid prior to the issuance of a certificate of occupancy, or as otherwise allowed per ordinance.
4. The applicant shall design and construct all improvements in accordance with City of Eastvale Road Improvement Standards and Specifications, Improvement Plan Check Policies and Guidelines, as further conditioned herein and to the satisfaction of the City engineer.
5. Prior to the issuance of a certificate of occupancy, the development shall be annexed into all applicable community service areas and landscaping maintenance districts for lighting, drainage, and maintenance to the satisfaction of the City engineer or otherwise form a district where one is not currently in place.
6. The applicant shall comply with all provisions and procedures of the Eastvale Building Department related to the plan check review process. (Please contact the Building Department at (951) 703-4450.)
7. No obstruction shall be placed which would conflict with any existing easement except with the documented approval of the easement holder(s).
8. The developer shall make best efforts to obtain written permission from the affected property owners allowing the proposed grading and/or facilities to be installed outside of the project boundaries.
9. Project runoff shall be directed to a safe point of discharge. Any additional easement that may be necessary to accomplish such shall be obtained prior to issuance of grading permit. The applicant shall submit a Final Water Quality Management Plan (WQMP) in conformance with the requirements of the Santa Ana Regional Water Quality Control Board. All stormwater quality treatment devices shall be located outside of the ultimate public right-of-way. The applicant shall design the stormwater quality treatment devices to accommodate all project runoff, ensuring that post-construction flow rate, volumes, velocity, and duration do not exceed preconstruction levels, in accordance with City of Eastvale's Hydrology Manual, Stormwater Quality Best Management Practice Design Handbook, Improvement Standards, and to the satisfaction of the City engineer. These best management practices shall be consistent with the Final WQMP and installed to the satisfaction of the City engineer.
10. All connections to flood control facilities shall be reviewed and permitted by the Riverside County Flood Control and Water Conservation District and shall be submitted through the City of Eastvale, unless otherwise directed by the City engineer.

11. The developer shall prepare and submit to the City for review and approval all required development plans including but not limited to grading (rough and/or precise), street improvement, on-site lighting, and storm drain. All applicable processing and review fees and/or deposits shall be submitted with the first plan submittal.
12. Should this project lie within any assessment/benefit district, the project proponent shall, prior to acceptance of improvements, make application for and pay for their reapportionment of the assessments or pay the unit fees in the benefit district unless said fees are otherwise deferred.
13. All grading shall conform to the California Building Code and to all other relevant laws, rules, and regulations governing grading in Eastvale. Prior to commencing any grading which includes 50 or more cubic yards, the developer shall obtain a grading permit from the Public Works Department.
14. All necessary measures to control dust shall be implemented by the applicant during grading to the satisfaction of the City engineer.
15. Graded slopes shall be limited to a maximum steepness ratio of 2:1 (horizontal to vertical) unless otherwise approved by the City engineer.
16. Grading in excess of 199 cubic yards will require performance security to be posted with the City.
17. Erosion control-landscape plans, required for manufactured slopes greater than 3 feet in vertical height, are to be signed by a registered landscape architect and bonded. Planting shall occur within 30 days of meeting final grades to minimize erosion and to ensure slope coverage prior to the rainy season. The developer shall plant and irrigate all manufactured slopes steeper than a 4:1 (horizontal to vertical) ratio and 3 feet or greater in vertical height with grass or ground cover; slopes 15 feet or greater in vertical height shall be planted with additional shrubs or trees or as approved by the City engineer.

**Attachment 3**  
**Resolution for CUP Tire Store**  
**and Conditions of Approval**

## RESOLUTION NO. 15-\_\_\_

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EASTVALE, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT FOR THE ESTABLISHMENT AND OPERATION OF A TIRE STORE CONSISTING OF SIX SERVICE BAYS AND APPROXIMATELY 4,300 SQUARE FEET OF RETAIL/OFFICE IN THE EASTVALE MARKETPLACE RETAIL CENTER LOCATED AT THE NORTHEAST CORNER OF SUMNER AVENUE AND LIMONITE AVENUE WITHIN THE ASSESSOR'S PARCEL NUMBER 162-030-019.

**WHEREAS**, Project No. 15-0958 consisting of seven applications – a Major Development Review for the development of a neighborhood retail center with multi-tenant and single-tenant buildings totaling 72,779 square feet and associated parking facilities on an approximately 7.64-acre vacant land; a Conditional Use Permit for the establishment and operation of a tire store consisting of six service bays and approximately 4,300 square feet of retail/office; a Conditional Use Permit for the sales of a full line of alcoholic beverages in the proposed grocery store for off-site consumption; a Conditional Use Permit for the establishment and operation of a bank with an associated drive-through facility; a Conditional Use Permit for the establishment and operation of a drive-through facility for a future fast-food restaurant at the Pad 1 building site; a Conditional Use Permit for the establishment and operation of a drive-through facility for a future fast-food restaurant at the Pad 2 building site; and a Tentative Parcel Map to subdivide the 7.64-acre site into seven parcels – have been filed by Evergreen Devco, Inc. for real property located on the northeast corner of Sumner Avenue and Limonite Avenue, Assessor's Parcel Number 164-030-019; and

**WHEREAS**, the proposed Major Development Review, Conditional Use Permits, and Tentative Parcel Map (Project No. 15-0958) are considered a "project" as defined by the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq.; and

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

**WHEREAS**, on June 22, 2015, using the method required under CEQA Guidelines Section 15072(b), the City provided a Notice of Availability/Notice of Intent (NOA/NOI) to adopt the proposed Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program to the state Office of Planning and Research and the Riverside County Clerk, and also published said NOA/NOI in compliance with state law in the *Press Enterprise*, a local newspaper of general circulation, regarding the public review period; and

**WHEREAS**, the City made the proposed Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program available for public review beginning on June 22, 2015, and concluding on July 13, 2015, a period of not less than 21 days as prescribed by law, and which during said public review period, the City received six written comments concerning traffic and other issues. The project has been conditioned to address the concerns and the proposed

Mitigation Monitoring and Reporting Program has been revised as described in the Mitigated Negative Declaration; and

**WHEREAS**, in accordance with state law, on November 8, 2015, the City of Eastvale Planning Department published a legal notice in compliance with state law concerning Project No. 15-0958 and the Mitigated Negative Declaration in the *Press Enterprise*, a local newspaper of general circulation, regarding the Planning Commission meeting on November 18, 2015. In addition, on November 5, 2015, a public hearing notice was mailed to each property owner and commercial tenant within a 1,000-foot radius of the project site, indicating the date and time of the public hearing at the Planning Commission meeting for Project No. 15-0958; and

**WHEREAS**, the City of Eastvale Planning Commission conducted a duly noticed public hearing on November 18, 2015, at which public testimony was received concerning Project No. 15-0958, adopted the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the project pursuant to Section 15074 (Article 6) of CEQA, approved a Major Development Review for the development of a new neighborhood retail center which includes approximately 72,779 square feet of multi-tenant and single-tenant buildings and associated parking facilities, and considered the proposed Conditional Use Permit for the establishment and operation of a tire store consisting of six service bays and approximately 4,300 square feet of retail/office, located in the northwest corner of the retail center.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF EASTVALE DOES HEREBY RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:

### **SECTION 1. CONDITIONAL USE PERMIT**

Pursuant to Section 2.2 of the Eastvale Zoning Code, the Planning Commission makes the following findings pertaining to the approval of Conditional Use Permit:

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

Evidence: The General Plan land use designation for the site is Commercial Retail. Per the Eastvale General Plan, the intent of the Commercial Retail land use designation is to enable the establishment and operation of the community-serving commercial, service, and office businesses. The proposed tire store is a retail facility that offers installation of tires and other similar services (flat repair, shocks, oil changes, and other minor repair). The proposed use will further the objectives and policies of the General Plan and it will be compatible with the general land uses as specified in the plan.

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

Evidence: The new tire center will be integrated into the overall shopping center, which will provide adequate parking, circulation, and access to major roadway systems that provide local and regional connectivity. The project is not located near any public schools, day care centers, or

other sensitive receptors other than those who live nearby to the project site. As conditioned, the project addresses potential noise which could disrupt the peace of adjacent neighbors.

Finding 3: If the project is located within the Chino Airport Influence Area, the proposed project is consistent with the most recently adopted version of the Airport Land Use Compatibility Plan.

Evidence: The Airport Land Use Compatibility Plan shows that the project is located in Zone D, which prohibits highly noise-sensitive outdoor nonresidential uses, discourages schools, hospitals, and nursing homes, and requires airspace review for structures higher than 70 feet. The proposed project does not involve development of prohibited or discouraged uses in Zone D; the proposed structures have been designed to not exceed 35 feet in height; and the intensity of the project is within the maximum intensity allowed in Zone D. Additionally, the project site plan has been reviewed and determined by the Riverside County Airport Land Use Commission to result in an average intensity of 107 people for the overall site and a single-acre intensity of 256 people, which are consistent with the average intensity of 150 people and single-acre intensity of 450 people allowed for Zone D. For these reasons, the proposed project is consistent with the policies of the City of Eastvale General Plan and the Airport Land Use Compatibility Plan.

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

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

## **SECTION 3. RECORD OF PROCEEDING**

The documents and other materials that constitute the record of the proceedings upon which the Planning Commission's decision is based, which include but are not limited to the staff reports as well as all materials that support the staff reports for the proposed project, are located in the Planning Department of the City of Eastvale at 12363 Limonite Avenue, Suite 910, Eastvale, CA 91752. The custodian of these documents is the Planning Department of the City of Eastvale.

## **SECTION 4. DETERMINATION**

Based upon the findings outlined in Sections 1 through 3, the Planning Commission of the City of Eastvale hereby approves a Conditional Use Permit for the establishment and operation of a tire store consisting of six service bays and approximately 4,300 square feet of retail/office in the northwest corner of the retail center in the Eastvale Marketplace, subject to conditions of approval attached hereto as Exhibit A.

PASSED, APPROVED, AND ADOPTED this 18th day of November 2015.

\_\_\_\_\_  
Daryl Charlson, Chair

APPROVED AS TO FORM:

ATTEST:

\_\_\_\_\_  
John E. Cavanaugh, City Attorney

\_\_\_\_\_  
Marc Donohue, Secretary

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

I, Marc Donohue, Secretary of the Planning Commission of the City of Eastvale, California, do hereby certify that the foregoing Planning Commission Resolution, No. 15-\_\_\_\_, was duly adopted by the Planning Commission of the City of Eastvale, California, at a regular meeting thereof held on the 18th day of November, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Marc Donohue, Secretary

Exhibit A

CUP for Tire Store - Conditions of Approval

<b>CONDITIONS OF APPROVAL</b>					
<b>Planning Application Number and Description: Project No. 15-0958</b> – Conditional Use Permit to allow operation of a tire store with six bays located in the Eastvale Marketplace retail center.					
<b>Assessor’s Parcel Number:</b> 162-030-019					
<b>Planning Commission Approval Date: November 18, 2015</b>					
<b>Conditions of Approval</b>		<b>Timing/ Implementation</b>	<b>Enforcement/ Monitoring</b>	<b>Verification (Date and Signature)</b>	
<b>General Conditions/Requirements</b>					
1.	The applicant shall review and sign below verifying the “Acceptance of the Conditions of Approval” and return the signed page to the Eastvale Planning Department by <b>December 9, 2015</b> . Project approval is not final until a signed copy of these conditions is filed with the City.		December 9, 2015	Planning Department	
	<div style="display: flex; justify-content: space-between;"> <span>Applicant Signature</span> <span>Date</span> </div>				
2.	The applicant shall indemnify, protect, defend, and hold harmless the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, from any and all claims, demands, law suits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative, or adjudicatory in nature), and alternative dispute resolutions procedures (including but not limited to arbitrations, mediations, and other such procedures) (collectively “Actions”), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul, any action of, or any permit or approval issued by, the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by the voters of the		Ongoing	Planning Department	

<b>CONDITIONS OF APPROVAL</b>				
	City), for or concerning the project, whether such Actions are brought under the California Environmental Quality Act, the Planning and Zoning Law, the Subdivisions Map Act, Code of Civil Procedure Section 1085 or 1094.5, or any other state, federal, or local statute, law, ordinance, rule, regulation, or any decision of a court of competent jurisdiction. It is expressly agreed that the City shall have the right to approve, which approval will not be unreasonably withheld, the legal counsel providing the City's defense, and that applicant shall reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. City shall promptly notify the applicant of any Action brought and City shall cooperate with applicant in the defense of the Action.			
3.	The project shall operate in accordance with the Conditional Use Permit application approved by the Planning Commission November 18, 2015. The applicant may request modifications or revisions to the approved project as outlined in the Eastvale Zoning Code.	Ongoing	Planning Department	
4.	Any approval shall not be final until and unless the applicant's deposit account to cover the costs of application processing is made current and a positive balance of at least \$5,000 is on hand to cover the costs of staff review and follow-up during the construction process. Make check payable to the <b>City of Eastvale</b> and include <b>Project No. 15-0958</b> on the check.	Ongoing	Planning Department	
5.	Applicant understands and agrees that failure to comply with all Conditions of Approval may result in the Planning Commission taking action resulting in modification of Conditions of Approval and/or suspension or revocation of any Conditional Use Permit.	Ongoing	Code Enforcement and Planning Departments	

<b>CONDITIONS OF APPROVAL</b>				
<b>Conditional Use Permit</b>				
6.	Hours of operation for the tire store shall be restricted to the hours of 7:00 a.m. to 6:00 p.m., Monday through Saturday.	Ongoing	Code Enforcement	
7.	The operation of the tire store shall not result in any noise nuisance to the adjacent residential community.	Ongoing	Code Enforcement	
8.	Service bays must remain closed when not in use and shall only remain open long enough to drive a vehicle in or out of the building.	Ongoing	Planning and Public Works Departments	
9.	One year from the date of issuance of a certificate of occupancy, the project shall be reviewed by the Planning Commission to determine, based on complaints from nearby neighbors, whether any additional noise mitigation measures are needed, such as changes in the hours or other aspects of the drive-through operation.	Ongoing	Planning Department	
10.	No vehicle maintenance or servicing shall be conducted outside of the building or anywhere in the parking lot.	Ongoing	Code Enforcement	
<b>Prior to Issuance of Building Permit</b>				
11.	Prior to the issuance of a building permit, the applicant shall apply for a Minor Development Review for extending the existing block wall along the northern property boundary. The block wall shall be constructed of textured (split-face) block and step down to 4 feet as it approaches the sidewalk. The end of the wall shall be designed as a decorative pilaster that is consistent with the pedestrian gateway for the shopping center.	Prior to Issuance of Building Permit	Planning and Building Departments	
12.	Prior to the issuance of a building permit, the applicant shall provide details and photograph of the proposed stone veneers to the Planning Director for approval.	Prior to Issuance of Building Permit	Planning and Building Departments	

<b>CONDITIONS OF APPROVAL</b>			
13.	<p>Prior to the issuance of a building permit, the applicant shall submit a signage plan and security plan to the Eastvale Police Department for review and approval to ensure compliance with the following:</p> <p><b>PROPERTY SIGN</b></p> <p>a. Proper display of “No Trespassing or Loitering” signs prominently around business and any exterior perimeter fencing, and adhering to City of Eastvale Municipal Code.</p> <p><b>ADDRESS NUMBERING</b></p> <p>b. Prominently displayed address numbering in an appropriate size and in contrasting color from the building façade or on a fixed sign near the street/main entrances. The numbers need to be visible from the street and interior property sides for any approaching emergency vehicles. No obstructions (e.g., landscaping) should limit their visibility.</p> <p><b>SECURITY PLAN</b></p> <p>c. Adequate crime prevention measures, including security cameras, shall be installed to assist with identifying any suspect(s) of any potential future vandalism or theft attempts. Due to the high possibility of theft/vandalism attempts during construction, additional security measures should be added during that time. All exterior access points should be properly secured and illuminated to make clearly visible any person on or about the premises during the hours of darkness.</p>	Prior to Building Permit	Planning, Public Work, and Building Departments
<b>Prior to Certificate of Occupancy</b>			
14.	<p>Prior to the issuance of a certificate of occupancy, all required landscape planting and irrigation shall have been installed consistent with the approved construction plans and shall be in a condition acceptable to the Planning Director. The plants shall be healthy and free of weeds, disease, or pests. The irrigation system shall be properly constructed and in good working order. The applicant shall contact the Planning Department to schedule the final inspection(s).</p>	Prior to Issuance of Certificate of Occupancy	Planning Department

### **Fire Department Conditions of Approval**

1. Provide or show that a water system exists that is capable of delivering the required fire flow of 2,375 gallons per minute at 20 psi for 4 hours duration. On-site water supply must be available before any combustible material is placed on the construction site.
2. Approved accessible on-site fire hydrants shall be located not to exceed 225 feet apart in any direction. Any portion of the facility or of an exterior wall of the first story of the building shall not be located more than 150 feet from fire apparatus access as measured by an approved route around the complex, exterior of the facility, or building. No portion of a building shall be farther than 400 feet from a fire hydrant.
3. “Blue dot” hydrant locators shall be provided in accordance with Riverside County Fire Standard 06-11.
4. Prior to building plan approval and construction, applicant/developer shall furnish two copies of the water system fire hydrant plans to the Fire Department for review and approval. Plans shall be signed by a registered civil engineer, and shall confirm hydrant type, location, spacing, and minimum fire flow. Once plans are signed and approved by the local water authority, the originals shall be presented to the Fire Department for review and approval.
5. Fire apparatus access roads, minimum 30 feet wide for the grocery store and 24 feet wide for others, shall be in compliance with the Riverside County Fire Department Standard 06-05. Access roads shall have an unobstructed vertical clearance not less than 13 feet and 6 inches. Access lanes will be designed to withstand the weight of 60,000 thousand pounds over 2 axles. Access will have a turning radius capable of accommodating fire apparatus. Access lanes shall be constructed with a surface so as to provide all weather driving capabilities.
6. Where fire apparatus access roads are utilized for loading or unloading, an additional 8 feet of width shall be added to the fire apparatus access road (see loading areas near grocery and Pad 1). This width is in addition to the minimum required access road width.
7. Driveway loops, fire apparatus access lanes, and entrance curb radii should be designed to adequately allow access of emergency fire vehicles. The applicant or developer shall include in the building plans the required fire lanes and include the appropriate lane printing and/or signs.
8. Install commercial fire sprinkler systems (per NFPA 13, 2013 edition). Fire sprinkler systems with pipe sizes in excess of 4 inches in diameter will require the project structural engineer to certify with a “wet signature” that the structural system is designed to support the seismic and gravity loads to support the additional weight of the sprinkler system. All fire sprinkler risers shall be protected from any physical damage. The PIVs and FDCs shall be located to the front, within 50 feet of an

### **Fire Department Conditions of Approval**

approved roadway or driveway, and arranged so that hose lines can be readily attached to the inlets without interference from any nearby objects including buildings, fences, posts, or plantings. FDCs shall be within 200 feet of an approved hydrant and shall not be allowed in the rear of any building.

9. Install a fire sprinkler alarm monitoring systems. A C-10 licensed contractor must submit plans along with the current permit fees to the City of Eastvale for review and approval prior to installation.
10. Install a fire alarm system for the grocery store, designed in accordance with 907.2 of the California Fire Code.
11. If the grocery store machinery room uses refrigerant, it shall have a detector with audible and visual alarms that comply with NFPA 72, 2013 edition. The detector, or a sampling tube that draws air into the detector, shall be located in an area where a refrigerant leak may be expected to concentrate.
12. Air handling systems supplying air in excess of 2,000 cubic feet per minute to enclosed spaces within buildings shall be equipped with an automatic shut-off.
13. An approved Fire Department access key lock box (minimum Knox 3200 series) shall be installed at the main entrance to each building. Shall be monitored for tampering and tied into the alarm system. Order forms and installation standards may be obtained at the Fire Department. Building plans shall include mounting location/position and operating standards for Fire Department approval.
14. The location of address numbers shall be indicated on the building plans. Street numbers shall be displayed in a prominent location on the street or fire apparatus access side of buildings. Numbers and letters for the grocery store shall be a minimum of 24 inches in height; for other buildings, shall be 12 inches in height; both with a minimum stroke of .05 inch. Suite numbers or letters shall be a minimum 6 inches in height. Addresses must be legible, of a contrasting color, and adequately illuminated so as to be visible from the street at all hours.
15. Install portable fire extinguishers, with a minimum rating of 2A-10BC, for every 3,000 square feet and/or 75 feet of travel distance. Where not readily visible, signs shall be posted above all extinguishers to indicate their locations. Extinguishers must have current CSFM service tags affixed.
16. No hazardous materials shall be stored and/or used in the building which exceeds quantities listed in the California Fire Code. No Class I, II, or IIIA combustibles/flammable liquid shall be used in any amount in the building.
17. Exit signs, door hardware, markers, and exit path marking shall be per the 2013 California Building Code.
18. Fire sprinkler riser doors shall be posted "FIRE RISER" on the outside of the doors.

### **Fire Department Conditions of Approval**

19. Electrical room doors shall be posted “ELECTRICAL ROOM” on the outside of the doors.
20. Fire alarm control panel doors shall be posted “FACP” on the outside of the doors.
21. Roof access doors shall be posted “ROOF ACCESS” on the outside of the doors.
22. A survey and report by a licensed fire protection engineer may be required for the grocery store prior to building permit issuance.
23. Provide specific Fire Department conditions on plans for building permit submittal.

### **General Compliance Items/Requirements and Information**

The following items are noted for the applicant’s information. These items are generally required for all projects by City ordinances, other local agencies, and state or federal agencies. PLEASE NOTE: This list is not comprehensive. The project is subject to all applicable standards, fees, policies, rules, and regulations for Eastvale and many other agencies, including but not limited to the Jurupa Community Services District, Riverside County Flood Control District, and state and federal agencies.

Developer and applicant are used interchangeably below.

1. In compliance with Section 15075 of the CEQA Guidelines, a Notice of Determination (NOD) must be filed with the Riverside County Clerk within five (5) County working days of project approval in order for the NOD to commence the 30-day statute of limitations on the environmental document. The City must include the required California Department of Fish and Wildlife (Code Section 711.4.d.3) fee and the Riverside County Clerk administrative fee. The applicant shall submit to the Planning Department a check or money order made payable to “Riverside County Clerk” in the amount of **\$2,260.00 within one (1) City working day after project approval**. Failure to pay the required fees will result in the project being deemed null and void (California Fish and Game Code Section 711.4(c)). The fee is broken down as follows:
  - a. Riverside County Clerk administrative fee of \$50.00.
  - b. California Department of Fish and Wildlife fee of \$2,210.00.
2. Prior to the issuance of a grading permit, the developer shall pay all necessary fees as determined by the City engineer to include but not be limited to Multiple Species Habitat Conservation Plan (MSHCP) fees and grading permit fees.

3. Transportation Uniform Mitigation Fees (TUMF) and any development impact fees that are in effect at that time shall be paid prior to the issuance of a certificate of occupancy, or as otherwise allowed per ordinance.
4. The applicant shall design and construct all improvements in accordance with City of Eastvale Road Improvement Standards and Specifications, Improvement Plan Check Policies and Guidelines, as further conditioned herein and to the satisfaction of the City engineer.
5. Prior to the issuance of a certificate of occupancy, the development shall be annexed into all applicable community service areas and landscaping maintenance districts for lighting, drainage, and maintenance to the satisfaction of the City engineer or otherwise form a district where one is not currently in place.
6. The applicant shall comply with all provisions and procedures of the Eastvale Building Department related to the plan check review process. (Please contact the Building Department at (951) 703-4450.)
7. No obstruction shall be placed which would conflict with any existing easement except with the documented approval of the easement holder(s).
8. The developer shall make best efforts to obtain written permission from the affected property owners allowing the proposed grading and/or facilities to be installed outside of the project boundaries.
9. Project runoff shall be directed to a safe point of discharge. Any additional easement that may be necessary to accomplish such shall be obtained prior to issuance of grading permit. The applicant shall submit a Final Water Quality Management Plan (WQMP) in conformance with the requirements of the Santa Ana Regional Water Quality Control Board. All stormwater quality treatment devices shall be located outside of the ultimate public right-of-way. The applicant shall design the stormwater quality treatment devices to accommodate all project runoff, ensuring that post-construction flow rate, volumes, velocity, and duration do not exceed preconstruction levels, in accordance with City of Eastvale's Hydrology Manual, Stormwater Quality Best Management Practice Design Handbook, Improvement Standards, and to the satisfaction of the City engineer. These best management practices shall be consistent with the Final WQMP and installed to the satisfaction of the City engineer.
10. All connections to flood control facilities shall be reviewed and permitted by the Riverside County Flood Control and Water Conservation District and shall be submitted through the City of Eastvale, unless otherwise directed by the City engineer.
11. The developer shall prepare and submit to the City for review and approval all required development plans including but not limited to grading (rough and/or precise), street improvement, on-site lighting, and storm drain. All applicable processing and review fees and/or deposits shall be submitted with the first plan submittal.
12. Should this project lie within any assessment/benefit district, the project proponent shall, prior to acceptance of improvements, make application for and pay for their reapportionment of the assessments or pay the unit fees in the benefit district unless said fees are otherwise deferred.

13. All grading shall conform to the California Building Code and to all other relevant laws, rules, and regulations governing grading in Eastvale. Prior to commencing any grading which includes 50 or more cubic yards, the developer shall obtain a grading permit from the Public Works Department.
14. All necessary measures to control dust shall be implemented by the applicant during grading to the satisfaction of the City engineer.
15. Graded slopes shall be limited to a maximum steepness ratio of 2:1 (horizontal to vertical) unless otherwise approved by the City engineer.
16. Grading in excess of 199 cubic yards will require performance security to be posted with the City.
17. Erosion control-landscape plans, required for manufactured slopes greater than 3 feet in vertical height, are to be signed by a registered landscape architect and bonded. Planting shall occur within 30 days of meeting final grades to minimize erosion and to ensure slope coverage prior to the rainy season. The developer shall plant and irrigate all manufactured slopes steeper than a 4:1 (horizontal to vertical) ratio and 3 feet or greater in vertical height with grass or ground cover; slopes 15 feet or greater in vertical height shall be planted with additional shrubs or trees or as approved by the City engineer.

**Attachment 4**  
**Resolution for CUP Drive-Through for Bank**  
**and Conditions of Approval**

**RESOLUTION NO. 15-\_\_\_**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EASTVALE, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT FOR THE ESTABLISHMENT AND OPERATION OF A BANK WITH AN ASSOCIATED DRIVE-THROUGH FACILITY IN THE EASTVALE MARKETPLACE RETAIL CENTER LOCATED AT THE NORTHEAST CORNER OF SUMNER AVENUE AND LIMONITE AVENUE WITHIN THE ASSESSOR'S PARCEL NUMBER 162-030-019.

**WHEREAS**, Project No. 15-0958 consisting of seven applications – a Major Development Review for the development of a neighborhood retail center with multi-tenant and single-tenant buildings totaling 72,779 square feet and associated parking facilities on an approximately 7.64-acre vacant land; a Conditional Use Permit for the establishment and operation of a tire store consisting of six service bays and approximately 4,300 square feet of retail/office; a Conditional Use Permit for the sales of a full line of alcoholic beverages in the proposed grocery store for off-site consumption; a Conditional Use Permit for the establishment and operation of a bank with an associated drive-through facility; a Conditional Use Permit for the establishment and operation of a drive-through facility for a future fast-food restaurant at the Pad 1 building site; a Conditional Use Permit for the establishment and operation of a drive-through facility for a future fast-food restaurant at the Pad 2 building site; and a Tentative Parcel Map to subdivide the 7.64-acre site into seven parcels – have been filed by Evergreen Devco, Inc. for real property located on the northeast corner of Sumner Avenue and Limonite Avenue, Assessor's Parcel Number 164-030-019; and

**WHEREAS**, the proposed Major Development Review, Conditional Use Permits, and Tentative Parcel Map (Project No. 15-0958) are considered a "project" as defined by the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq.; and

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

**WHEREAS**, on June 22, 2015, using the method required under CEQA Guidelines Section 15072(b), the City provided a Notice of Availability/Notice of Intent (NOA/NOI) to adopt the proposed Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program to the state Office of Planning and Research and the Riverside County Clerk, and also published said NOA/NOI in compliance with state law in the *Press Enterprise*, a local newspaper of general circulation, regarding the public review period; and

**WHEREAS**, the City made the proposed Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program available for public review beginning on June 22, 2015, and concluding on July 13, 2015, a period of not less than 21 days as prescribed by law, and which during said public review period, the City received six written comments concerning traffic and other issues. The project has been conditioned to address the concerns and the proposed

Mitigation Monitoring and Reporting Program has been revised as described in the Mitigated Negative Declaration; and

**WHEREAS**, in accordance with state law, on November 8, 2015, the City of Eastvale Planning Department published a legal notice in compliance with state law concerning Project No. 15-0958 and the Mitigated Negative Declaration in the *Press Enterprise*, a local newspaper of general circulation, regarding the Planning Commission meeting on November 18, 2015. In addition, on November 5, 2015, a public hearing notice was mailed to each property owner and commercial tenant within a 1,000-foot radius of the project site, indicating the date and time of the public hearing at the Planning Commission meeting for Project No. 15-0958; and

**WHEREAS**, the City of Eastvale Planning Commission conducted a duly noticed public hearing on November 18, 2015, at which public testimony was received concerning Project No. 15-0958, adopted the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the project pursuant to Section 15074 (Article 6) of CEQA, approved a Major Development Review for the development of a new neighborhood retail center which includes approximately 72,779 square feet of multi-tenant and single-tenant buildings and associated parking facilities, and considered the proposed Conditional Use Permit for the establishment and operation of a bank with an associated drive-through facility along Limonite Avenue, located at the southeast corner of the retail center.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF EASTVALE DOES HEREBY RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:

### **SECTION 1. CONDITIONAL USE PERMIT**

Pursuant to Section 2.2 of the Eastvale Zoning Code, the Planning Commission makes the following findings pertaining to the approval of Conditional Use Permit for a Drive-Through Bank:

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

Evidence: The General Plan land use designation for the site is Commercial Retail. Per the Eastvale General Plan, the intent of the Commercial Retail land use designation is to enable the establishment and operation of the community-serving commercial, service, and office businesses. The bank will provide financial services to the shopping plaza and the residents who live adjacent to the site. The design, layout, access, and circulation of the bank building are configured to accommodate the needs of resident retail and commercial uses. The proposed use will further the objectives and policies of the General Plan and it will be compatible with the general land uses as specified in the plan.

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

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Evidence: The proposed use, as conditioned, will not be detrimental or injurious to property in the vicinity nor to the public health, safety, and general welfare because of its adequate stacking. Additionally, the proposed driveway is of sufficient length and has been designed to accommodate vehicles entering and exiting in a private commercial parking area. The applicant did not provide a circulation and stacking analysis for the proposed bank. However, staff has added these requirements in the Conditions of Approval prior to issuance of a building permit or change of occupancy.

Finding 3: If the project is located within the Chino Airport Influence Area, the proposed project is consistent with the most recently adopted version of the Airport Land Use Compatibility Plan.

Evidence: The Airport Land Use Compatibility Plan shows that the project is located in Zone D, which prohibits highly noise-sensitive outdoor nonresidential uses, discourages schools, hospitals, and nursing homes, and requires airspace review for structures higher than 70 feet. The proposed project does not involve development of prohibited or discouraged uses in Zone D; the proposed structures have been designed to not exceed 35 feet in height; and the intensity of the project is within the maximum intensity allowed in Zone D. Additionally, the project site plan has been reviewed and determined by the Riverside County Airport Land Use Commission to result in an average intensity of 107 people for the overall site and a single-acre intensity of 256 people, which are consistent with the average intensity of 150 people and single-acre intensity of 450 people allowed for Zone D. For these reasons, the proposed project is consistent with the policies of the City of Eastvale General Plan and the Airport Land Use Compatibility Plan.

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

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

## **SECTION 3. RECORD OF PROCEEDING**

The documents and other materials that constitute the record of the proceedings upon which the Planning Commission's decision is based, which include but are not limited to the staff reports as well as all materials that support the staff reports for the proposed project, are located in the Planning Department of the City of Eastvale at 12363 Limonite Avenue, Suite 910, Eastvale, CA 91752. The custodian of these documents is the Planning Department of the City of Eastvale.

## **SECTION 4. DETERMINATION**

Based upon the findings outlined in Sections 1 through 3, the Planning Commission of the City of Eastvale hereby approves a Conditional Use Permit for the establishment and operation of a bank with an associated drive-through facility along Limonite Avenue, located at the southeast corner of the retail center, subject to conditions of approval attached hereto as Exhibit A.

PASSED, APPROVED, AND ADOPTED this 18th day of November 2015.

\_\_\_\_\_  
Daryl Charlson, Chair

APPROVED AS TO FORM:

ATTEST:

\_\_\_\_\_  
John E. Cavanaugh, City Attorney

\_\_\_\_\_  
Marc Donohue, Secretary

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

I, Marc Donohue, Secretary of the Planning Commission of the City of Eastvale, California, do hereby certify that the foregoing Planning Commission Resolution, No. 15-\_\_\_\_, was duly adopted by the Planning Commission of the City of Eastvale, California, at a regular meeting thereof held on the 18th day of November, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Marc Donohue, Secretary

Exhibit A

CUP for Bank Drive-Through – Conditions of Approval

<b>CONDITIONS OF APPROVAL</b>					
<b>Planning Application Number and Description: Project No. 15-0958</b> – Conditional Use Permit to allow operation of a drive-through for the bank site located in Eastvale Marketplace retail center.					
<b>Assessor’s Parcel Number:</b> 162-030-019					
<b>Planning Commission Approval Date: November 18, 2015</b>					
<b>Conditions of Approval</b>		<b>Timing/ Implementation</b>	<b>Enforcement/ Monitoring</b>	<b>Verification (Date and Signature)</b>	
<b>General Conditions/Requirements</b>					
1.	The applicant shall review and sign below verifying the “Acceptance of the Conditions of Approval” and return the signed page to the Eastvale Planning Department by <b>December 9, 2015</b> . Project approval is not final until a signed copy of these conditions is filed with the City.		December 9, 2015	Planning Department	
	_____ Applicant Signature	_____ Date			
2.	The applicant shall indemnify, protect, defend, and hold harmless the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, from any and all claims, demands, law suits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative, or adjudicatory in nature), and alternative dispute resolutions procedures (including but not limited to arbitrations, mediations, and other such procedures) (collectively “Actions”), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul any action of, or any permit or approval issued by, the City and/or any of its officials, officers, employees, agents, departments,		Ongoing	Planning Department	

<b>CONDITIONS OF APPROVAL</b>				
	agencies, and instrumentalities thereof (including actions approved by the voters of the City), for or concerning the project, whether such Actions are brought under the California Environmental Quality Act, the Planning and Zoning Law, the Subdivisions Map Act, Code of Civil Procedure Section 1085 or 1094.5, or any other state, federal, or local statute, law, ordinance, rule, regulation, or any decision of a court of competent jurisdiction. It is expressly agreed that the City shall have the right to approve, which approval will not be unreasonably withheld, the legal counsel providing the City's defense, and that applicant shall reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. City shall promptly notify the applicant of any Action brought and City shall cooperate with applicant in the defense of the Action.			
3.	The project shall operate in accordance with the Conditional Use Permit application approved by the Planning Commission November 18, 2015. The applicant may request modifications or revisions to the approved project as outlined in the Eastvale Zoning Code.	Ongoing	Planning Department	
4.	Any approval shall not be final until and unless the applicant's deposit account to cover the costs of application processing is made current and a positive balance of at least \$5,000 is on hand to cover the costs of staff review and follow-up during the construction process. Make check payable to the <b>City of Eastvale</b> and include <b>Project No. 15-0958</b> on the check.	Ongoing	Planning Department	
5.	Applicant understands and agrees that failure to comply with all Conditions of Approval may result in the Planning Commission taking action resulting in modification of Conditions of Approval and/or suspension or revocation of any Conditional Use Permit.	Ongoing	Code Enforcement, and Planning Departments	

<b>CONDITIONS OF APPROVAL</b>				
<b>Conditional Use Permit</b>				
6.	Hours of operation for a live teller assist system outside the building shall be restricted to the hours of 7:00 a.m. to 10:00 p.m., seven days a week. The automated teller machines in the drive-through may operate 24 hours per day.	Ongoing	Code Enforcement	
7.	Operation of the drive-through shall not result in any noise nuisance to the adjacent residential community.	Ongoing	Code Enforcement	
8.	The operation of the drive-through service shall not result in stacking of vehicles in such a manner that would result in obstruction to any parking access aisle or parking space on a daily basis. If the drive-through operation affects traffic in the parking lot, design alternatives to remedy the issue, such as modifying the parking lot, or other alternatives, shall be presented to the City for review and approval.	Ongoing	Planning and Public Works Departments	
9.	The drive-through window/teller, automatic teller machine, etc. can not be located on the east side of the building.	Ongoing	Building and Planning Departments	
10.	One year from the date of issuance of a certificate of occupancy, the project shall be reviewed by the Planning Commission to determine, based on complaints from nearby neighbors, whether any additional noise mitigation measures—including changes in the hours or other aspects of the drive-through operation—are needed.	Ongoing	Planning Department	
<b>Prior to Issuance of Building Permit</b>				
11.	Prior to the issuance of a building permit, the applicant shall apply and receive approval of a Minor Development Review. The application shall include the following: <ol style="list-style-type: none"> <li>a. A circulation and drive-through lane stacking analysis to show that the proposed stacking is adequate to ensure compliance with</li> </ol>	Prior to Issuance of Building Permit	Planning, Public Works, Building Departments	

<b>CONDITIONS OF APPROVAL</b>				
	<p>Condition No. 7. The design of the drive-through lane, location of drive-through window(s), menu board, and surrounding parking layout may need to be modified to the satisfaction of the City engineer; and</p> <p>b. Site plan, elevations, and landscape and irrigation plans for each building. The building shall be designed to be consistent with other buildings in the shopping center.</p>			
12.	<p>Prior to the issuance of a building permit, the applicant shall submit a signage plan and security plan to the Eastvale Police Department for review and approval to ensure compliance with the following:</p> <p><b>PROPERTY SIGN</b></p> <p>a. Proper display of “No Trespassing or Loitering” signs prominently around business and any exterior perimeter fencing and adhering to City of Eastvale Municipal Code.</p> <p><b>ADDRESS NUMBERING</b></p> <p>b. Prominently displayed address numbering in appropriate size and in contrasting color from the building façade or on a fixed sign near the street/main entrances. The numbers need to be visible from the street and interior property sides for any approaching emergency vehicles. No obstructions should limit their visibility (e.g., landscaping).</p> <p><b>SECURITY PLAN</b></p> <p>c. Adequate crime prevention measures, including security cameras, shall be installed to assist with identifying any suspect(s) of any potential future vandalism or theft attempts. Due to the high possibility of theft/vandalism attempts during construction, additional security measures should be added during the time frame of the proposed construction. All exterior access points should be properly secured and illuminated to make clearly visible any person on or about the premises during the hours of darkness.</p>	Prior to Building Permit	Planning, Public Works, Police, and Building Departments	

<b>CONDITIONS OF APPROVAL</b>				
13.	Prior to the issuance of a building permit, the applicant shall apply for a Minor Development Review for extending the existing block wall along the eastern property boundary. The block wall shall be constructed of textured materials and step down to 4 feet as it approaches the sidewalk. The end of the wall shall be designed as a decorative pilaster that is consistent with the pedestrian gateway for the shopping center.	Prior to Issuance of Building Permit	Planning and Building Departments	
14.	The applicant shall submit a signage plan showing installation of signs along the drive-through lane encouraging quietness and consideration of the adjacent residences and signs in the parking area guiding access to the drive-through lane. The signage plan shall be submitted for review and approval by the Planning Director and the City engineer prior to issuance of any sign permit, and all signs shall be installed prior to certificate of occupancy.	Prior to Issuance of Building Permit	Planning, Public Works, Building Departments	
<b>Prior to Certificate of Occupancy</b>				
15.	Prior to the issuance of a certificate of occupancy, all signage shall be installed per the approved signage plan.	Prior to Issuance of Certificate of Occupancy	Planning, Public Works, Building Departments	
16.	Prior to the issuance of a certificate of occupancy, all required landscape planting and irrigation shall have been installed consistent with the approved construction plans and shall be in a condition acceptable to the Planning Director. The plants shall be healthy and free of weeds, disease, or pests. The irrigation system shall be properly constructed and in good working order. The applicant shall contact the Planning Department to schedule the final inspection(s).	Prior to Issuance of Certificate of Occupancy	Planning Department	

### **Fire Department Conditions of Approval**

1. Provide or show that a water system exists that is capable of delivering the required fire flow of 2,375 gallons per minute at 20 psi for 4 hours duration. On-site water supply must be available before any combustible material is placed on the construction site.
2. Approved accessible on-site fire hydrants shall be located not to exceed 225 feet apart in any direction. Any portion of the facility or of an exterior wall of the first story of the building shall not be located more than 150 feet from fire apparatus access as measured by an approved route around the complex, exterior of the facility, or building. No portion of a building shall be farther than 400 feet from a fire hydrant.
3. “Blue dot” hydrant locators shall be provided in accordance with Riverside County Fire Standard 06-11.
4. Prior to building plan approval and construction, applicant/developer shall furnish two copies of the water system fire hydrant plans to the Fire Department for review and approval. Plans shall be signed by a registered civil engineer, and shall confirm hydrant type, location, spacing, and minimum fire flow. Once plans are signed and approved by the local water authority, the originals shall be presented to the Fire Department for review and approval.
5. Fire apparatus access roads, minimum 30 feet wide for the grocery store and 24 feet wide for others, shall be in compliance with the Riverside County Fire Department Standard 06-05. Access roads shall have an unobstructed vertical clearance not less than 13 feet and 6 inches. Access lanes will be designed to withstand the weight of 60,000 thousand pounds over 2 axles. Access will have a turning radius capable of accommodating fire apparatus. Access lanes shall be constructed with a surface so as to provide all weather driving capabilities.
6. Where fire apparatus access roads are utilized for loading or unloading, an additional 8 feet of width shall be added to the fire apparatus access road (see loading areas near grocery and Pad 1). This width is in addition to the minimum required access road width.
7. Driveway loops, fire apparatus access lanes, and entrance curb radii should be designed to adequately allow access of emergency fire vehicles. The applicant or developer shall include in the building plans the required fire lanes and include the appropriate lane printing and/or signs.
8. Install commercial fire sprinkler systems (per NFPA 13, 2013 edition). Fire sprinkler systems with pipe sizes in excess of 4 inches in diameter will require the project structural engineer to certify with a “wet signature” that the structural system is designed to support the seismic and gravity loads to support the additional weight of the sprinkler system. All fire sprinkler risers shall be protected from any physical damage. The PIVs and FDCs shall be located to the front, within 50 feet of an approved roadway or driveway, and arranged so that hose lines can be readily attached to the inlets without interference from any nearby objects including buildings, fences, posts, or plantings. FDCs shall be within 200 feet of an approved hydrant and

### **Fire Department Conditions of Approval**

shall not be allowed in the rear of any building.

9. Install a fire sprinkler alarm monitoring systems. A C-10 licensed contractor must submit plans along with the current permit fees to the City of Eastvale for review and approval prior to installation.
10. Install a fire alarm system for the grocery store, designed in accordance with 907.2 of the California Fire Code.
11. If the grocery store machinery room uses refrigerant, it shall have a detector with audible and visual alarms that comply with NFPA 72, 2013 edition. The detector, or a sampling tube that draws air into the detector, shall be located in an area where a refrigerant leak may be expected to concentrate.
12. Air handling systems supplying air in excess of 2,000 cubic feet per minute to enclosed spaces within buildings shall be equipped with an automatic shut-off.
13. An approved Fire Department access key lock box (minimum Knox 3200 series) shall be installed at the main entrance to each building. Shall be monitored for tampering and tied into the alarm system. Order forms and installation standards may be obtained at the Fire Department. Building plans shall include mounting location/position and operating standards for Fire Department approval.
14. The location of address numbers shall be indicated on the building plans. Street numbers shall be displayed in a prominent location on the street or fire apparatus access side of buildings. Numbers and letters for the grocery store shall be a minimum of 24 inches in height; for other buildings, shall be 12 inches in height; both with a minimum stroke of .05 inch. Suite numbers or letters shall be a minimum 6 inches in height. Addresses must be legible, of a contrasting color, and adequately illuminated so as to be visible from the street at all hours.
15. Install portable fire extinguishers, with a minimum rating of 2A-10BC, for every 3,000 square feet and/or 75 feet of travel distance. Where not readily visible, signs shall be posted above all extinguishers to indicate their locations. Extinguishers must have current CSFM service tags affixed.
16. No hazardous materials shall be stored and/or used in the building which exceeds quantities listed in the California Fire Code. No Class I, II, or IIIA combustible/flammable liquid shall be used in any amount in the building.
17. Exit signs, door hardware, markers, and exit path marking shall be per the 2013 California Building Code.
18. Fire sprinkler riser doors shall be posted "FIRE RISER" on the outside of the doors.
19. Electrical room doors shall be posted "ELECTRICAL ROOM" on the outside of the doors.

### **Fire Department Conditions of Approval**

20. Fire alarm control panel doors shall be posted “FACP” on the outside of the doors.
21. Roof access doors shall be posted “ROOF ACCESS” on the outside of the doors.
22. A survey and report by a licensed fire protection engineer may be required for the grocery store prior to building permit issuance.
23. Provide specific Fire Department conditions on plans for building permit submittal.

### **General Compliance Items/Requirements and Information**

The following items are noted for the applicant’s information. These items are generally required for all projects by City ordinances, other local agencies, and state or federal agencies. PLEASE NOTE: This list is not comprehensive. The project is subject to all applicable standards, fees, policies, rules, and regulations for Eastvale and many other agencies, including but not limited to the Jurupa Community Services District, Riverside County Flood Control District, and state and federal agencies.

Developer and applicant are used interchangeably below.

1. In compliance with Section 15075 of the CEQA Guidelines, a Notice of Determination (NOD) must be filed with the Riverside County Clerk within five (5) County working days of project approval in order for the NOD to commence the 30-day statute of limitations on the environmental document. The City must include the required California Department of Fish and Wildlife (Code Section 711.4.d.3) fee and the Riverside County Clerk administrative fee. The applicant shall submit to the Planning Department a check or money order made payable to “Riverside County Clerk” in the amount of **\$2,260.00 within one (1) City working day after project approval**. Failure to pay the required fees will result in the project being deemed null and void (California Fish and Game Code Section 711.4(c)). The fee is broken down as follows:
  - a. Riverside County Clerk administrative fee of \$50.00.
  - b. California Department of Fish and Wildlife fee of \$2,210.00.
2. Prior to the issuance of a grading permit, the developer shall pay all necessary fees as determined by the City engineer to include but not be limited to Multiple Species Habitat Conservation Plan (MSHCP) fees and grading permit fees.
3. Transportation Uniform Mitigation Fees (TUMF) and any development impact fees that are in effect at that time shall be paid prior to the issuance of a certificate of occupancy, or as otherwise allowed per ordinance.

4. The applicant shall design and construct all improvements in accordance with City of Eastvale Road Improvement Standards and Specifications, Improvement Plan Check Policies and Guidelines, as further conditioned herein and to the satisfaction of the City engineer.
5. Prior to the issuance of a certificate of occupancy, the development shall be annexed into all applicable community service areas and landscaping maintenance districts for lighting, drainage, and maintenance to the satisfaction of the City engineer or otherwise form a district where one is not currently in place.
6. The applicant shall comply with all provisions and procedures of the Eastvale Building Department related to the plan check review process. (Please contact the Building Department at (951) 703-4450.)
7. No obstruction shall be placed which would conflict with any existing easement except with the documented approval of the easement holder(s).
8. The developer shall make best efforts to obtain written permission from the affected property owners allowing the proposed grading and/or facilities to be installed outside of the project boundaries.
9. Project runoff shall be directed to a safe point of discharge. Any additional easement that may be necessary to accomplish such shall be obtained prior to issuance of grading permit. The applicant shall submit a Final Water Quality Management Plan (WQMP) in conformance with the requirements of the Santa Ana Regional Water Quality Control Board. All stormwater quality treatment devices shall be located outside of the ultimate public right-of-way. The applicant shall design the stormwater quality treatment devices to accommodate all project runoff, ensuring that post-construction flow rate, volumes, velocity, and duration do not exceed preconstruction levels, in accordance with City of Eastvale's Hydrology Manual, Stormwater Quality Best Management Practice Design Handbook, Improvement Standards, and to the satisfaction of the City engineer. These best management practices shall be consistent with the Final WQMP and installed to the satisfaction of the City engineer.
10. All connections to flood control facilities shall be reviewed and permitted by the Riverside County Flood Control and Water Conservation District and shall be submitted through the City of Eastvale, unless otherwise directed by the City engineer.
11. The developer shall prepare and submit to the City for review and approval all required development plans including but not limited to grading (rough and/or precise), street improvement, on-site lighting, and storm drain. All applicable processing and review fees and/or deposits shall be submitted with the first plan submittal.
12. Should this project lie within any assessment/benefit district, the project proponent shall, prior to acceptance of improvements, make application for and pay for their reapportionment of the assessments or pay the unit fees in the benefit district unless said fees are otherwise deferred.

13. All grading shall conform to the California Building Code and to all other relevant laws, rules, and regulations governing grading in Eastvale. Prior to commencing any grading which includes 50 or more cubic yards, the developer shall obtain a grading permit from the Public Works Department.
14. All necessary measures to control dust shall be implemented by the applicant during grading to the satisfaction of the City engineer.
15. Graded slopes shall be limited to a maximum steepness ratio of 2:1 (horizontal to vertical) unless otherwise approved by the City engineer.
16. Grading in excess of 199 cubic yards will require performance security to be posted with the City.
17. Erosion control-landscape plans, required for manufactured slopes greater than 3 feet in vertical height, are to be signed by a registered landscape architect and bonded. Planting shall occur within 30 days of meeting final grades to minimize erosion and to ensure slope coverage prior to the rainy season. The developer shall plant and irrigate all manufactured slopes steeper than a 4:1 (horizontal to vertical) ratio and 3 feet or greater in vertical height with grass or ground cover; slopes 15 feet or greater in vertical height shall be planted with additional shrubs or trees or as approved by the City engineer.

**Attachment 5**  
**Resolution for CUP Drive-Through for Pad 1**  
**and Conditions of Approval**

## RESOLUTION NO. 15-\_\_\_

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EASTVALE, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT FOR THE ESTABLISHMENT AND OPERATION OF A DRIVE-THROUGH FACILITY FOR A FUTURE FAST-FOOD RESTAURANT AT THE PAD 1 BUILDING SITE LOCATED ALONG LIMONITE AVENUE IN EASTVALE MARKET LOCATED AT THE NORTHEAST CORNER OF SUMNER AVENUE AND LIMONITE AVENUE WITHIN THE ASSESSOR'S PARCEL NUMBER 162-030-019.

**WHEREAS**, Project No. 15-0958 consisting of seven applications – a Major Development Review for the development of a neighborhood retail center with multi-tenant and single-tenant buildings totaling 72,779 square feet and associated parking facilities on an approximately 7.64-acre vacant land; a Conditional Use Permit for the establishment and operation of a tire store consisting of six service bays and approximately 4,300 square feet of retail/office; a Conditional Use Permit for the sales of a full line of alcoholic beverages in the proposed grocery store for off-site consumption; a Conditional Use Permit for the establishment and operation of a bank with an associated drive-through facility; a Conditional Use Permit for the establishment and operation of a drive-through facility for a future fast-food restaurant at the Pad 1 building site; a Conditional Use Permit for the establishment and operation of a drive-through facility for a future fast-food restaurant at the Pad 2 building site; and a Tentative Parcel Map to subdivide the 7.64-acre site into seven parcels – have been filed by Evergreen Devco, Inc. for real property located on the northeast corner of Sumner Avenue and Limonite Avenue, Assessor's Parcel Number 164-030-019; and

**WHEREAS**, the proposed Major Development Review, Conditional Use Permits, and Tentative Parcel Map (Project No. 15-0958) are considered a "project" as defined by the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq.; and

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

**WHEREAS**, on June 22, 2015, using the method required under CEQA Guidelines Section 15072(b), the City provided a Notice of Availability/Notice of Intent (NOA/NOI) to adopt the proposed Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program to the state Office of Planning and Research and the Riverside County Clerk, and also published said NOA/NOI in compliance with state law in the *Press Enterprise*, a local newspaper of general circulation, regarding the public review period; and

**WHEREAS**, the City made the proposed Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program available for public review beginning on June 22, 2015, and concluding on July 13, 2015, a period of not less than 21 days as prescribed by law, and which during said public review period, the City received six written comments concerning traffic and other issues. The project has been conditioned to address the concerns and the proposed

Mitigation Monitoring and Reporting Program has been revised as described in the Mitigated Negative Declaration; and

**WHEREAS**, in accordance with state law, on November 8, 2015, the City of Eastvale Planning Department published a legal notice in compliance with state law concerning Project No. 15-0958 and the Mitigated Negative Declaration in the *Press Enterprise*, a local newspaper of general circulation, regarding the Planning Commission meeting on November 18, 2015. In addition, on November 5, 2015, a public hearing notice was mailed to each property owner and commercial tenant within a 1,000-foot radius of the project site, indicating the date and time of the public hearing at the Planning Commission meeting for Project No. 15-0958; and

**WHEREAS**, the City of Eastvale Planning Commission conducted a duly noticed public hearing on November 18, 2015, at which public testimony was received concerning Project No. 15-0958, adopted the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the project pursuant to Section 15074 (Article 6) of CEQA, approved a Major Development Review for the development of a new neighborhood retail center which includes approximately 72,779 square feet of multi-tenant and single-tenant buildings and associated parking facilities, and considered the proposed Conditional Use Permit for the establishment and operation of a drive-through facility for a future fast-food restaurant at the Pad 1 building site located along Limonite Avenue.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF EASTVALE DOES HEREBY RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:

### **SECTION 1. CONDITIONAL USE PERMIT**

Pursuant to Section 2.2 of the Eastvale Zoning Code, the Planning Commission makes the following findings pertaining to the approval of Conditional Use Permit:

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

Evidence: The General Plan land use designation for the site is Commercial Retail. Per the Eastvale General Plan, the intent of the Commercial Retail land use designation is to enable the establishment and operation of the community-serving commercial, service, and office businesses. The two drive-through restaurants will serve the community and will be close and convenient to the nearby neighborhood. The design, layout, access, and circulation of the shopping center are configured to accommodate the needs of resident retail and commercial uses. The proposed use will further the objectives and policies of the General Plan and it will be compatible with the general land uses as specified in the plan.

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

Evidence: The proposed use, as conditioned, will not be detrimental or injurious to property in the vicinity nor to the public health, safety, and general welfare because of its adequate stacking. Additionally, the proposed driveways are of sufficient length and have been designed to

accommodate vehicles entering and exiting in a private commercial parking area. The applicant did not provide a circulation and stacking analysis for the proposed Pad 1 building site. However, staff has added this requirement in the conditions of approval prior to the issuance of a building permit or change of occupancy. The new drive-through restaurant will be integrated into the overall shopping center, which will provide adequate parking, circulation, and access to major roadway systems that provide local and regional connectivity. The project is not located near any public schools, day care centers, or other sensitive receptors other than those who live nearby to the project site.

Finding 3: If the project is located within the Chino Airport Influence Area, the proposed project is consistent with the most recently adopted version of the Airport Land Use Compatibility Plan.

Evidence: The Airport Land Use Compatibility Plan shows that the project is located in Zone D, which prohibits highly noise-sensitive outdoor nonresidential uses, discourages schools, hospitals, and nursing homes, and requires airspace review for structures higher than 70 feet. The proposed project does not involve development of prohibited or discouraged uses in Zone D; the proposed structures have been designed to not exceed 35 feet in height; and the intensity of the project is within the maximum intensity allowed in Zone D. Additionally, the project site plan has been reviewed and determined by the Riverside County Airport Land Use Commission to result in an average intensity of 107 people for the overall site and a single-acre intensity of 256 people, which are consistent with the average intensity of 150 people and single-acre intensity of 450 people allowed for Zone D. For these reasons, the proposed project is consistent with the policies of the City of Eastvale General Plan and the Airport Land Use Compatibility Plan.

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

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

## **SECTION 3. RECORD OF PROCEEDING**

The documents and other materials that constitute the record of the proceedings upon which the Planning Commission's decision is based, which include but are not limited to the staff reports as well as all materials that support the staff reports for the proposed project, are located in the Planning Department of the City of Eastvale at 12363 Limonite Avenue, Suite 910, Eastvale, CA 91752. The custodian of these documents is the Planning Department of the City of Eastvale.

## **SECTION 4. DETERMINATION**

Based upon the findings outlined in Sections 1 through 3, the Planning Commission of the City of Eastvale hereby approves a Conditional Use Permit for the establishment and operation of a drive-through facility for a future fast-food restaurant at the Pad 1 building site located along Limonite Avenue in the Eastvale Marketplace, subject to conditions of approval attached hereto as Exhibit A.

PASSED, APPROVED, AND ADOPTED this 18th day of November 2015.

\_\_\_\_\_  
Daryl Charlson, Chair

APPROVED AS TO FORM:

ATTEST:

\_\_\_\_\_  
John E. Cavanaugh, City Attorney

\_\_\_\_\_  
Marc Donohue, Secretary

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

I, Marc Donohue, Secretary of the Planning Commission of the City of Eastvale, California, do hereby certify that the foregoing Planning Commission Resolution, No. 15-\_\_\_\_, was duly adopted by the Planning Commission of the City of Eastvale, California, at a regular meeting thereof held on the 18th day of November, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Marc Donohue, Secretary

Exhibit A

CUP Drive-Through Fast-Food Restaurant at Pad 1- Conditions of Approval

<b>CONDITIONS OF APPROVAL</b>					
<b>Planning Application Number and Description: Project No. 15-0958</b> – Conditional Use Permit to allow operation of a drive-through restaurant for Pad 1 building site located in Eastvale Marketplace retail center.					
<b>Assessor’s Parcel Number:</b> 162-030-019					
<b>Planning Commission Approval Date: November 18, 2015</b>					
<b>Conditions of Approval</b>		<b>Timing/ Implementation</b>	<b>Enforcement/ Monitoring</b>	<b>Verification (Date and Signature)</b>	
<b>General Conditions/Requirements</b>					
1.	The applicant shall review and sign below verifying the “Acceptance of the Conditions of Approval” and return the signed page to the Eastvale Planning Department by <b>December 9, 2015</b> . Project approval is not final until a signed copy of these conditions is filed with the City.		December 9, 2015	Planning Department	
	<div style="display: flex; justify-content: space-between;"> <span>Applicant Signature</span> <span>Date</span> </div>				
2.	The applicant shall indemnify, protect, defend, and hold harmless the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, from any and all claims, demands, law suits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative, or adjudicatory in nature), and alternative dispute resolutions procedures (including but not limited to arbitrations, mediations, and other such procedures) (collectively “Actions”), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul any action of, or any permit or approval issued by, the City and/or any of its officials, officers, employees, agents, departments,		Ongoing	Planning Department	

<b>CONDITIONS OF APPROVAL</b>				
	agencies, and instrumentalities thereof (including actions approved by the voters of the City), for or concerning the project, whether such Actions are brought under the California Environmental Quality Act, the Planning and Zoning Law, the Subdivisions Map Act, Code of Civil Procedure Section 1085 or 1094.5, or any other state, federal, or local statute, law, ordinance, rule, regulation, or any decision of a court of competent jurisdiction. It is expressly agreed that the City shall have the right to approve, which approval will not be unreasonably withheld, the legal counsel providing the City's defense, and that applicant shall reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. City shall promptly notify the applicant of any Action brought and City shall cooperate with applicant in the defense of the Action.			
3.	The project shall operate in accordance with the Conditional Use Permit application approved by the Planning Commission November 18, 2015. The applicant may request modifications or revisions to the approved project as outlined in the Eastvale Zoning Code.	Ongoing	Planning Department	
4.	Any approval shall not be final until and unless the applicant's deposit account to cover the costs of application processing is made current and a positive balance of at least \$5,000 is on hand to cover the costs of staff review and follow-up during the construction process. Make check payable to the <b>City of Eastvale</b> and include <b>Project No. 15-0958</b> on the check.	Ongoing	Planning Department	
5.	Applicant understands and agrees that failure to comply with all Conditions of Approval may result in the Planning Commission taking action resulting in modification of Conditions of Approval and/or suspension or revocation of any conditional use permit.	Ongoing	Code Enforcement and Planning Departments	

<b>CONDITIONS OF APPROVAL</b>				
<b>Conditional Use Permit</b>				
6.	Operation of the drive-through shall not result in any noise nuisance to the adjacent residential community.	Ongoing	Code Enforcement	
7.	The operation of the drive-through service shall not result in stacking of vehicles in such a manner that would result in obstruction to any parking access aisle or parking space on a daily basis. If the drive-through operation affects traffic in the parking lot, design alternatives to remedy the issue, such as modifying the parking lot, or other alternatives, shall be presented to the City for review and approval.	Ongoing	Code Enforcement, Planning, and Public Works Departments	
<b>Prior to Issuance of Building Permit</b>				
8.	<p>Prior to the issuance of a building permit, the applicant shall apply and receive approval of a Minor Development Review. The application shall include the following:</p> <ul style="list-style-type: none"> <li>a. A circulation and drive-through lane stacking analysis to show that the proposed stacking is adequate to ensure compliance with Condition No. 6. The design of the drive-through lane, location of drive-through window(s), menu board, and surrounding parking layout may need to be modified to the satisfaction of the City engineer; and</li> <li>b. Site plan, elevations, and landscape and irrigation plans for each building. The building shall be designed to be consistent with other buildings in the shopping center.</li> </ul>	Prior to Issuance of Building Permit	Planning, Public Works, and Building Departments	
9.	<p>Prior to the issuance of a building permit, the applicant shall submit a signage plan and security plan to the Eastvale Police Department for review and approval to ensure compliance with the following:</p> <p><b>PROPERTY SIGN</b></p> <ul style="list-style-type: none"> <li>a. Proper display of “No Trespassing or Loitering” signs</li> </ul>	Prior to Building Permit	Planning, Public Works, Building, and Police Departments	

<b>CONDITIONS OF APPROVAL</b>				
	<p>prominently around business and any exterior perimeter fencing and adhering to City of Eastvale Municipal Code.</p> <p><b>ADDRESS NUMBERING</b></p> <p>b. Prominently displayed address numbering in appropriate size and in contrasting color from the building façade or on a fixed sign near the street/main entrances. The numbers need to be visible from the street and interior property sides for any approaching emergency vehicles. No obstructions should limit their visibility (e.g., landscaping).</p> <p><b>SECURITY PLAN</b></p> <p>c. Adequate crime prevention measures, including security cameras, shall be installed to assist with identifying any suspect(s) of any potential future vandalism or theft attempts. Due to the high possibility of theft/vandalism attempts during construction, additional security measures should be added during the time frame of the proposed construction. All exterior access points should be properly secured and illuminated to make clearly visible any person on or about the premises during the hours of darkness.</p>			
10.	<p>The applicant shall submit a signage plan showing installation of signs along the drive-through lane encouraging quietness and consideration of the adjacent residences and signs in the parking area guiding access to the drive-through lane. The signage plan shall be submitted for review and approval by the Planning Director and the City engineer prior to issuance of any sign permit, and all signs shall be installed prior to the certificate of occupancy.</p>	<p>Prior to Issuance of Building Permit</p>	<p>Planning, Public Works, and Building Departments</p>	
<b>Prior to Certificate of Occupancy</b>				
11.	<p>Prior to the issuance of the certificate of occupancy, all signage shall be installed per the approved signage plan.</p>	<p>Prior to Issuance of Certificate of Occupancy</p>	<p>Planning, Public Works, Building Departments</p>	

<b>CONDITIONS OF APPROVAL</b>				
12.	Prior to the issuance of a certificate of occupancy, all required landscape planting and irrigation shall have been installed consistent with the approved construction plans and shall be in a condition acceptable to the Planning Director. The plants shall be healthy and free of weeds, disease, or pests. The irrigation system shall be properly constructed and in good working order. The applicant shall contact the Planning Department to schedule the final inspection(s).	Prior to Issuance of Certificate of Occupancy	Planning Department	

<b>Fire Department Conditions of Approval</b>
<ol style="list-style-type: none"> <li>1. Provide or show that a water system exists that is capable of delivering the required fire flow of 2,375 gallons per minute at 20 psi for 4 hours duration. On-site water supply must be available before any combustible material is placed on the construction site.</li> <li>2. Approved accessible on-site fire hydrants shall be located not to exceed 225 feet apart in any direction. Any portion of the facility or of an exterior wall of the first story of the building shall not be located more than 150 feet from fire apparatus access as measured by an approved route around the complex, exterior of the facility, or building. No portion of a building shall be farther than 400 feet from a fire hydrant.</li> <li>3. “Blue dot” hydrant locators shall be provided in accordance with Riverside County Fire Standard 06-11.</li> <li>4. Prior to building plan approval and construction, applicant/developer shall furnish two copies of the water system fire hydrant plans to the Fire Department for review and approval. Plans shall be signed by a registered civil engineer, and shall confirm hydrant type, location, spacing, and minimum fire flow. Once plans are signed and approved by the local water authority, the originals shall be presented to the Fire Department for review and approval.</li> <li>5. Fire apparatus access roads, minimum 30 feet wide for the grocery store and 24 feet wide for others, shall be in compliance with the Riverside County Fire Department Standard 06-05. Access roads shall have an unobstructed vertical clearance not less than 13 feet and 6 inches. Access lanes will be designed to withstand the weight of 60,000 thousand pounds over 2 axles. Access will have a turning radius capable of accommodating fire apparatus. Access lanes shall be constructed with a surface so as to provide all weather driving capabilities.</li> <li>6. Where fire apparatus access roads are utilized for loading or unloading, an additional 8 feet of width shall be added to the fire apparatus access road (see loading areas near grocery and Pad 1). This width is in addition to the minimum required access</li> </ol>

### **Fire Department Conditions of Approval**

road width.

7. Driveway loops, fire apparatus access lanes, and entrance curb radii should be designed to adequately allow access of emergency fire vehicles. The applicant or developer shall include in the building plans the required fire lanes and include the appropriate lane printing and/or signs.
8. Install commercial fire sprinkler systems (per NFPA 13, 2013 edition). Fire sprinkler systems with pipe sizes in excess of 4 inches in diameter will require the project structural engineer to certify with a “wet signature” that the structural system is designed to support the seismic and gravity loads to support the additional weight of the sprinkler system. All fire sprinkler risers shall be protected from any physical damage. The PIVs and FDCs shall be located to the front, within 50 feet of an approved roadway or driveway, and arranged so that hose lines can be readily attached to the inlets without interference from any nearby objects including buildings, fences, posts, or plantings. FDCs shall be within 200 feet of an approved hydrant and shall not be allowed in the rear of any building.
9. Install a fire sprinkler alarm monitoring systems. A C-10 licensed contractor must submit plans along with the current permit fees to the City of Eastvale for review and approval prior to installation.
10. Install a fire alarm system for the grocery store, designed in accordance with 907.2 of the California Fire Code.
11. If the grocery store machinery room uses refrigerant, it shall have a detector with audible and visual alarms that comply with NFPA 72, 2013 edition. The detector, or a sampling tube that draws air into the detector, shall be located in an area where a refrigerant leak may be expected to concentrate.
12. Air handling systems supplying air in excess of 2,000 cubic feet per minute to enclosed spaces within buildings shall be equipped with an automatic shut-off.
13. An approved Fire Department access key lock box (minimum Knox 3200 series) shall be installed at the main entrance to each building. Shall be monitored for tampering and tied into the alarm system. Order forms and installation standards may be obtained at the Fire Department. Building plans shall include mounting location/position and operating standards for Fire Department approval.
14. The location of address numbers shall be indicated on the building plans. Street numbers shall be displayed in a prominent location on the street or fire apparatus access side of buildings. Numbers and letters for the grocery store shall be a minimum of 24 inches in height; for other buildings, shall be 12 inches in height; both with a minimum stroke of .05 inch. Suite numbers or letters shall be a minimum 6 inches in height. Addresses must be legible, of a contrasting color, and adequately illuminated so as to be visible from the street at all hours.

### **Fire Department Conditions of Approval**

15. Install portable fire extinguishers, with a minimum rating of 2A-10BC, for every 3,000 square feet and/or 75 feet of travel distance. Where not readily visible, signs shall be posted above all extinguishers to indicate their locations. Extinguishers must have current CSFM service tags affixed.
16. No hazardous materials shall be stored and/or used in the building which exceeds quantities listed in the California Fire Code. No Class I, II, or IIIA combustible/flammable liquid shall be used in any amount in the building.
17. Exit signs, door hardware, markers, and exit path marking shall be per the 2013 California Building Code.
18. Fire sprinkler riser doors shall be posted "FIRE RISER" on the outside of the doors.
19. Electrical room doors shall be posted "ELECTRICAL ROOM" on the outside of the doors.
20. Fire alarm control panel doors shall be posted "FACP" on the outside of the doors.
21. Roof access doors shall be posted "ROOF ACCESS" on the outside of the doors.
22. A survey and report by a licensed fire protection engineer may be required for the grocery store prior to building permit issuance.
23. Provide specific Fire Department conditions on plans for building permit submittal.

### **General Compliance Items/Requirements and Information**

The following items are noted for the applicant's information. These items are generally required for all projects by City ordinances, other local agencies, and state or federal agencies. PLEASE NOTE: This list is not comprehensive. The project is subject to all applicable standards, fees, policies, rules, and regulations for Eastvale and many other agencies, including but not limited to the Jurupa Community Services District, Riverside County Flood Control District, and state and federal agencies.

Developer and applicant are used interchangeably below.

1. In compliance with Section 15075 of the CEQA Guidelines, a Notice of Determination (NOD) must be filed with the Riverside County Clerk within five (5) County working days of project approval in order for the NOD to commence the 30-day statute of limitations on the environmental document. The City must include the required California Department of Fish and Wildlife (Code Section 711.4.d.3) fee and the Riverside County Clerk administrative fee. The applicant shall submit to the Planning Department a check or money order made payable to "Riverside County Clerk" in the amount of **\$2,260.00 within one (1) City working day**

**after project approval.** Failure to pay the required fees will result in the project being deemed null and void (California Fish and Game Code Section 711.4(c)). The fee is broken down as follows:

- a. Riverside County Clerk administrative fee of \$50.00.
  - b. California Department of Fish and Wildlife fee of \$2,210.00.
2. Prior to the issuance of a grading permit, the developer shall pay all necessary fees as determined by the City engineer to include but not be limited to Multiple Species Habitat Conservation Plan (MSHCP) fees and grading permit fees.
  3. Transportation Uniform Mitigation Fees (TUMF) and any development impact fees that are in effect at that time shall be paid prior to the issuance of a certificate of occupancy, or as otherwise allowed per ordinance.
  4. The applicant shall design and construct all improvements in accordance with City of Eastvale Road Improvement Standards and Specifications, Improvement Plan Check Policies and Guidelines, as further conditioned herein and to the satisfaction of the City engineer.
  5. Prior to the issuance of a certificate of occupancy, the development shall be annexed into all applicable community service areas and landscaping maintenance districts for lighting, drainage, and maintenance to the satisfaction of the City engineer or otherwise form a district where one is not currently in place.
  6. The applicant shall comply with all provisions and procedures of the Eastvale Building Department related to the plan check review process. (Please contact the Building Department at (951) 703-4450.)
  7. No obstruction shall be placed which would conflict with any existing easement except with the documented approval of the easement holder(s).
  8. The developer shall make best efforts to obtain written permission from the affected property owners allowing the proposed grading and/or facilities to be installed outside of the project boundaries.
  9. Project runoff shall be directed to a safe point of discharge. Any additional easement that may be necessary to accomplish such shall be obtained prior to issuance of grading permit. The applicant shall submit a Final Water Quality Management Plan (WQMP) in conformance with the requirements of the Santa Ana Regional Water Quality Control Board. All stormwater quality treatment devices shall be located outside of the ultimate public right-of-way. The applicant shall design the stormwater quality treatment devices to accommodate all project runoff, ensuring that post-construction flow rate, volumes, velocity, and duration do not exceed preconstruction levels, in accordance with City of Eastvale's Hydrology Manual, Stormwater Quality Best Management Practice Design Handbook, Improvement Standards, and to the satisfaction of the City engineer. These best management practices shall be consistent with the Final WQMP and installed to the satisfaction of the City engineer.

10. All connections to flood control facilities shall be reviewed and permitted by the Riverside County Flood Control and Water Conservation District and shall be submitted through the City of Eastvale, unless otherwise directed by the City engineer.
11. The developer shall prepare and submit to the City for review and approval all required development plans including but not limited to grading (rough and/or precise), street improvement, on-site lighting, and storm drain. All applicable processing and review fees and/or deposits shall be submitted with the first plan submittal.
12. Should this project lie within any assessment/benefit district, the project proponent shall, prior to acceptance of improvements, make application for and pay for their reapportionment of the assessments or pay the unit fees in the benefit district unless said fees are otherwise deferred.
13. All grading shall conform to the California Building Code and to all other relevant laws, rules, and regulations governing grading in Eastvale. Prior to commencing any grading which includes 50 or more cubic yards, the developer shall obtain a grading permit from the Public Works Department.
14. All necessary measures to control dust shall be implemented by the applicant during grading to the satisfaction of the City engineer.
15. Graded slopes shall be limited to a maximum steepness ratio of 2:1 (horizontal to vertical) unless otherwise approved by the City engineer.
16. Grading in excess of 199 cubic yards will require performance security to be posted with the City.
17. Erosion control-landscape plans, required for manufactured slopes greater than 3 feet in vertical height, are to be signed by a registered landscape architect and bonded. Planting shall occur within 30 days of meeting final grades to minimize erosion and to ensure slope coverage prior to the rainy season. The developer shall plant and irrigate all manufactured slopes steeper than a 4:1 (horizontal to vertical) ratio and 3 feet or greater in vertical height with grass or ground cover; slopes 15 feet or greater in vertical height shall be planted with additional shrubs or trees or as approved by the City engineer.

**Attachment 6**  
**Resolution for CUP Drive-Through for Pad 2**  
**and Conditions of Approval**

## RESOLUTION NO. 15-\_\_\_

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EASTVALE, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT FOR THE ESTABLISHMENT AND OPERATION OF A DRIVE-THROUGH FACILITY FOR A FUTURE FAST-FOOD RESTAURANT AT THE PAD 2 BUILDING SITE LOCATED ALONG SUMNER AVENUE IN EASTVALE MARKET LOCATED AT THE NORTHEAST CORNER OF SUMNER AVENUE AND LIMONITE AVENUE WITHIN THE ASSESSOR'S PARCEL NUMBER 162-030-019.

**WHEREAS**, Project No. 15-0958 consisting of seven applications – a Major Development Review for the development of a neighborhood retail center with multi-tenant and single-tenant buildings totaling 72,779 square feet and associated parking facilities on an approximately 7.64-acre vacant land; a Conditional Use Permit for the establishment and operation of a tire store consisting of six service bays and approximately 4,300 square feet of retail/office; a Conditional Use Permit for the sales of a full line of alcoholic beverages in the proposed grocery store for off-site consumption; a Conditional Use Permit for the establishment and operation of a bank with an associated drive-through facility; a Conditional Use Permit for the establishment and operation of a drive-through facility for a future fast-food restaurant at the Pad 1 building site; a Conditional Use Permit for the establishment and operation of a drive-through facility for a future fast-food restaurant at the Pad 2 building site; and a Tentative Parcel Map to subdivide the 7.64-acre site into seven parcels – have been filed by Evergreen Devco, Inc. for real property located on the northeast corner of Sumner Avenue and Limonite Avenue, Assessor's Parcel Number 164-030-019; and

**WHEREAS**, the proposed Major Development Review, Conditional Use Permits, and Tentative Parcel Map (Project No. 15-0958) are considered a "project" as defined by the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq.; and

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

**WHEREAS**, on June 22, 2015, using the method required under CEQA Guidelines Section 15072(b), the City provided a Notice of Availability/Notice of Intent (NOA/NOI) to adopt the proposed Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program to the state Office of Planning and Research and the Riverside County Clerk, and also published said NOA/NOI in compliance with state law in the *Press Enterprise*, a local newspaper of general circulation, regarding the public review period; and

**WHEREAS**, the City made the proposed Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program available for public review beginning on June 22, 2015, and concluding on July 13, 2015, a period of not less than 21 days as prescribed by law, and which during said public review period, the City received six written comments concerning traffic and other issues. The project has been conditioned to address the concerns and the proposed

Mitigation Monitoring and Reporting Program has been revised as described in the Mitigated Negative Declaration; and

**WHEREAS**, in accordance with state law, on November 8, 2015, the City of Eastvale Planning Department published a legal notice in compliance with state law concerning Project No. 15-0958 and the Mitigated Negative Declaration in the *Press Enterprise*, a local newspaper of general circulation, regarding the Planning Commission meeting on November 18, 2015. In addition, on November 5, 2015, a public hearing notice was mailed to each property owner and commercial tenant within a 1,000-foot radius of the project site, indicating the date and time of the public hearing at the Planning Commission meeting for Project No. 15-0958; and

**WHEREAS**, the City of Eastvale Planning Commission conducted a duly noticed public hearing on November 18, 2015, at which public testimony was received concerning Project No. 15-0958, adopted the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the project pursuant to Section 15074 (Article 6) of CEQA, approved a Major Development Review for the development of a new neighborhood retail center which includes approximately 72,779 square feet of multi-tenant and single-tenant buildings and associated parking facilities, and considered the proposed Conditional Use Permit for the establishment and operation of a drive-through facility for a future fast-food restaurant at the Pad 2 building site located along Sumner Avenue.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF EASTVALE DOES HEREBY RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:

### **SECTION 1. CONDITIONAL USE PERMIT**

Pursuant to Section 2.2 of the Eastvale Zoning Code, the Planning Commission makes the following findings pertaining to the approval of Conditional Use Permit:

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

Evidence: The General Plan land use designation for the site is Commercial Retail. Per the Eastvale General Plan, the intent of the Commercial Retail land use designation is to enable the establishment and operation of the community-serving commercial, service, and office businesses. The two drive-through restaurants will serve the community and will be close and convenient to the nearby neighborhood. The design, layout, access, and circulation of the shopping center are configured to accommodate the needs of resident retail and commercial uses. The proposed use will further the objectives and policies of the General Plan and it will be compatible with the general land uses as specified in the plan.

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

Evidence: The proposed use, as conditioned, will not be detrimental or injurious to property in the vicinity nor to the public health, safety, and general welfare because of its adequate stacking. Additionally, the proposed driveways are of sufficient length and have been designed to

accommodate vehicles entering and exiting in a private commercial parking area. The applicant did not provide a circulation and stacking analysis for the proposed Pad 1 building site. However, staff has added this requirement in the conditions of approval prior to the issuance of a building permit or change of occupancy. The new drive-through restaurant will be integrated into the overall shopping center, which will provide adequate parking, circulation, and access to major roadway systems that provide local and regional connectivity. The project is not located near any public schools, day care centers, or other sensitive receptors other than those who live nearby to the project site.

Finding 3: If the project is located within the Chino Airport Influence Area, the proposed project is consistent with the most recently adopted version of the Airport Land Use Compatibility Plan.

Evidence: The Airport Land Use Compatibility Plan shows that the project is located in Zone D, which prohibits highly noise-sensitive outdoor nonresidential uses, discourages schools, hospitals, and nursing homes, and requires airspace review for structures higher than 70 feet. The proposed project does not involve development of prohibited or discouraged uses in Zone D; the proposed structures have been designed to not exceed 35 feet in height; and the intensity of the project is within the maximum intensity allowed in Zone D. Additionally, the project site plan has been reviewed and determined by the Riverside County Airport Land Use Commission to result in an average intensity of 107 people for the overall site and a single-acre intensity of 256 people, which are consistent with the average intensity of 150 people and single-acre intensity of 450 people allowed for Zone D. For these reasons, the proposed project is consistent with the policies of the City of Eastvale General Plan and the Airport Land Use Compatibility Plan.

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

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

## **SECTION 3. RECORD OF PROCEEDING**

The documents and other materials that constitute the record of the proceedings upon which the Planning Commission's decision is based, which include but are not limited to the staff reports as well as all materials that support the staff reports for the proposed project, are located in the Planning Department of the City of Eastvale at 12363 Limonite Avenue, Suite 910, Eastvale, CA 91752. The custodian of these documents is the Planning Department of the City of Eastvale.

## **SECTION 4. DETERMINATION**

Based upon the findings outlined in Sections 1 through 3, the Planning Commission of the City of Eastvale hereby approves a Conditional Use Permit for the establishment and operation of a drive-through facility for a future fast-food restaurant at the Pad 2 building site located along Sumner Avenue in the Eastvale Marketplace, subject to conditions of approval attached hereto as Exhibit A.

PASSED, APPROVED, AND ADOPTED this 18th day of November 2015.

\_\_\_\_\_  
Daryl Charlson, Chair

APPROVED AS TO FORM:

ATTEST:

\_\_\_\_\_  
John E. Cavanaugh, City Attorney

\_\_\_\_\_  
Marc Donohue, Secretary

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

I, Marc Donohue, Secretary of the Planning Commission of the City of Eastvale, California, do hereby certify that the foregoing Planning Commission Resolution, No. 15-\_\_\_\_, was duly adopted by the Planning Commission of the City of Eastvale, California, at a regular meeting thereof held on the 18th day of November, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Marc Donohue, Secretary

Exhibit A

Conditions of Approval for CUP Drive-Through Fast-Food Restaurant at Pad 2

<b>CONDITIONS OF APPROVAL</b>			
<b>Planning Application Number and Description: Project No. 15-0958</b> – Conditional Use Permit to allow operation of a drive-through restaurant for Pad 2 building site located in Eastvale Marketplace retail center.			
<b>Assessor’s Parcel Number:</b> 162-030-019			
<b>Planning Commission Approval Date: November 18, 2015</b>			
Conditions of Approval	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
<b>General Conditions/Requirements</b>			
1.	The applicant shall review and sign below verifying the “Acceptance of the Conditions of Approval” and return the signed page to the Eastvale Planning Department by <b>December 9, 2015</b> . Project approval is not final until a signed copy of these conditions is filed with the City.	December 9, 2015	Planning Department
	<hr/> <div style="display: flex; justify-content: space-between;"> <span>Applicant Signature</span> <span>Date</span> </div>		
2.	The applicant shall indemnify, protect, defend, and hold harmless the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, from any and all claims, demands, law suits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative, or adjudicatory in nature), and alternative dispute resolutions procedures (including but not limited to arbitrations, mediations, and other such procedures) (collectively “Actions”), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul any action of, or any permit or approval issued by, the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by the voters of the City), for or concerning the project, whether such Actions are brought under the	Ongoing	Planning Department

<b>CONDITIONS OF APPROVAL</b>			
	California Environmental Quality Act, the Planning and Zoning Law, the Subdivisions Map Act, Code of Civil Procedure Section 1085 or 1094.5, or any other state, federal, or local statute, law, ordinance, rule, regulation, or any decision of a court of competent jurisdiction. It is expressly agreed that the City shall have the right to approve, which approval will not be unreasonably withheld, the legal counsel providing the City’s defense, and that applicant shall reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. City shall promptly notify the applicant of any Action brought and City shall cooperate with applicant in the defense of the Action.		
3.	The project shall operate in accordance with the Conditional Use Permit application approved by the Planning Commission November 18, 2015. The applicant may request modifications or revisions to the approved project as outlined in the Eastvale Zoning Code.	Ongoing	Planning Department
4.	Any approval shall not be final until and unless the applicant’s deposit account to cover the costs of application processing is made current and a positive balance of at least \$5,000 is on hand to cover the costs of staff review and follow-up during the construction process. Make check payable to the <b>City of Eastvale</b> and include <b>Project No. 15-0958</b> on the check.	Ongoing	Planning Department
5.	Applicant understands and agrees that failure to comply with all Conditions of Approval may result in the Planning Commission taking action resulting in modification of Conditions of Approval and/or suspension or revocation of any conditional use permit.	Ongoing	Code Enforcement and Planning Departments
<b>Conditional Use Permit</b>			
6.	Operation of the drive-through shall not result in any noise nuisance to the adjacent residential community.	Ongoing	Code Enforcement

<b>CONDITIONS OF APPROVAL</b>				
7.	The operation of the drive-through service shall not result in stacking of vehicles in such a manner that would result in obstruction to any parking access aisle or parking space on a daily basis. If the drive-through operation affects traffic in the parking lot, design alternatives to remedy the issue, such as modifying the parking lot, or other alternatives, shall be presented to the City for review and approval.	Ongoing	Code Enforcement, Planning, and Public Works Departments	
<b>Prior to Issuance of Building Permit</b>				
8.	<p>Prior to the issuance of a building permit, the applicant shall apply and receive approval of a Minor Development Review. The application shall include the following:</p> <p>a. A circulation and drive-through lane stacking analysis to show that the proposed stacking is adequate to ensure compliance with Condition No. 6. The design of the drive-through lane, location of drive-through window(s), menu board, and surrounding parking layout may need to be modified to the satisfaction of the City engineer; and</p> <p>b. Site plan, elevations, and landscape and irrigation plans for each building. The building shall be designed to be consistent with other buildings in the shopping center.</p>	Prior to Issuance of Building Permit	Planning, Public Works, and Building Departments	
9.	<p>Prior to the issuance of a building permit, the applicant shall submit a signage plan and security plan to the Eastvale Police Department for review and approval to ensure compliance with the following:</p> <p><b>PROPERTY SIGN</b></p> <p>a. Proper display of “No Trespassing or Loitering” signs prominently around business and any exterior perimeter fencing and adhering to City of Eastvale Municipal Code.</p> <p><b>ADDRESS NUMBERING</b></p> <p>b. Prominently displayed address numbering in appropriate size and in contrasting color from the building façade or on a fixed sign near the street/main entrances. The numbers need to be visible from the street and</p>	Prior to Building Permit	Planning, Public Works, Building, and Police Departments	

<b>CONDITIONS OF APPROVAL</b>				
	<p>interior property sides for any approaching emergency vehicles. No obstructions should limit their visibility (e.g., landscaping).</p> <p><b>SECURITY PLAN</b></p> <p>c. Adequate crime prevention measures, including security cameras, shall be installed to assist with identifying any suspect(s) of any potential future vandalism or theft attempts. Due to the high possibility of theft/vandalism attempts during construction, additional security measures should be added during the time frame of the proposed construction. All exterior access points should be properly secured and illuminated to make clearly visible any person on or about the premises during the hours of darkness.</p>			
10	<p>The applicant shall submit a signage plan showing installation of signs along the drive-through lane encouraging quietness and consideration of the adjacent residences and signs in the parking area guiding access to the drive-through lane. The signage plan shall be submitted for review and approval by the Planning Director and the City engineer prior to the issuance of any sign permit, and all signs shall be installed prior to certificate of occupancy.</p>	<p>Prior to Issuance of Building Permit</p>	<p>Planning, Public Works, and Building Departments</p>	
<b>Prior to Certificate of Occupancy</b>				
11	<p>Prior to the issuance of certificate of occupancy, all signage shall be installed per the approved signage plan.</p>	<p>Prior to Issuance of Certificate of Occupancy</p>	<p>Planning, Public Works, and Building Departments</p>	
12	<p>Prior to the issuance of a certificate of occupancy, all required landscape planting and irrigation shall have been installed consistent with the approved construction plans and shall be in a condition acceptable to the Planning Director. The plants shall be healthy and free of weeds, disease, or pests. The irrigation system shall be properly constructed and in good working order. The applicant shall contact the Planning Department to schedule the final inspection(s).</p>	<p>Prior to Issuance of Certificate of Occupancy</p>	<p>Planning Department</p>	

**Fire Department Conditions of Approval**

1. Provide or show that a water system exists that is capable of delivering the required fire flow of 2,375 gallons per minute at 20 psi for 4 hours duration. On-site water supply must be available before any combustible material is placed on the construction site.
2. Approved accessible on-site fire hydrants shall be located not to exceed 225 feet apart in any direction. Any portion of the facility or of an exterior wall of the first story of the building shall not be located more than 150 feet from fire apparatus access as measured by an approved route around the complex, exterior of the facility, or building. No portion of a building shall be further than 400 feet from a fire hydrant.
3. “Blue dot” hydrant locators shall be provided in accordance with Riverside County Fire Standard 06-11.
4. Prior to building plan approval and construction, applicant/developer shall furnish two copies of the water system fire hydrant plans to the Fire Department for review and approval. Plans shall be signed by a registered civil engineer, and shall confirm hydrant type, location, spacing, and minimum fire flow. Once plans are signed and approved by the local water authority, the originals shall be presented to the Fire Department for review and approval.
5. Fire apparatus access roads, minimum 30 feet wide for the grocery store and 24 feet wide for others, shall be in compliance with the Riverside County Fire Department Standard 06-05. Access roads shall have an unobstructed vertical clearance not less than 13 feet and 6 inches. Access lanes will be designed to withstand the weight of 60,000 thousand pounds over 2 axles. Access lanes will have a turning radius capable of accommodating fire apparatus. Access lanes shall be constructed with a surface so as to provide all weather driving capabilities.
6. Where fire apparatus access roads are utilized for loading or unloading, an additional 8 feet of width shall be added to the fire apparatus access road (see loading areas near grocery and Pad 1). This width is in addition to the minimum required access road width.
7. Driveway loops, fire apparatus access lanes, and entrance curb radii should be designed to adequately allow access of emergency fire vehicles. The applicant or developer shall include in the building plans the required fire lanes and include the appropriate lane printing and/or signs.
8. Install commercial fire sprinkler systems (per NFPA 13, 2013 edition). Fire sprinkler systems with pipe sizes in excess of 4 inches in diameter will require the project structural engineer to certify with a “wet signature” that the structural system is designed to support the seismic and gravity loads to support the additional weight of the sprinkler system. All fire sprinkler risers shall be protected from any physical damage. The PIVs and FDCs shall be located to the front, within 50 feet of an

**Fire Department Conditions of Approval**

approved roadway or driveway, and arranged so that hose lines can be readily attached to the inlets without interference from any nearby objects including buildings, fences, posts, or plantings. FDCs shall be within 200 feet of an approved hydrant and shall not be allowed in the rear of any building.

9. Install a fire sprinkler alarm monitoring systems. A C-10 licensed contractor must submit plans along with the current permit fees to the City of Eastvale for review and approval prior to installation.
10. Install a fire alarm system for the grocery store, designed in accordance with 907.2 of the California Fire Code.
11. If the grocery store machinery room uses refrigerant, it shall have a detector with audible and visual alarms that comply with NFPA 72, 2013 edition. The detector, or a sampling tube that draws air into the detector, shall be located in an area where a refrigerant leak may be expected to concentrate.
12. Air handling systems supplying air in excess of 2,000 cubic feet per minute to enclosed spaces within buildings shall be equipped with an automatic shut-off.
13. An approved Fire Department access key lock box (minimum Knox 3200 series) shall be installed at the main entrance to each building. Shall be monitored for tampering and tied into the alarm system. Order forms and installation standards may be obtained at the Fire Department. Building plans shall include mounting location/position and operating standards for Fire Department approval.
14. The location of address numbers shall be indicated on the building plans. Street numbers shall be displayed in a prominent location on the street or fire apparatus access side of buildings. Numbers and letters for the grocery store shall be a minimum of 24 inches in height; for other buildings, shall be 12 inches in height; both with a minimum stroke of .05 inch. Suite numbers or letters shall be a minimum 6 inches in height. Addresses must be legible, of a contrasting color, and adequately illuminated so as to be visible from the street at all hours.
15. Install portable fire extinguishers, with a minimum rating of 2A-10BC, for every 3,000 square feet and/or 75 feet of travel distance. Where not readily visible, signs shall be posted above all extinguishers to indicate their locations. Extinguishers must have current CSFM service tags affixed.
16. No hazardous materials shall be stored and/or used in the building which exceeds quantities listed in the California Fire Code. No Class I, II, or IIIA combustible/flammable liquid shall be used in any amount in the building.
17. Exit signs, door hardware, markers, and exit path marking shall be per the 2013 California Building Code.

**Fire Department Conditions of Approval**

- 18. Fire sprinkler riser doors shall be posted “FIRE RISER” on the outside of the doors.
- 19. Electrical room doors shall be posted “ELECTRICAL ROOM” on the outside of the doors.
- 20. Fire alarm control panel doors shall be posted “FACP” on the outside of the doors.
- 21. Roof access doors shall be posted “ROOF ACCESS” on the outside of the doors.
- 22. A survey and report by a licensed fire protection engineer may be required for the grocery store prior to building permit issuance.
- 23. Provide specific Fire Department conditions on plans for building permit submittal.

**General Compliance Items/Requirements and Information**

The following items are noted for the applicant’s information. These items are generally required for all projects by City ordinances, other local agencies, and state or federal agencies. PLEASE NOTE: This list is not comprehensive. The project is subject to all applicable standards, fees, policies, rules, and regulations for Eastvale and many other agencies, including but not limited to the Jurupa Community Services District, Riverside County Flood Control District, and state and federal agencies.

Developer and applicant are used interchangeably below.

- 1. In compliance with Section 15075 of the CEQA Guidelines, a Notice of Determination (NOD) must be filed with the Riverside County Clerk within five (5) County working days of project approval in order for the NOD to commence the 30-day statute of limitations on the environmental document. The City must include the required California Department of Fish and Wildlife (Code Section 711.4.d.3) fee and the Riverside County Clerk administrative fee. The applicant shall submit to the Planning Department a check or money order made payable to “Riverside County Clerk” in the amount of **\$2,260.00 within one (1) City working day after project approval**. Failure to pay the required fees will result in the project being deemed null and void (California Fish and Game Code Section 711.4(c)). The fee is broken down as follows:
  - a. Riverside County Clerk administrative fee of \$50.00.
  - b. California Department of Fish and Wildlife fee of \$2,210.00.
- 2. Prior to the issuance of a grading permit, the developer shall pay all necessary fees as determined by the City engineer to include but not be limited to Multiple Species Habitat Conservation Plan (MSHCP) fees and grading permit fees.

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Project No. 15-0958 CUP for Pad 2 Drive-Through at Eastvale Marketplace

3. Transportation Uniform Mitigation Fees (TUMF) and any development impact fees that are in effect at that time shall be paid prior to the issuance of a certificate of occupancy, or as otherwise allowed per ordinance.
4. The applicant shall design and construct all improvements in accordance with City of Eastvale Road Improvement Standards and Specifications, Improvement Plan Check Policies and Guidelines, as further conditioned herein and to the satisfaction of the City engineer.
5. Prior to the issuance of a certificate of occupancy, the development shall be annexed into all applicable community service areas and landscaping maintenance districts for lighting, drainage, and maintenance to the satisfaction of the City engineer or otherwise form a district where one is not currently in place.
6. The applicant shall comply with all provisions and procedures of the Eastvale Building Department related to the plan check review process. (Please contact the Building Department at (951) 703-4450.)
7. No obstruction shall be placed which would conflict with any existing easement except with the documented approval of the easement holder(s).
8. The developer shall make best efforts to obtain written permission from the affected property owners allowing the proposed grading and/or facilities to be installed outside of the project boundaries.
9. Project runoff shall be directed to a safe point of discharge. Any additional easement that may be necessary to accomplish such shall be obtained prior to issuance of grading permit. The applicant shall submit a Final Water Quality Management Plan (WQMP) in conformance with the requirements of the Santa Ana Regional Water Quality Control Board. All stormwater quality treatment devices shall be located outside of the ultimate public right-of-way. The applicant shall design the stormwater quality treatment devices to accommodate all project runoff, ensuring that post-construction flow rate, volumes, velocity, and duration do not exceed preconstruction levels, in accordance with City of Eastvale's Hydrology Manual, Stormwater Quality Best Management Practice Design Handbook, Improvement Standards, and to the satisfaction of the City engineer. These best management practices shall be consistent with the Final WQMP and installed to the satisfaction of the City engineer.
10. All connections to flood control facilities shall be reviewed and permitted by the Riverside County Flood Control and Water Conservation District and shall be submitted through the City of Eastvale, unless otherwise directed by the City engineer.
11. The developer shall prepare and submit to the City for review and approval all required development plans including but not limited to grading (rough and/or precise), street improvement, on-site lighting, and storm drain. All applicable processing and review fees and/or deposits shall be submitted with the first plan submittal.
12. Should this project lie within any assessment/benefit district, the project proponent shall, prior to acceptance of improvements, make application for and pay for their reapportionment of the assessments or pay the unit fees in the benefit district unless said fees are otherwise deferred.

Eastvale Planning Commission

Project No. 15-0958 CUP for Pad 2 Drive-Through at Eastvale Marketplace

13. All grading shall conform to the California Building Code and to all other relevant laws, rules, and regulations governing grading in Eastvale. Prior to commencing any grading which includes 50 or more cubic yards, the developer shall obtain a grading permit from the Public Works Department.
14. All necessary measures to control dust shall be implemented by the applicant during grading to the satisfaction of the City engineer.
15. Graded slopes shall be limited to a maximum steepness ratio of 2:1 (horizontal to vertical) unless otherwise approved by the City engineer.
16. Grading in excess of 199 cubic yards will require performance security to be posted with the City.
17. Erosion control-landscape plans, required for manufactured slopes greater than 3 feet in vertical height, are to be signed by a registered landscape architect and bonded. Planting shall occur within 30 days of meeting final grades to minimize erosion and to ensure slope coverage prior to the rainy season. The developer shall plant and irrigate all manufactured slopes steeper than a 4:1 (horizontal to vertical) ratio and 3 feet or greater in vertical height with grass or ground cover; slopes 15 feet or greater in vertical height shall be planted with additional shrubs or trees or as approved by the City engineer.

**Attachment 7**  
**Resolution for CUP Alcohol Sales**  
**and Conditions of Approval**

**RESOLUTION NO. 15-\_\_\_**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EASTVALE, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT FOR THE SALES OF A FULL LINE OF ALCOHOLIC BEVERAGES (BEER, WINE, AND DISTILLED SPIRITS) IN THE PROPOSED GROCERY STORE FOR OFF-SITE CONSUMPTION IN THE EASTVALE MARKETPLACE RETAIL CENTER LOCATED AT THE NORTHEAST CORNER OF SUMNER AVENUE AND LIMONITE AVENUE, ASSESSOR'S PARCEL NUMBER 162-030-019.

**WHEREAS**, Project No. 15-0958 consisting of seven applications – a Major Development Review for the development of a neighborhood retail center with multi-tenant and single-tenant buildings totaling 72,779 square feet and associated parking facilities on an approximately 7.64-acre vacant land; a Conditional Use Permit for the establishment and operation of a tire store consisting of six service bays and approximately 4,300 square feet of retail/office; a Conditional Use Permit for the sales of a full line of alcoholic beverages in the proposed grocery store for off-site consumption; a Conditional Use Permit for the establishment and operation of a bank with an associated drive-through facility; a Conditional Use Permit for the establishment and operation of a drive-through facility for a future fast-food restaurant at the Pad 1 building site; a Conditional Use Permit for the establishment and operation of a drive-through facility for a future fast-food restaurant at the Pad 2 building site; and a Tentative Parcel Map to subdivide the 7.64-acre site into seven parcels – have been filed by Evergreen Devco, Inc., for real property located on the northeast corner of Sumner Avenue and Limonite Avenue, Assessor's Parcel Number 164-030-019; and

**WHEREAS**, the proposed Major Development Review, Conditional Use Permits, and Tentative Parcel Map (Project No. 15-0958) are considered a "project" as defined by the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq.; and

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

**WHEREAS**, on June 22, 2015, using the method required under CEQA Guidelines Section 15072(b), the City provided a Notice of Availability/Notice of Intent (NOA/NOI) to adopt the proposed Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program to the state Office of Planning and Research and the Riverside County Clerk, and also published said NOA/NOI in compliance with state law in the *Press Enterprise*, a local newspaper of general circulation, regarding the public review period; and

**WHEREAS**, the City made the proposed Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program available for public review beginning on June 22, 2015, and concluding on July 13, 2015, a period of not less than 21 days as prescribed by law, and which during said public review period, the City received six written comments concerning traffic and other issues. The project has been conditioned to address the concerns and the proposed

Mitigation Monitoring and Reporting Program has been revised as described in the Mitigated Negative Declaration; and

**WHEREAS**, in accordance with state law, on November 8, 2015, the City of Eastvale Planning Department published a legal notice in compliance with state law concerning Project No. 15-0958 and the Mitigated Negative Declaration in the *Press Enterprise*, a local newspaper of general circulation, regarding the Planning Commission meeting on November 18, 2015. In addition, on November 5, 2015, a public hearing notice was mailed to each property owner and commercial tenant within a 1,000-foot radius of the project site, indicating the date and time of the public hearing at the Planning Commission meeting for Project No. 15-0958; and

**WHEREAS**, the City of Eastvale Planning Commission conducted a duly noticed public hearing on November 18, 2015, at which public testimony was received concerning Project No. 15-0958, adopted the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the project pursuant to Section 15074 (Article 6) of CEQA, approved a Major Development Review for the development of a new neighborhood retail center which includes approximately 72,779 square feet of multi-tenant and single-tenant buildings and associated parking facilities, and considered the proposed Conditional Use Permit for the sales of alcoholic beverages in the proposed grocery store for the sale of beer, wine, and spirits for off-site consumption.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF EASTVALE DOES HEREBY RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:

### **SECTION 1. CONDITIONAL USE PERMIT**

Pursuant to Section 2.2 of the Eastvale Zoning Code, the Planning Commission makes the following findings pertaining to the approval of the Conditional Use Permit:

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

Evidence: The General Plan land use designation for the site is Commercial Retail. Per the Eastvale General Plan, the intent of the Commercial Retail land use designation is to enable the establishment and operation of the community-serving commercial, service, and office businesses. The proposed use will consist of the sale of beer, wine and distilled spirits in a grocery store located in the Eastvale Marketplace shopping center. The design, layout, access, and circulation of the shopping center are configured to accommodate the needs of resident retail and commercial uses. The proposed use will further the objectives and policies of the General Plan and it will be compatible with the general land uses as specified in the plan.

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

Evidence: The new grocery store will be part of a large existing commercial center with adequate parking, circulation, and access to major roadway systems that provide local and regional connectivity. The project is not located near any public schools. The project would allow the sale

of beer, wine, and distilled spirits to be consumed off the premises, which is not expected to be detrimental to the health, safety, peace, morals, comfort, or general welfare of the city.

Finding 3: If the project is located within the Chino Airport Influence Area, the proposed project is consistent with the most recently adopted version of the Airport Land Use Compatibility Plan.

Evidence: The Airport Land Use Compatibility Plan shows that the project is located in Zone D, which prohibits highly noise-sensitive outdoor nonresidential uses, discourages schools, hospitals, and nursing homes, and requires airspace review for structures higher than 70 feet. The proposed project does not involve development of prohibited or discouraged uses in Zone D; the proposed structures have been designed to not exceed 35 feet in height; and the intensity of the project is within the maximum intensity allowed in Zone D. Additionally, the project site plan has been reviewed and determined by the Riverside County Airport Land Use Commission to result in an average intensity of 107 people for the overall site and a single-acre intensity of 256 people, which are consistent with the average intensity of 150 people and single-acre intensity of 450 people allowed for Zone D. For these reasons, the proposed project is consistent with the policies of the City of Eastvale General Plan and the Airport Land Use Compatibility Plan.

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

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

## **SECTION 3. RECORD OF PROCEEDING**

The documents and other materials that constitute the record of the proceedings upon which the Planning Commission's decision is based, which include but are not limited to the staff reports as well as all materials that support the staff reports for the proposed project, are located in the Planning Department of the City of Eastvale at 12363 Limonite Avenue, Suite 910, Eastvale, CA 91752. The custodian of these documents is the Planning Department of the City of Eastvale.

## **SECTION 4. DETERMINATION**

Based upon the findings outlined in Sections 1 through 3, the Planning Commission of the City of Eastvale hereby approves a Conditional Use Permit for the sales of a full line of alcoholic beverages (beer, wine, and distilled spirits) in the proposed grocery store in the Eastvale Marketplace for off-site consumption, subject to Conditions of Approval attached hereto as Exhibit A.

PASSED, APPROVED, AND ADOPTED this 18th day of November 2015.

\_\_\_\_\_  
Daryl Charlson, Chair

APPROVED AS TO FORM:

ATTEST:

\_\_\_\_\_  
John E. Cavanaugh, City Attorney

\_\_\_\_\_  
Marc Donohue, Secretary

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

I, Marc Donohue, Secretary of the Planning Commission of the City of Eastvale, California, do hereby certify that the foregoing Planning Commission Resolution, No. 15-\_\_\_\_, was duly adopted by the Planning Commission of the City of Eastvale, California, at a regular meeting thereof held on the 18th day of November, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Marc Donohue, Secretary

Exhibit A

CUP Alcohol Sales in Grocery Store - Conditions of Approval

<b>CONDITIONS OF APPROVAL</b>			
<b>Planning Application Number:</b> Project No. 15-0958 – Conditional Use Permit to sell beer, wine, and distilled spirits for off-site consumption at the grocery store located in Eastvale Marketplace retail center.			
<b>Assessor’s Parcel Number:</b> 162-030-019			
<b>Approval Date:</b> November 18, 2015			
<b>Conditions of Approval</b>	<b>Timing/ Implementation</b>	<b>Enforcement/ Monitoring</b>	<b>Verification (Date and Signature)</b>
<b>General Conditions/Requirements</b>			
1. The applicant shall review and sign below verifying the “Acceptance of the Conditions of Approval” and return the signed page to the Eastvale Planning Department.  <hr/> <div style="display: flex; justify-content: space-between;"> <span>Applicant Signature</span> <span>Date</span> </div>	December 9, 2015	Planning Department	
2. The applicant shall indemnify, protect, defend, and hold harmless the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, from any and all claims, demands, law suits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative, or adjudicatory in nature), and alternative dispute resolutions procedures (including but not limited to arbitrations, mediations, and other such procedures) (collectively “Actions”), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul any action of, or any permit or approval issued by, the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by the voters of the City), for or concerning the project, whether such Actions are brought under the California Environmental Quality Act, the Planning and Zoning Law, the Subdivisions Map Act,	Ongoing	Planning Department	

<b>CONDITIONS OF APPROVAL</b>			
	Code of Civil Procedure Section 1085 or 1094.5, or any other state, federal, or local statute, law, ordinance, rule, regulation, or any decision of a court of competent jurisdiction. It is expressly agreed that the City shall have the right to approve, which approval will not be unreasonably withheld, the legal counsel providing the City’s defense, and that applicant shall reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. City shall promptly notify the applicant of any Action brought and City shall cooperate with applicant in the defense of the Action.		
3.	Any approval granted by the Planning Commission shall not be final until and unless the applicant’s deposit account to cover the costs of application processing is made current and a positive balance of at least \$2,000 is on hand to cover the costs of staff review and follow-up during the construction process. Make check payable to the <b>City of Eastvale</b> and include <b>Project No. 15-0958</b> on the check.	Ongoing	Planning Department and Building Department
4.	Applicant understands and agrees that failure to comply with all Conditions of Approval may result in the Planning Commission taking action resulting in modification of Conditions of Approval and/or suspension or revocation of any Conditional Use Permit.	Ongoing	Code Enforcement and Planning Departments
5.	Any individuals discovered loitering on the property shall immediately be removed from the premises by the owner. Should the owner fail to abate the problems, the Riverside County Sheriff’s Department and/or other Riverside County or City of Jurupa Valley enforcement agencies reserve the right to take appropriate enforcement actions to abate the problem, and the permit/alcohol license may be subject to revocation.	Ongoing	Police Department
6.	The location and surrounding areas shall be monitored by digital cameras to prevent robbery and subjects loitering. The store management should regulate the arrival and departure of all employees and restrict the “late hour” use of the exit for trash removal and unnecessary opening. Adequate security measures should be instituted	Ongoing	Police Department

<b>CONDITIONS OF APPROVAL</b>			
	to eliminate any unauthorized access to the location. Close observation both into and from the location should reduce the likelihood of criminal activity. Having a good physical security plan should benefit the business with respect to “premises liability” for both employees and patrons.		
7.	All alcohol sales cases/displays shall be located in the back of the store farthest from the exit to aid in the prevention of grab-and-run thefts of alcohol. It is further recommended that sales cases/displays be in sight of the sales counter at all times if possible.	Ongoing	Police Department
8.	An alarm system shall be maintained in a manner that would prevent any accidental/false activation, as the time spent responding to and investigating these types of calls severely impacts law enforcement services in other areas of the city. Training about the proper use of the alarm system should be provided to all employees of the business to eliminate any accidental activation.	Ongoing	Police Department
9.	A surveillance monitoring system shall be installed at the entrances of the business. This system would assist law enforcement in identifying subjects/vehicles possibly involved in criminal activity on the premises.	Ongoing	Police Department

**General Compliance Items/Requirements and Information**

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

1. The applicant shall comply with the regulations of the California Department of Alcoholic Beverage Control.
2. "No Trespassing or Loitering" signs shall be displayed prominently around the business (602 P.C.).
3. The location is required to have the address prominently displayed in a contrasting color from the building façade or on a fixed sign near the street/main entrances. The numbers must be visible from the street and interior property sides for any approaching emergency vehicles. No obstructions (e.g., landscaping) should limit their visibility.
4. The applicant shall apply for and pay the appropriate fee for a sign permit application and shall provide details of all proposed signage for City review and approval for compliance with the Sign Program prior to the installation of any signage.
5. The applicant shall comply with all provisions and procedures of the Eastvale Building Department related to the plan check review process. (Please contact the Building Department at (951) 361-0900.)
6. The applicant may request modifications or revisions to the approved Conditional Use Permit as outlined in the Eastvale Zoning Code.

**Attachment 8**  
**Resolution for TPM**  
**and Conditions of Approval**

**RESOLUTION NO. 15-\_\_\_**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EASTVALE, CALIFORNIA, APPROVING TENTATIVE PARCEL MAP 37031 TO SUBDIVIDE LOT 10 OF TRACT MAP 30633, A 7.64-ACRE LOT, INTO SEVEN PARCELS FOR THE DEVELOPMENT OF AN APPROXIMATELY 72,779-SQUARE-FOOT NEIGHBORHOOD RETAIL CENTER, INCLUDING A GROCERY STORE, TIRE STORE, IN-LINE SHOPS, TWO DRIVE-THROUGH PAD SITES, AND A BANK AT THE REAL PROPERTY LOCATED ON THE NORTHEAST CORNER OF SUMNER AVENUE AND LIMONITE AVENUE, ASSESSOR'S PARCEL NUMBER 164-030-019

**WHEREAS**, Project No. 15-0958 consisting of seven applications – a Major Development Review for the development of a neighborhood retail center with multi-tenant and single-tenant buildings totaling 72,779 square feet and associated parking facilities on an approximately 7.64-acre vacant land; a Conditional Use Permit for the establishment and operation of a tire store consisting of six service bays and approximately 4,300 square feet of retail/office; a Conditional Use Permit for the sales of a full line of alcoholic beverages in the proposed grocery store for off-site consumption; a Conditional Use Permit for the establishment and operation of a bank with an associated drive-through facility; a Conditional Use Permit for the establishment and operation of a drive-through facility for a future fast-food restaurant at the Pad 1 building site; a Conditional Use Permit for the establishment and operation of a drive-through facility for a future fast-food restaurant at the Pad 2 building site; and a Tentative Parcel Map to subdivide the 7.64-acre site into seven parcels – have been filed by Evergreen Devco, Inc., for real property located on the northeast corner of Sumner Avenue and Limonite Avenue, Assessor's Parcel Number 164-030-019; and

**WHEREAS**, the proposed Major Development Review, Conditional Use Permits, and Tentative Parcel Map (Project No. 15-0958) are considered a "project" as defined by the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq.; and

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

**WHEREAS**, on June 22, 2015, using the method required under CEQA Guidelines Section 15072(b), the City provided a Notice of Availability/Notice of Intent (NOA/NOI) to adopt the proposed Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program to the state Office of Planning and Research and the Riverside County Clerk, and also published said NOA/NOI in compliance with state law in the *Press Enterprise*, a local newspaper of general circulation, regarding the public review period; and

**WHEREAS**, the City made the proposed Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program available for public review beginning on June 22, 2015, and concluding on July 13, 2015, a period of not less than 21 days as prescribed by law, and which during said public review period, the City received six written comments concerning traffic and

other issues. The project has been conditioned to address the concerns and the proposed Mitigation Monitoring and Reporting Program has been revised as described in the Mitigated Negative Declaration; and

**WHEREAS**, in accordance with state law, on November 8, 2015, the City of Eastvale Planning Department published a legal notice in compliance with state law concerning Project No. 15-0958 and the Mitigated Negative Declaration in the *Press Enterprise*, a local newspaper of general circulation, regarding the Planning Commission meeting on November 18, 2015. In addition, on November 5, 2015, a public hearing notice was mailed to each property owner and commercial tenant within a 1,000-foot radius of the project site, indicating the date and time of the public hearing at the Planning Commission meeting for Project No. 15-0958; and

**WHEREAS**, the City of Eastvale Planning Commission conducted a duly noticed public hearing on November 18, 2015, at which public testimony was received concerning Project No. 15-0958, adopted the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the project pursuant to Section 15074 (Article 6) of CEQA, and considered the proposed Tentative Parcel Map 37031 to subdivide Lot 10 of Tract Map 30633, a 7.64-acre lot, into seven parcels for the purpose of developing a 72,799-square-foot retail center, including a grocery store, tire store, in-line shops, two drive-through pad sites, and a bank at the real property located on the northeast corner of Sumner Avenue and Limonite Avenue, Assessor's Parcel Number 164-030-019.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF EASTVALE DOES HEREBY RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:

**SECTION 1. TENTATIVE PARCEL MAP FINDING**

Pursuant to the Eastvale Land Development Code regulating Subdivisions, and in light of the record before it, including the staff report dated November 18, 2015, and all evidence and testimony heard at the public hearing of this item, the Planning Commission hereby finds as follows:

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

Evidence: The current General Plan land use designation for the project site is Scenic Highway Commercial (C-P-S), which allows a variety of commercial retail uses such as a shopping center and general retail establishments. Furthermore, the proposed development has been determined to be consistent with the permitted land uses, regulations, and design guidelines of the City of Eastvale. Therefore, the proposed subdivision is consistent with the General Plan.

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

Evidence: The proposed subdivision is part of the Eastvale Market Place and associated Major Development Plan Review, which has been designed to meet all City standards applicable to commercial subdivisions, which are designed to provide satisfactory pedestrian and vehicular circulation, including emergency vehicle access and on- and off-site public improvements.

Further, all streets, utilities, and drainage facilities have been designed and are required to be constructed in conformance with City standards.

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

Evidence: The existing 7.64-acre lot was previously approved by Riverside County in 2003 as part of a nearby residential development. Since then, a General Plan amendment, change of zone, and tentative tract map for the development of 310 single-family residential lots were approved. As part of the overall development, all streets and infrastructure were previously installed. Thus new site work and installation of utilities, roads, etc., is minimal, making the site suitable for the proposed development.

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

Evidence: The proposed subdivision is solely a land division of a 7.64-acre lot into seven parcels to create saleable lots within the proposed development. The site was previously developed as a potential park site, and grading, street infrastructure, and other development of the property previously occurred when the adjacent residential development was constructed. Therefore, the design of the subdivision will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

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

Evidence: The design of the subdivision is in conformance with the City's General Plan, Zoning Code, and Subdivision Ordinance. The property is located in the C-P-S zone designation, which does not have a minimum lot size requirement. Each of the proposed parcels meets the standards of the Zoning Code and the General Plan.

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

Evidence: The design of the subdivision will not conflict with any existing public easements for access through or use of the property because the parcel map will update the existing reciprocal parking and access easement for the retail center to ensure appropriate access is maintained.

Finding 7: If the project is located within the Chino Airport Influence Area, the proposed project is consistent with the most recently adopted version of the Airport Land Use Compatibility Plan.

Evidence: The Airport Land Use Compatibility Plan shows that the project is located in Zone D, which prohibits highly noise-sensitive outdoor nonresidential uses, discourages schools, hospitals, and nursing homes, and requires airspace review for structures higher than 70 feet. The proposed project does not involve development of prohibited or discouraged uses in Zone D; the proposed structures have been designed to not exceed 35 feet in height; and the intensity of the project is within the maximum intensity allowed in Zone D. Additionally, the project site plan has been reviewed and determined by the Riverside County Airport Land Use Commission to

result in an average intensity of 107 people for the overall site and a single-acre intensity of 256 people, which are consistent with the average intensity of 150 people and single-acre intensity of 450 people allowed for Zone D. For these reasons, the proposed project is consistent with the policies of the City of Eastvale General Plan and the Airport Land Use Compatibility Plan.

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

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

**SECTION 3. RECORD OF PROCEEDING**

The documents and other materials that constitute the record of the proceedings upon which the Planning Commission's decision is based, which include but are not limited to the staff reports as well as all materials that support the staff reports for the proposed project, are located in the Planning Department of the City of Eastvale at 12363 Limonite Avenue, Suite 910, Eastvale, CA 91752. The custodian of these documents is the Planning Department of the City of Eastvale.

**SECTION 4. DETERMINATION**

Based upon the findings outlined in Sections 1 through 3, the Planning Commission of the City of Eastvale hereby approves Tentative Parcel Map 37031 to subdivide Lot 10 of Tract Map 30633, a 7.64-acre lot, into seven parcels, subject to Conditions of Approval attached hereto as Exhibit A.

PASSED, APPROVED, AND ADOPTED this 18th day of November 2015.

\_\_\_\_\_  
Daryl Charlson, Chair

APPROVED AS TO FORM:

ATTEST:

\_\_\_\_\_  
John E. Cavanaugh, City Attorney

\_\_\_\_\_  
Marc Donohue, Secretary

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

I, Marc Donohue, Secretary of the Planning Commission of the City of Eastvale, California, do hereby certify that the foregoing Planning Commission Resolution, No. 15-\_\_\_\_, was duly adopted by the Planning Commission of the City of Eastvale, California, at a regular meeting thereof held on the 18th day of November, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Marc Donohue, Secretary

Exhibit A

Conditions of Approval for Tentative Parcel Map

<b>CONDITIONS OF APPROVAL</b>			
<b>Planning Application Number and Description: Project No. 15-0598</b> – Tentative Parcel Map 37031 to subdivide Lot 10 of Parcel Map 30633, a 7.64-acre lot, into seven separate parcels for the development of an approximately 72,779-square-foot neighborhood retail center with multi-tenant and single-tenant buildings and associated parking facilities.			
<b>Assessor’s Parcel Number: 164-030-019</b>			
<b>Planning Commission Approval Date: November 18, 2015</b>			
Conditions of Approval	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
<b>General Conditions/Requirements</b>			
1.	The applicant shall review and sign below verifying the “Acceptance of the Conditions of Approval” and return the signed page to the Eastvale Planning Department by <b>December 9, 2015</b> . Project approval is not final until a signed copy of these conditions is filed with the City.	December 9, 2015	Planning Department
	<div style="display: flex; justify-content: space-between;"> <span>Applicant Signature</span> <span>Date</span> </div>		
2.	The applicant shall indemnify, protect, defend, and hold harmless the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, from any and all claims, demands, law suits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative, or adjudicatory in nature), and alternative dispute resolutions procedures (including but not limited to arbitrations, mediations, and other such procedures) (collectively “Actions”), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul any action of, or any permit or approval issued by, the City	Ongoing	Planning Department

<b>CONDITIONS OF APPROVAL</b>				
	and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by the voters of the City), for or concerning the project, whether such Actions are brought under the California Environmental Quality Act, the Planning and Zoning Law, the Subdivisions Map Act, Code of Civil Procedure Section 1085 or 1094.5, or any other state, federal, or local statute, law, ordinance, rule, regulation, or any decision of a court of competent jurisdiction. It is expressly agreed that the City shall have the right to approve, which approval will not be unreasonably withheld, the legal counsel providing the City's defense, and that applicant shall reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. City shall promptly notify the applicant of any Action brought and City shall cooperate with applicant in the defense of the Action.			
3.	Any approval shall not be final until and unless the applicant's deposit account to cover the costs of application processing is made current and a positive balance of at least \$5,000 is on hand to cover the costs of staff review and follow-up during the construction process. Make check payable to the <b>City of Eastvale</b> and include <b>Project No. 15-0958</b> on the check.	Ongoing	Planning Department	
<b>Prior to the Recordation of the Final Map</b>				
4.	Prior to recordation of the Final Map, the developer shall submit a proposed final parcel map and all supporting documents to Public Works for review and approval.	Prior to map recordation	Public Works Department	
5.	The developer shall annex the development into all applicable community service areas and landscaping maintenance districts for landscaping, lighting, drainage, and maintenance to the satisfaction of the City Engineer or otherwise form a district where one is not currently in place.	Prior to Parcel Map Approval	Public Works Department	

<b>CONDITIONS OF APPROVAL</b>				
6.	The developer shall provide documentation for the ongoing maintenance of each building, landscaping, parking, and all other on-site facilities to the satisfaction of the City Engineer and Planning Director.	Prior to Parcel Map Approval	Public Works and Planning Departments	
7.	The developer, as applicable, shall guarantee by posting security(ies) for the construction of a raised landscaped median on Limonite Avenue, and other public improvements, as required to the satisfaction of the City Engineer.	Prior to Parcel Map Approval	Public Works Department	
8.	The developer, as applicable, shall guarantee by posting security(ies) for the construction of public facilities under the City of Eastvale and/or other service agencies' jurisdictions, including but not limited to storm drain facilities up to 36 inches in diameter, sewer, water, traffic signal equipment (as applicable), and flood control facilities to the satisfaction of each respective agency and the City Engineer.	Prior to Parcel Map Approval	Public Works Department	
9.	The developer shall enter into a Subdivision Improvement Agreement with the City to include all public improvements that the developer is conditioned to construct as part of this approval.	Prior to Parcel Map Approval	Public Works Department	
10.	The developer shall submit to the City Engineer for review and approval the Covenants, Conditions and Restrictions (CC&Rs) and/or a Property Owners Association document to maintain and operate common areas and/or facilities including but not limited to water quality basins.	Prior to Parcel Map Approval	Public Works Department	

**General Compliance Items/Requirements and Information**

The following items are noted for the applicant's information. These items are generally required for all projects by City ordinances, other local agencies, and state or federal agencies. PLEASE NOTE: This list is not comprehensive. The project is subject to all applicable standards, fees, policies, rules, and regulations for Eastvale and many other agencies, including but not limited to the Jurupa Community Services District, Riverside County Flood Control District, and state and federal agencies.

Developer and applicant are used interchangeably below.

1. No obstruction shall be placed which would conflict with any existing easement except with the documented approval of the easement holder(s).
2. The developer shall make best efforts to obtain written permission from the affected property owners allowing the proposed grading and/or facilities to be installed outside of the project boundaries.
3. All connections to flood control facilities shall be reviewed and permitted by the Riverside County Flood Control and Water Conservation District and shall be submitted through the City of Eastvale, unless otherwise directed by the City engineer.
4. The developer shall prepare and submit to the City for review and approval all required development plans including but not limited to grading (rough and/or precise), street improvement, on-site lighting, and storm drain. All applicable processing and review fees and/or deposits shall be submitted with the first plan submittal.
5. Should this project lie within any assessment/benefit district, the project proponent shall, prior to acceptance of improvements, make application for and pay for their reapportionment of the assessments or pay the unit fees in the benefit district unless said fees are otherwise deferred.

**Attachment 9**  
**Comments Received and Responses**  
**to Mitigated Negative Declaration**

**RESPONSE TO COMMENTS ON THE INITIAL STUDY/  
MITIGATED NEGATIVE DECLARATION FOR**

**Eastvale Marketplace  
Development Project  
(PROJECT 15-0958)**

Lead Agency:

**CITY OF EASTVALE**

12363 Limonite Avenue, Suite 910  
Eastvale, CA 91752

Prepared by:

**Michael Baker International**

9755 Clairemont Mesa Boulevard, Suite 100  
San Diego, CA 92124

November 2015



**1.0 INTRODUCTION**

1.1 Background of Environmental Review Process for the Project ..... 1.0-1  
1.2 Intended Uses of the IS/MND..... 1.0-1  
1.3 Organization and Scope of this Document ..... 1.0-2

**2.0 COMMENTS AND RESPONSES TO COMMENTS**

2.1 List of Commenters ..... 2.0-1  
2.2 Comments and Responses ..... 2.0-1

**3.0 MINOR REVISIONS TO THE IS/MND**

3.1 Introduction ..... 3.0-1  
3.2 Minor Changes and Edits to the IS/MND..... 3.0-1



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# **1.0 INTRODUCTION**

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This document, in conjunction with the draft Initial Study/Mitigated Negative Declaration (IS/MND), responds to comments made on the proposed Eastvale Marketplace (proposed project; project). While the State California Environmental Quality Act (CEQA) Guidelines do not require a final initial study or the preparation of formal responses to comments on draft initial studies/mitigated negative declarations, in order to provide further disclosure of the project's impacts, the City has decided to provide responses to the comments it has received.

### 1.1 BACKGROUND OF ENVIRONMENTAL REVIEW PROCESS FOR THE PROJECT

#### INITIAL STUDY

The IS/MND was released for public and agency review on June 22, 2015, with the 30-day review period concluding on July 13, 2015. The City received six comment letters during this review period.

#### RESPONSE TO COMMENTS

This document provides a response to comments received during public review of the IS/MND. The six comment letters are listed chronologically in Section 2.0, Comments and Responses to Comments.

### 1.2 INTENDED USES OF THE IS/MND

The IS/MND in its final form will be used by the City of Eastvale in considering approval of the proposed project. In accordance with CEQA Guidelines Section 15074, the IS/MND will be used as the primary environmental document in consideration of all subsequent planning and permitting actions associated with the project, to the extent such actions require CEQA compliance and as otherwise permitted under applicable law.

#### CONSIDERATION OF COMMENTS

Prior to taking action on the proposed project, the City will consider the IS/MND, this response to comments document and any additional comments or testimony. Negative declarations and mitigated declarations are considered and adopted per CEQA Guidelines Section 15074, which reads as follows:

**15074. CONSIDERATION AND ADOPTION OF A NEGATIVE DECLARATION OR MITIGATED NEGATIVE DECLARATION.**

- (a) Any advisory body of a public agency making a recommendation to the decision-making body shall consider the proposed negative declaration or mitigated negative declaration before making its recommendation.
- (b) Prior to approving a project, the decision-making body of the lead agency shall consider the proposed negative declaration or mitigated negative declaration together with any comments received during the public review process. The decision-making body shall adopt the proposed negative declaration or mitigated negative declaration only if it finds on the basis of the whole record before it (including the initial study and any comments received), that there is no substantial evidence that the project will have a significant effect on the environment and that the negative declaration or mitigated negative declaration reflects the lead agency's independent judgment and analysis.

## 1.0 INTRODUCTION

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- (c) *When adopting a negative declaration or mitigated negative declaration, the lead agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based.*
- (d) *When adopting a mitigated negative declaration, the lead agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to mitigate or avoid significant environmental effects.*
- (e) *A lead agency shall not adopt a negative declaration or mitigated negative declaration for a project within the boundaries of a comprehensive airport land use plan or, if a comprehensive airport land use plan has not been adopted, for a project within two nautical miles of a public airport or public use airport, without first considering whether the project will result in a safety hazard or noise problem for persons using the airport or for persons residing or working in the project area.*
- (f) *When a non-elected official or decision making body of a local lead agency adopts a negative declaration or mitigated negative declaration, that adoption may be appealed to the agency's elected decision making body, if one exists. For example, adoption of a negative declaration for a project by a city's planning commission may be appealed to the city council. A local lead agency may establish procedures governing such appeals.*

Upon review and consideration of the IS/MND, the City may take action to adopt, revise, or reject the proposed project. A decision to approve the proposed project would be made in a resolution recommending certification of the IS/MND as part of the consideration of the proposed project. The City of Eastvale has prepared the IS/MND and has determined that the environmental impacts of the proposed project have been reduced to a less than significant level through mitigation measures adopted as part of a Mitigation Monitoring and Reporting Program (MMRP).

### 1.3 ORGANIZATION AND SCOPE OF THIS DOCUMENT

This document is organized in the following manner:

#### SECTION 1.0 – INTRODUCTION

Section 1.0 provides an overview of the environmental review process to date and discusses the CEQA requirements for consideration and adoption of a mitigated negative declaration.

#### SECTION 2.0 – COMMENTS AND RESPONSES TO COMMENTS

Section 2.0 provides a list of commenters, copies of written comments (coded for reference), and the responses to those comments made on the IS/MND.

#### SECTION 3.0 – MINOR REVISIONS TO THE IS/MND

Section 3.0 provides a list of minor edits made to the IS/MND as a result of comments received or other staff-initiated changes.

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## **2.0 RESPONSE TO COMMENTS**

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## 2.0 COMMENTS AND RESPONSES TO COMMENTS

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### 2.1 LIST OF COMMENTERS

The following individuals and representatives of organizations and agencies submitted written comments on the IS/MND.

Letter	Agency, Organization, or Individual	Date
A	Riverside County Fire Department	July 2, 2015
B	Gabrieleño Band of Mission Indians – Kizh Nation	July 5, 2015
C	Jurupa Community Services District	July 10, 2015
D	Regional Conservation Authority	July 13, 2015
E	Riverside County Airport Land Use Commission	July 13, 2015
F	California Department of Transportation	July 27, 2015

### 2.2 COMMENTS AND RESPONSES

#### RESPONSES TO COMMENT LETTERS

Written comments on the draft IS/MND are reproduced on the following pages, along with responses to those comments. CEQA does not require lead agencies to provide formal responses to comments received on initial studies supporting proposed mitigated negative declarations; however, the City prepared this document to provide responses to comments received on the IS/MND in order to provide comprehensive information and disclosure for both the public and the City's decision-makers.

Where changes deemed necessary to clarify the draft IS/MND text result from responding to comments, those minor changes are included in the response and demarcated with revision marks (underline for new text, ~~strikeout~~ for deleted text). The six comment letters are listed chronologically.

## Letter A



Riverside County Fire Department  
Office of the Fire Marshal  
City of Eastvale  
12363 Limonite Ave., Suite 910  
Eastvale, CA 91752  
Bus (951) 737-8097 FAX (951) 734-8531



---

July 2, 2015

Eric Norris  
Planning Director  
City of Eastvale  
12363 Limonite Avenue, Suite 910  
Eastvale, CA 91752

SUBJECT: Eastvale Marketplace (Planning Application No. 15-0958)

Dear Mr. Norris,

The Riverside County Fire Department has reviewed the Initial Study/MND for the subject property and has no additional comments at this time.

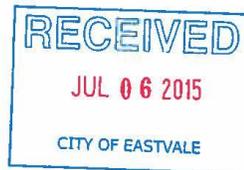
If you have any questions, please don't hesitate to call me at (951) 737-8097, ext. 4707.

Respectfully,

A handwritten signature in blue ink that reads "Sandie Hastings".

Sandie Hastings  
Fire Safety Specialist

A-1



**Comment Letter A – Riverside County Fire Department**

**A-1 The commenter has reviewed the Initial Study/MND for the subject property and has no additional comments at this time.**

The commenter does not raise an environmental issue; therefore, no further response is necessary.

Andrew Salas  
Chairman

Nadine Salas  
Vice-Chairman

Christina Swindall-Martinez  
Secretary

Albert Perez  
Treasurer I

Martha Gonzalez-Lemos  
Treasurer II

Albert Acuna, Jr.  
Chairman of the  
Council of Elders

Ernest P. Salas Tautimez  
Chief and Spiritual Leader

## Letter B



**GABRIELEÑO BAND OF MISSION INDIANS – KIZH NATION**  
Historically known as The San Gabriel Band of Mission Indians  
recognized by the State of California as the aboriginal tribe of the Los Angeles basin

July 5, 2015

Re: AB52 Consultation - CEQA Public Resources Code section 21080.3, sub. (b) request for formal notification of proposed projects within the Gabrieleño/Kizh Tribe's geographic area of traditional and cultural affiliation

Dear Lead Agency,

Effective July 1, 2015, AB52 will go into effect and we are initiating contact with you as you are listed as a lead agency through the Native American Heritage Commission. We, the Gabrieleño Band of Mission Indians – Kizh (pronounced Keech) Nation, represent the indigenous peoples of a once vast territory extending through Los Angeles, Orange, Ventura, San Bernardino and Riverside Counties. We are grateful that this important bill is granting us better opportunity to protect our many sacred sites. As you well know, AB52 amended CEQA with the requirements that tribal cultural resources be considered along with historic, archaeological and paleontological resources.

In accordance with Public Resources Code Section 21080.3.1 subd. (b), we are formally requesting notification and information on proposed projects within our Tribal territory that are subject to CEQA. This specifically refers to projects for which your agency will serve as the lead agency under CEQA, Public Resources Code section 21000 et seq.

The Gabrieleño Band of Mission Indians – Kizh Nation is a California State recognized American Indian Tribe centered at Mission San Gabriel. However, our Tribal territory was much bigger than this as it was the largest of all territories in Southern California. Please find included with this notification a map outlining our traditional tribal territory for your use as a planning tool. This map is a modern compilation of notes and maps from various ethnographers, historians, linguists, archaeologists and anthropologists dating back to the late 1700s. Even older than that, is the oral history of our elders and the elders of surrounding tribes. Within these boundaries were once found thousands of individual village sites, sacred sites, religious sites, and trading routes. Our Tribe has been designated by the NAHC as Most Likely Descendants on numerous projects within which reburial of human remains and associated grave goods and artifacts occurred. However, we are a Tribe with many facets in addition to protecting our sacred sites. In addition to educating the public about our culture, we have many projects to revitalize our lost culture and language, and we have published our first book.

P.O. Box 393 • Covina, California 91723 • 626.926.4131 • [www.gabrielenoindians.org](http://www.gabrielenoindians.org)

## Letter B Continued

Andrew Salas  
Chairman

Nadine Salas  
Vice-Chairman

Christina Swindall-Martinez  
Secretary

Albert Perez  
Treasurer I

Martha Gonzalez-Lemos  
Treasurer II

Albert Acuna, Jr.  
Chairman of the  
Council of Elders

Ernest P. Salas Tautimez  
Chief and Spiritual Leader



### GABRIELEÑO BAND OF MISSION INDIANS - KIZH NATION

Historically known as The San Gabriel Band of Mission Indians  
recognized by the State of California as the aboriginal tribe of the Los Angeles basin

2

The following person is designated as our Tribe's lead contact person for the purposes of receiving notices of proposed projects from your agency:

Andrew Salas, Chairman  
Gabrieleño Band of Mission Indians – Kizh Nation  
PO Box 393  
Covina, CA 91723  
cell: (626)926-4131  
email: gabrielenoindians@yahoo.com

Following receipt and review of the information you provide, we will reply within 30 days to potentially request consultation to mitigate any impacts your project may cause to tribal cultural resources. Your response confirming receipt of this letter is greatly appreciated.

With respect,

A handwritten signature in dark ink, appearing to read 'Andrew Salas', with a stylized flourish at the end.

Andrew Salas, Chairman

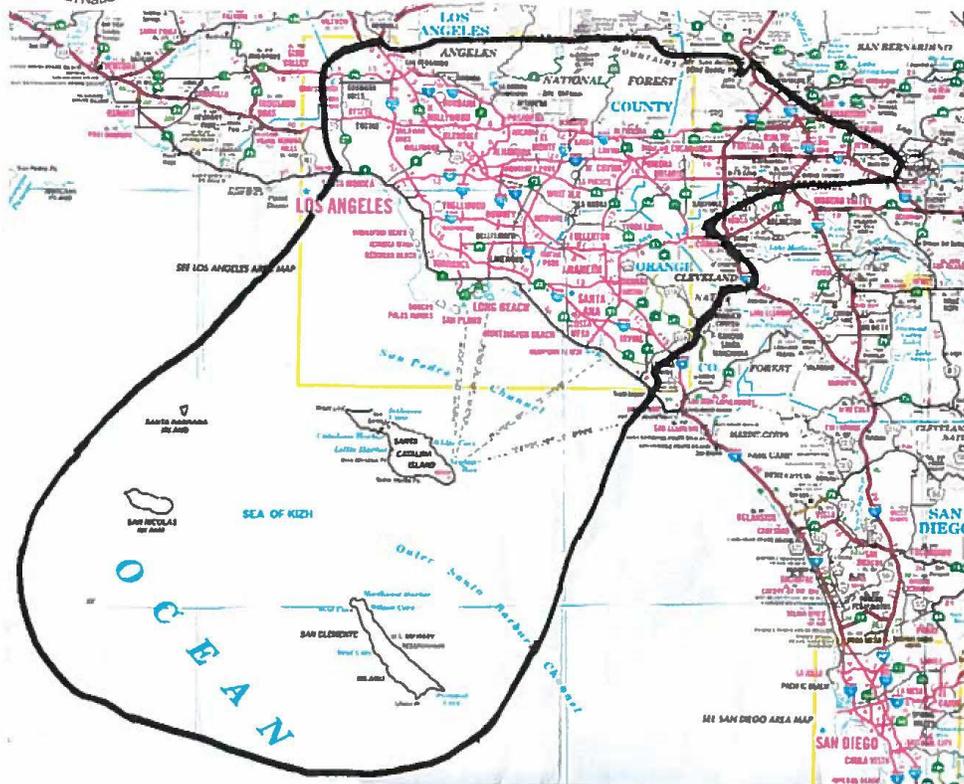
P.O. Box 393 • Covina, California 91723 • 626.926.4131 • [www.gabrielenoindians.org](http://www.gabrielenoindians.org)



## Letter B Continued

### Gabrieleño Band of Mission Indians – Kizh Nation

Tribal territory map 2015 ©



The above map shows the delineation of traditional Gabrieleño/Kizh tribal territory on a modern map. This represents the compilation of ethnographic, archaeological, anthropological notes from the resources below including the oral history of our elders. Our southern boundary is Aliso Creek which has its confluence with the Pacific Ocean at the Laguna Niguel area. Our northern coastal boundary was in the vicinity of Topanga Canyon south of the present city of Malibu. Our territory included not only all the coastal zone between those two points, but much of San Fernando Valley. It extended eastward along the San Gabriel Mountains to include the entire San Gabriel Valley extending to Riverside County. Our territory also extended out into the Pacific Ocean into what we call the “Sea of Kizh.” Within our sea lies our four islands: San Clemente, San Nicholas, Santa Barbara and our best known, Santa Catalina.

#### REFERENCES:

- Bean, Lowell John and Charles R. Smith  
1978. Gabrieleño. In Handbook of North American Indians, vol. 8, California, pp. 538-54
- Hackel, Steven W.  
2003. Sources of Rebellion: Indian Testimony and the Mission San Gabriel Uprising of 1785. Ethnohistory, vol. 50, no. 3, pp. 643-669
- Harrington, John P.  
1920-1930. Gabrieleño Fieldnotes. Manuscripts on file at the National Anthropological Archives, Smithsonian Institution, Washington D.C.
- Helzer, R. F.  
1968. The Indians of Los Angeles County, Hugo Reid’s Letters of 1852. Southwest Museum Papers 21; Los Angeles Huntington library database of Mission San Gabriel records.  
<http://catalog.huntington.org>
- Johnston, Bernice  
1962. California’s Gabrielino Indians. Southwest Museum Publications, Los Angeles
- McCawley, William  
1996. The First Angelenos: The Gabrieleño Indians of Los Angeles. Banning: Malki Museum Press and Ballena Press
- Salas, Ernie and Andrew Salas  
1952 to present. Oral history documented in writing and video within Tribal archives.

**Comment Letter B – Gabrieleño Band of Mission Indians – Kizh Nation**

- B-1** The commenter summarizes the AB 52 process, which went into effect July 1, 2015. In accordance with AB 52, the commenter requests notification and information within their Tribal territory. The letter includes a map delineating Tribal territory and the Tribe's lead contact person's information.

The City will continue to comply with the requirements set forth in AB 52 and will continue the notification process with the Tribe for any Tribal-related matters associated with the proposed project. Since the commenter does not raise an environmental issue, no further response is necessary.



# Letter C

## LETTER OF TRANSMITTAL



To: City of Eastvale  
12363 Limonite Avenue, Suite 910  
Eastvale, CA 91752

Date	07-10-2015	PN
Attention: Eric Norris, Planning Director		
RE: INITIAL STUDY FOR A MITIGATED NEGATIVE DECLARATION FOR EASTVALE MARKETPLACE PROJECT 15-0958		

### PLAN CHECK ONLY

- |                                       |                                       |  |
|---------------------------------------|---------------------------------------|--|
| <b>WE ARE SENDING YOU:</b>            | <b>THE FOLLOWING:</b>                 | <b>FOR:</b>                                      |
| <input type="checkbox"/> Hand Carried | <input type="checkbox"/> Attached     | <input type="checkbox"/> Your Review             |
| <input type="checkbox"/> Via Mail     | <input type="checkbox"/> Plans        | <input type="checkbox"/> Your Files/Use          |
| <input type="checkbox"/> _____        | <input type="checkbox"/> Submittals   | <input type="checkbox"/> Return for Correction   |
| <input type="checkbox"/> UPS          | <input type="checkbox"/> Change Order | <input checked="" type="checkbox"/> As Requested |

**The plan check due date to return this set of plans back to the Developer's Engineer is no later**

Please allow adequate time before the due date for both AAWA & JCSD to review.

**REMARKS:** Transmitting a response for initial study of a Mitigated Negative Declaration for Eastvale Marketplace (Project 15-0958). Please contact this office if you have any questions or concerns. I can be reached at x141, or Saul Martinez, Development Engineering Supervisor at x101. Thank you.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Prepared By:  
Nickie Hamic, Development Engineering Representative

Copy To: \_\_\_\_\_

Returned from Operations to Development Engineering on \_\_\_\_\_



11201 Harrel Street, Mira Loma, CA 91752 Phone (951) 685-7434 Fax (951) 685-1153

If enclosures are not as noted, kindly notify us at once.

# Letter C Continued



**Corporate Headquarters**  
3788 McCray Street  
Riverside, CA 92506  
951.686.1070

**Palm Desert Office**  
41-990 Cook St., Bldg. I - #801B  
Palm Desert, CA 92211  
951.686.1070

**Murrieta Office**  
41391 Kalmia Street #320  
Murrieta, CA 92562  
951.686.1070

**OFFICE OF THE DISTRICT ENGINEER**

W.O. No.: 2015-1009  
File No.: 3770.0765  
District Project: 1510046

July 7, 2015

Mr. Eric Norris, Planning Director  
City of Eastvale  
12363 Limonite Avenue, Suite 910  
Eastvale, California 91752

RE: Initial Study for a Mitigated Negative Declaration for Eastvale Marketplace  
(Project 15-0958)

Dear Mr. Norris:

Jurupa Community Services District (JCSD), as the agency responsible for the provision of water, sewer, and park services to Eastvale, is a Responsible Agency, as defined by Section 15381 of the State CEQA Guidelines, for the proposed Eastvale Marketplace (Project). On behalf of JCSD, Albert A. Webb Associates, as District Engineer, has reviewed the Initial Study for a Mitigated Negative Declaration (IS/MND) for the Project. We have the following comments/concerns to be addressed in the final IS/MND.

1. Under subsection 17, Utilities and Service Systems, combined thresholds "a" and "e" (pp. 70-71):
  - State that the Western Riverside County Regional Wastewater Authority Treatment Plant is currently under construction to expand its capacity from 8 million-gallons per day (MGD) to 14 MGD by 2017. This expansion will meet JCSD's needs in the Eastvale area, which includes projected demands of future development, including the proposed Project. C-1
  - Delete the statement "Since the project would only result in an increase of wastewater flows equal to 0.2 percent of current capacity (15,280 + 8,000,000 = 0.0019), adequate capacity is available to serve the proposed project." C-2



## Letter C Continued

Mr. Eric Norris, Planning Director  
City of Eastvale  
July 7, 2015  
Page 2 of 2

2. Under subsection 17, Utilities and Service Systems, combined thresholds "b" and "d" (pp. 71-72):

- Indicate that potable water service is available from an existing 30-inch diameter line in Limonite Avenue and from existing 8-inch diameter lines in Sumner Avenue and Valencia Street. Sewer service is available from an existing 8-inch diameter line in Valencia Street. Gravity flow to the existing sewer line is contingent upon final grading of the site, and sewer service is contingent upon the quantity and quality of wastewater generated by the proposed Project. C-3

- Delete the statement: "Thus, the proposed project's total water demand would equal approximately 0.21 percent of current treatment capacity." C-4

3. Because JCSD will require the Project applicant to participate in any non-potable water program adopted by JCSD prior to the issuance of the first building permit, include the following as a mitigation measure or condition of project approval: C-5

The project applicant, developer, or successor in interest shall participate in any program adopted by the Jurupa Community Services District, prior to the issuance of the project's first building permit, for the provision of non-potable water supply sources and related infrastructure.

Thank-you for the opportunity to review the IS/MND. JCSD looks forward to receiving a copy of the final IS/MND for the proposed Project. Should you have any questions, please call me at 9851-533-0196 or email me at [cheryl.degano@webbassociates.com](mailto:cheryl.degano@webbassociates.com).

Sincerely yours,  
ALBERT A. WEBB ASSOCIATES



Cheryl DeGano  
Principal Environmental Analyst

c: JCSD

**Comment Letter C – Jurupa Community Services District**

- C-1 The commenter requests that in subsection 17, Utilities and Service Systems, combined thresholds A and E (pp. 70–71) be revised to state the expansion of the Western Riverside County Regional Wastewater Authority Treatment Plant from 8 million gallons per day (mgd) to 14 mgd by 2017.**

Text on pages 70–71 of the IS/MND has been revised as follows:

The proposed project would receive wastewater conveyance services from the Jurupa Community Services District (JCSD). The JCSD discharges Eastvale-generated wastewater flows to the River Road Lift Station, which pumps the wastewater to the WRCRWA treatment plant (JCSD 2011a). The JCSD estimates that wastewater treatment plant capacity is currently 8 million gallons per day (mgd) with the ability to ultimately expand to 32 mgd (JCSD 2011a). It should be noted that the WRCRWA treatment plant is currently under construction to expand its capacity from 8 million gallons per day (mgd) to 14 mgd by 2017. According to the JCSD (2011b) Standards Manual, commercial and industrial uses in the Eastvale area are estimated to generate an average of 2,000 gallons of wastewater daily per gross acre.

- C-2 The commenter requests that in subsection 17, Utilities and Service Systems, combined thresholds A and E (pp. 70–71) delete the conclusion which states that the project would only contribute 0.2 percent of the plant’s current wastewater capacity.**

Text on page 71 of the IS/MND has been revised as follows:

Therefore, the proposed project can be expected to contribute 15,280 gallons of wastewater flow to the WRCRWA treatment plant daily (7.64 acres X 2,000 daily gallons per acre = 15,280 gallons daily).

~~Since the project would only result in an increase of wastewater flows equal to 0.2 percent of current capacity (15,280 ÷ 8,000,000 = 0.0019),~~ Based on these numbers, adequate capacity is available to serve the proposed project. In addition, the WRCRWA treatment plant is in compliance with all applicable RWQCB wastewater treatment requirements.

- C-3 The commenter requests that in subsection 17, Utilities and Service Systems, combined thresholds B and D (pp. 71–72) indicate that potable water service is available from an existing 30-inch-diameter line in Limonite Avenue from existing 8-inch-diameter lines in Sumner Avenue and Valencia Street.**

Text on page 71 of the IS/MND has been revised as follows:

Water service would be provided to the proposed development by the JCSD. The JCSD relies predominantly on groundwater and desalinated brackish groundwater from the Chino Groundwater Basin for its water supply (City of Eastvale 2012b). Potable water service is available from an existing 30-inch-diameter line in Limonite Avenue and from existing 8-inch-diameter lines in Sumner Avenue and Valencia Street. Sewer service is available from an existing 8-inch-diameter line in Valencia Street. Gravity flow to the existing sewer line is contingent upon final grading of the site, and sewer service is contingent upon the quantity and quality of wastewater generated by the proposed project.

Through a joint powers authority, the JCSD partners with the Chino Desalter Authority (CDA), the owner and operator of two water treatment plants (desalters), to treat potable water for the JCSD service area. Each of the desalters has the current capacity to treat 12 mgd of water (City of Eastvale 2012b). In addition, the CDA is currently in the process of expanding the treatment capacity of the desalters via local groundwater wells.

- C-4 The commenter requests that under subsection 17, Utilities and Service Systems, combined thresholds B and D (pp. 71–72) delete the statement, “Thus, the proposed project’s total water demand would equal approximately 0.21 percent of current treatment capacity.”**

Text on page 71 of the IS/MND has been revised as follows:

Water is treated at the Chino I Desalter, the Chino II Desalter, and the Roger Teagarden Ion Exchange Treatment Plant. Based on a water demand rate of 3.7 acre-feet per year (AFY) per acre for commercial-retail uses (City of Eastvale 2012b), the proposed development would have a total water demand of approximately 28.3 AFY or 25,265 gallons per day. ~~Thus, the proposed project’s total water demand would equal approximately 0.21 percent of current treatment capacity.~~

- C-5 The commenter requests that a mitigation measure or condition of project approval be added to the MND that includes the requirement that the applicant participate in any non-potable water program adopted by the JCSD.**

According to CEQA Guidelines Section 15073.5(a), a new mitigation measure would require the recirculation of the MND prior to adoption. Therefore, a new condition of approval has been added to the MND for project compliance with the requirement to participate in any non-potable water program adopted by the JCSD.

Text on page 73 of the IS/MND has been revised as follows:

**STANDARD CONDITIONS & REQUIREMENTS**

1. For any development associated with the proposed project, the project applicant will be required to comply with the recommendations of the Riverside County Waste Management Department and all federal, state, and local statutes and regulations related to solid waste, including the Solid Waste Reuse and Recycling Access Act of 1991.
2. The project applicant, developer, or successor in interest will be required to participate in any program adopted by the Jurupa Community Services District for the provision of non-potable water supply sources and related infrastructure. The City will verify compliance with this requirement prior to the issuance of the first building permit.

# Letter D



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- Chuck Washington  
County of Riverside

Executive Staff

Charles Landry  
Executive Director

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Phone: (951) 955-9700  
Fax: (951) 955-8873  
www.wrc-rca.org

July 13, 2015



Eric Norris, Planning Director  
City of Eastvale  
12363 Limonite Avenue, Suite 910  
Eastvale, CA 91752

**RE: Eastvale Marketplace(Project 15-0958) Initial Study/MND**

Mr. Norris,

The RCA is a joint powers authority formed to implement and oversee implementation of the Western Riverside County MSHCP. The City of Eastvale is a RCA member agency. We have reviewed the Initial Study for the Eastvale Marketplace and have the following comments:

Section 4.a, page 29 - Please note that the MSHCP adopted objective for Delhi sands flower-loving fly (DSF) is Objective 1B, not 1A. Objective 1B requires project specific DSF surveys if the project occurs within suitable habitat as shown on Figure 9-9 of the MSHCP. The project site is not within mapped suitable habitat therefore surveys are not required.

D-1

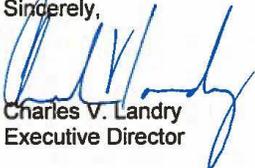
Section 4.f, page 30 - For Narrow Endemic plant surveys, it is acceptable not to conduct focused surveys where there is no suitable habitat however, better documentation of why the habitat isn't suitable for those plant species would be helpful.

D-2

BIO-1, page 31 - Focused surveys for burrowing owl must be conducted prior to project approval if suitable habitat is present. Deferring both the habitat assessment and focused surveys to after project approval isn't consistent with the MSHCP.

D-3

Thank you for the opportunity to comment.

Sincerely,  
  
Charles V. Landry  
Executive Director

**Comment Letter D – Regional Conservation Authority**

- D-1 The commenter notes that the MSHCP objective for Delhi sands flower-loving fly is Objective 1B, not 1A. Objective 1B requires surveys for the fly if the project occurs within suitable habitat as shown on Figure 9-9 on the MSHCP. The commenter goes on to state that because the project site is not within mapped suitable habitat, surveys for Delhi sands flower-loving fly are not required.**

Text on page 29 of the IS/MND has been revised as follows:

Because the majority of the project site occurs on Delhi fine soils, the site is required to be assessed for its potential to support Delhi sands flower-loving fly. The MSHCP defines appropriate habitat for this species as Delhi soils co-occurring with coastal sage scrub, grassland, and alluvial fan sage scrub (prime habitat) and Delhi soils co-occurring with agriculture (restorable habitat). The Delhi sands flower-loving fly is mainly found in relatively intact, open, sparse, native habitats with less than 50 percent vegetation cover (USFWS 1997). Three native indicator plants with which the fly closely associates are common buckwheat (*Eriogonum fasciculatum*), telegraph weed (*Heterotheca grandiflora*), and croton (*Croton californicus*) (USFWS 1997). Reviewing historic aerial imagery of the project site revealed it was cleared and graded when the surrounding homes were being built. The site visit further revealed the presence of non-native soils, likely from placement of fill material on-site during prior land conversion activities. Due to the heavy disturbance and the lack of necessary native vegetation and soils, the project area does not qualify as suitable habitat. The project site is also too degraded to qualify as restorable habitat. Furthermore, the project site is not within mapped suitable habitat as shown in Figure 9-9 of the MSHCP. Therefore, the project is consistent with Objective 1A1B of the MSHCP, and surveys for the Delhi sands flower-loving fly are not required.

- D-2 The commenter agrees that focused surveys for narrow endemic plants are not necessary when suitable habitat is not present; however, the commenter requests that better documentation of why the habitat is unsuitable be presented.**

Text on page 30 of the IS/MND has been revised as follows:

**Consistency with MSHCP Section 6.1.3:** Section 6.1.3 sets forth survey requirements for certain narrow endemic plants where appropriate soils and habitat are present. The project site is located within the Narrow Endemic Plant Species Survey Area. As mentioned above, the site is heavily degraded. A review of historic aerial imagery revealed that the project site was cleared and graded when the surrounding homes were being built. The site visit further revealed the presence of non-native soils, likely from placement of fill material on-site during prior land conversion activities. Because of the heavy disturbance and the absence of native vegetation and soils, the project area does not qualify as suitable habitat for narrow endemic plants. Due to the disturbed nature of the habitat and the presence of non-native soils, no special-status species have the potential to occur on-site; therefore, no impacts to narrow endemic plant species will occur.

**D-3 The commenter states that, in order to be consistent with the MSHCP, focused surveys for burrowing owl must be conducted prior to project approval.**

Text on page 31 of the IS/MND has been revised as follows:

Per MSHCP Species-Specific Objective 6, preconstruction presence/absence surveys for burrowing owl must be conducted within 500 feet of the project work areas, where feasible. Surveys are to be conducted prior to project approval. ~~for all covered activities through the life of the building permit and will be conducted within 30 days of any vegetation removal or ground disturbance.~~

Text on pages 31–32 of the IS/MND has been revised as follows:

**BIO-1** A habitat assessment shall be conducted by a qualified biologist to determine whether the site has the potential to be appropriate habitat for burrowing owl. If suitable habitat is not found on the project site, no further surveys are needed. If burrows and/or suitable habitat for burrowing owls are found, three separate focused surveys shall be conducted during the nesting season to determine the presence or absence of burrowing owls. Preconstruction surveys shall be conducted if the site contains burrows or suitable habitat whether burrowing owls were found in previous surveys or not. Per MSHCP Species-Specific Objective 6, preconstruction presence/absence surveys for burrowing owl shall be conducted within 500 feet of the project work areas, where feasible. Surveys shall be conducted prior to project approval. ~~for all covered activities through the life of the building permit and will be conducted within 30 days of any vegetation removal or ground disturbance.~~ All occupied burrows will be mapped on an aerial photo. Take of active nests will be avoided during construction. If construction is delayed or suspended for more than 30 days after the survey, the work area shall be resurveyed. If burrowing owls are found to be present on-site, the project applicant shall develop a conservation strategy in cooperation with the CDFW and the Regional Conservation Authority in accordance with the CDFW's Staff Report on Burrowing Owl Mitigation (2012).

*Timing/Implementation:* Prior to project approval ~~Within 30 days prior to any vegetation removal or ground-disturbing activities~~

*Enforcement/Monitoring:* *City of Eastvale Planning Department and Public Works Department*

# Letter E

## AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY



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County Administrative Center  
4080 Lemon St, 14<sup>th</sup> Floor  
Riverside, CA 92501  
(951) 955-5132

July 13, 2015

Mr. Eric Norris, Planning Director  
City of Eastvale Planning Department  
12363 Limonite Avenue, Suite #910  
Eastvale, CA 91752

**RE: Initial Study/Mitigated Negative Declaration for Eastvale Marketplace (Planning Application No. 15-0958)**

Dear Mr. Norris:

Thank you for providing the Riverside County Airport Land Use Commission (ALUC) with a CD copy of the Initial Study/Mitigated Negative Declaration (IS/MND) for the Eastvale Marketplace project, a proposal to develop a commercial center anchored by a 30,896 square foot grocery store on a 7.64-acre (net area) site located at the northeast corner of Limonite and Sumner Avenues.

As noted on page 47 of the IS/MND, the site is located in Compatibility Zone D of the Chino Airport Influence Area. As this project proposes development at least 20,000 square feet in gross floor area, it qualifies as a "major land use action" as defined in Section 1.5.2 of the 2004 Riverside County Airport Land Use Compatibility Plan. Therefore, in accordance with the provisions of that section, we respectfully request that this project be submitted to ALUC for official review, which would be accomplished through ALUC Director's action, provided that our review confirms that the project would be within the intensity limits for that Compatibility Zone.

If you have any questions, please contact ALUC Principal Planner John Guerin at (951) 955-0982.

Sincerely,  
RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

[www.rcaluc.org](http://www.rcaluc.org)

Edward C. Cooper, ALUC Director

Y:\AIRPORT CASE FILES\Chino\Eastvale Marketplace 15-0958 IS-MND - ltr to Eastvale.doc

E-1

**Comment Letter E – Riverside County Airport Land Use Commission**

- E-1 The commenter requests that the project be submitted to the ALUC for official review since the project site is in Compatibility Zone D of the Chino Airport Influence Area and since the project proposes 20,000 square feet in gross floor area of development, which qualifies as a “major land use action.”**

The proposed project requires ALUC review; the applicant has already submitted the proposed project to the Airport Land Use Commission for a formal review and is working with the ALUC during the review process. Since no issues are anticipated, no changes to the MND are required.

Letter F

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr. Governor

**DEPARTMENT OF TRANSPORTATION**  
 DISTRICT 8  
 PLANNING (MS 722)  
 464 WEST 4<sup>th</sup> STREET, 6<sup>th</sup> Floor  
 SAN BERNARDINO, CA 92401-1400  
 PHONE (909) 383-4557  
 FAX (909) 383-5936  
 TTY (909) 383-6300  
 www.dot.ca.gov/dist8



*Serious drought  
 Help save water!*

July 27, 2015

City of Eastvale  
 Planning Department  
 Eric Norris  
 Planning Director  
 12363 Limonite Avenue, Suite #910  
 Eastvale, CA 91752

Eastvale Market Place (Planning Application No.15-0958) RIV 15 PM 48.23

Mr. Norris,

We have completed our review for the above mentioned proposal to construct a 71,472 square foot neighborhood retail center with multi-tenant and single-tenant buildings and associated parking facilities on 7.64 acres located on Assessor's Parcel Number 164-030-019-8.

As the owner and operator of the State Highway System (SHS), it is our responsibility to coordinate and consult with local jurisdictions when proposed development may impact our facilities. Under the California Environmental Quality Act (CEQA), we are required to make recommendations to offset associated impacts with the proposed project. Although the project is under the jurisdiction of the City of Eastvale due to the Project's potential impact to State facilities it is also subject to the policies and regulations that govern the SHS.

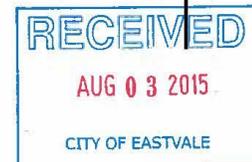
We recommend the following to be provided:

Traffic Study

- Please include Interstate-15 Limonite Ave on/off ramp as study intersections.
- Please include map of trip distribution and trip assignment.
- Please include discussion on city threshold of significance for Level of Service (LOS).
- Please include discussion on fair share contribution.
- Please verify the use of a 1% growth factor.
- Please include at least 10 pedestrian/hour and at least 10 bicycles/hour as pedestrian and bicycle counts for each intersection LOS analysis.
- Please explain why this project is considered to be located in the CBD. The option is checked to yes in the intersection LOS analysis.
- Please refer to Caltran's guidance on preparing traffic impact studies:  
[http://www.dot.ca.gov/hq/tpp/offices/ocp/igr\\_ceqa\\_files/tisguide.pdf](http://www.dot.ca.gov/hq/tpp/offices/ocp/igr_ceqa_files/tisguide.pdf)

F-1

*"Provide a safe, sustainable, integrated and efficient transportation system  
 to enhance California's economy and livability"*



## Letter F Continued

Mr. Norris  
July 27, 2015  
Page 2

We appreciate the opportunity to offer comments concerning this project. If you have any questions regarding this letter, please contact Talvin Dennis at (909) 806-3957 or myself at (909) 383-4557 for assistance.

Sincerely,



MARK ROBERTS  
Office Chief  
Intergovernmental Review, Community and Regional Planning

*"Provide a safe, sustainable, integrated and efficient transportation system  
to enhance California's economy and livability"*

**Comment Letter F – California Department of Transportation**

**F-1 The commenter requests the inclusion of the Interstate 15 Limonite Avenue on/off-ramps as study intersections.**

The Interstate 15 and Limonite Avenue intersections were included in the regional transportation model that was used to evaluate land uses contained in the City's General Plan. The proposed project is not changing the General Plan land use designation or the zoning and is not proposing a development that would exceed the commercial assumptions used for retail development in the countywide model. The project is also required to pay the Transportation Uniform Mitigation Fee (TUMF) that will be used to make improvements at these intersections which are identified in the City's General Plan as failing in the 2035 cumulative condition. The City is currently working with the Western Riverside Council of Governments and Caltrans on finalizing the design of improvements at these intersections. Because the intersections are already identified as failing, there is a funding program in place to construct the proposed improvements to meet the projected growth based on the General Plan, and there is no need to further study impacts at this location.

**The commenter requests the inclusion of a map of trip distribution and trip assignment.**

The City did not require a traffic impact analysis, as the project is consistent with the General Plan land use designation and zoning for the site. Because this is a neighborhood commercial project, the City anticipates that traffic will be localized to the Eastvale.

**The commenter requests the inclusion of a discussion on the city threshold of significance for level of service (LOS).**

The City's General Plan establishes a level of service C for most roadways; however, Limonite Avenue, as part of the Congestion Management Program, can have LOS D or LOS E, depending on the crossroad and/or peak hour.

**The commenter requests the inclusion of a discussion on fair-share contribution.**

The proposed project will contribute to the City's Development Impact Fee program for citywide improvements and the Transportation Uniform Mitigation Fee (TUMF) for regional improvements. The proposed project will also pay for all frontage improvements along Sumner and Limonite avenues. No other fair-share improvements are identified.

**The commenter requests verification of the use of a 1 percent growth factor.**

No cumulative traffic impact analysis was prepared for the proposed project since the land use designation and zoning are consistent with the factors used in the regional transportation model. Since the project did not change the assumptions used for the regional traffic model, there was no need to require a new traffic impact study or to prepare a cumulative traffic impact analysis.

**The commenter requests the inclusion of at least 10 pedestrians per hour and at least 10 bicycles per hour as pedestrian and bicycle counts for each intersection's level of service analysis.**

The Limonite and Sumner Avenue intersection was the only intersection evaluated in the focused traffic analysis included as Appendix 16 to the Initial Study. As noted in the analysis, the intersection is signalized and will operate at LOS C or better with project conditions. Both pedestrian and bicycle facilities are part of the Limonite and Sumner Avenue improvements. Because the intersection will function acceptably with the proposed project, there is sufficient capacity to accommodate both bicycles and pedestrians. Both roadways include bicycle and pedestrian improvements. No further study is warranted.

**The commenter requests an explanation as to why the project is considered to be located in the CBD.**

The project is located on Limonite Avenue, which is a major arterial that serves all of the commercial land in the city. The City considers the roadway in this portion of Eastvale as part of the Business District.

**The commenter requests reference to Caltrans's guidance on preparing traffic impact studies.**

As noted above, the City did not require a comprehensive traffic impact study because the project is consistent with long-term plans and will participate in funding programs set up to construct improvements.



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## **3.0 MINOR REVISIONS TO THE IS/MND**

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### 3.1 INTRODUCTION

This section includes minor edits to the IS/MND. These modifications resulted from responses to comments received during the public review period as well as from staff-initiated changes.

Revisions herein do not result in new significant environmental impacts, do not constitute significant new information, and do not alter the conclusions of the environmental analysis. Changes are provided in revision marks (underline for new text and ~~strikeout~~ for deleted text).

### 3.2 MINOR CHANGES AND EDITS TO THE IS/MND

The following minor changes are made to clarify the IS/MND based on comments received on the project and review of those comments by the City and by the technical experts responsible for the supporting studies.

#### BIOLOGICAL RESOURCES

The following text revision has been made to page 29 of the IS/MND:

Because the majority of the project site occurs on Delhi fine soils, the site is required to be assessed for its potential to support Delhi sands flower-loving fly. The MSHCP defines appropriate habitat for this species as Delhi soils co-occurring with coastal sage scrub, grassland, and alluvial fan sage scrub (prime habitat) and Delhi soils co-occurring with agriculture (restorable habitat). The Delhi sands flower-loving fly is mainly found in relatively intact, open, sparse, native habitats with less than 50 percent vegetation cover (USFWS 1997). Three native indicator plants with which the fly closely associates are common buckwheat (*Eriogonum fasciculatum*), telegraph weed (*Heterotheca grandiflora*), and croton (*Croton californicus*) (USFWS 1997). Reviewing historic aerial imagery of the project site revealed it was cleared and graded when the surrounding homes were being built. The site visit further revealed the presence of non-native soils, likely from placement of fill material on-site during prior land conversion activities. Due to the heavy disturbance and the lack of necessary native vegetation and soils, the project area does not qualify as suitable habitat. The project site is also too degraded to qualify as restorable habitat. Furthermore, the project site is not within mapped suitable habitat as shown in Figure 9-9 of the MSHCP. Therefore, the project is consistent with Objective ~~1A1B~~ of the MSHCP, and surveys for the Delhi sands flower-loving fly are not required.

The following text revision has been made to page 30 of the IS/MND:

**Consistency with MSHCP Section 6.1.3:** Section 6.1.3 sets forth survey requirements for certain narrow endemic plants where appropriate soils and habitat are present. The project site is located within the Narrow Endemic Plant Species Survey Area. As mentioned above, the site is heavily degraded. A review of historic aerial imagery revealed that the project site was cleared and graded when the surrounding homes were being built. The site visit further revealed the presence of non-native soils, likely from placement of fill material on-site during prior land conversion activities. Because of the heavy disturbance and the absence of native vegetation and soils, the project area does not qualify as suitable habitat for narrow endemic plants. Due to the disturbed nature of the habitat and the presence of non-native soils, no special-status species have the potential to occur on-site; therefore, no impacts to narrow endemic plant species will occur.

### 3.0 MINOR REVISIONS TO THE IS/MND

---

The following text revision has been made to page 31 of the IS/MND:

Per MSHCP Species-Specific Objective 6, preconstruction presence/absence surveys for burrowing owl must be conducted within 500 feet of the project work areas, where feasible. Surveys are to be conducted prior to project approval. ~~for all covered activities through the life of the building permit and will be conducted within 30 days of any vegetation removal or ground disturbance.~~

The following text revision has been made to pages 31 and 32 of the IS/MND:

**BIO-1** A habitat assessment shall be conducted by a qualified biologist to determine whether the site has the potential to be appropriate habitat for burrowing owl. If suitable habitat is not found on the project site, no further surveys are needed. If burrows and/or suitable habitat for burrowing owls are found, three separate focused surveys shall be conducted during the nesting season to determine the presence or absence of burrowing owls. Preconstruction surveys shall be conducted if the site contains burrows or suitable habitat whether burrowing owls were found in previous surveys or not. Per MSHCP Species-Specific Objective 6, preconstruction presence/absence surveys for burrowing owl shall be conducted within 500 feet of the project work areas, where feasible. Surveys shall be conducted prior to project approval. ~~for all covered activities through the life of the building permit and will be conducted within 30 days of any vegetation removal or ground disturbance.~~ All occupied burrows will be mapped on an aerial photo. Take of active nests will be avoided during construction. If construction is delayed or suspended for more than 30 days after the survey, the work area shall be resurveyed. If burrowing owls are found to be present on-site, the project applicant shall develop a conservation strategy in cooperation with the CDFW and the Regional Conservation Authority in accordance with the CDFW's Staff Report on Burrowing Owl Mitigation (2012).

*Timing/Implementation:* Prior to project approval ~~Within 30 days prior to any vegetation removal or ground-disturbing activities~~

*Enforcement/Monitoring:* City of Eastvale Planning Department and Public Works Department

### UTILITIES AND SERVICE SYSTEMS

The following text revision has been made to pages 70 and 71 of the IS/MND:

The proposed project would receive wastewater conveyance services from the Jurupa Community Services District (JCSD). The JCSD discharges Eastvale-generated wastewater flows to the River Road Lift Station, which pumps the wastewater to the WRCRWA treatment plant (JCSD 2011a). The JCSD estimates that wastewater treatment plant capacity is currently 8 million gallons per day (mgd) with the ability to ultimately expand to 32 mgd (JCSD 2011a). It should be noted that the WRCRWA treatment plant is currently under construction to expand its capacity from 8 million gallons per day (mgd) to 14 mgd by 2017. According to the JCSD (2011b) Standards Manual, commercial and industrial uses in the Eastvale area are estimated to generate an average of 2,000 gallons of wastewater daily per gross acre.

The following text revision has been made to page 71 of the IS/MND:

Therefore, the proposed project can be expected to contribute 15,280 gallons of wastewater flow to the WRCRWA treatment plant daily (7.64 acres X 2,000 daily gallons per acre = 15,280 gallons daily).

~~Since the project would only result in an increase of wastewater flows equal to 0.2 percent of current capacity (15,280 ÷ 8,000,000 = 0.0019),~~ Based on these numbers, adequate capacity is available to serve the proposed project. In addition, the WRCRWA treatment plant is in compliance with all applicable RWQCB wastewater treatment requirements.

The following text revision has been made to page 71 of the IS/MND:

Water service would be provided to the proposed development by the JCSD. The JCSD relies predominantly on groundwater and desalinated brackish groundwater from the Chino Groundwater Basin for its water supply (City of Eastvale 2012b). Potable water service is available from an existing 30-inch-diameter line in Limonite Avenue and from existing 8-inch-diameter lines in Sumner Avenue and Valencia Street. Sewer service is available from an existing 8-inch-diameter line in Valencia Street. Gravity flow to the existing sewer line is contingent upon final grading of the site, and sewer service is contingent upon the quantity and quality of wastewater generated by the proposed project. Through a joint powers authority, the JCSD partners with the Chino Desalter Authority (CDA), the owner and operator of two water treatment plants (desalters), to treat potable water for the JCSD service area. Each of the desalters has the current capacity to treat 12 mgd of water (City of Eastvale 2012b). In addition, the CDA is currently in the process of expanding the treatment capacity of the desalters via local groundwater wells.

The following text revision has been made to page 71 of the IS/MND:

Water is treated at the Chino I Desalter, the Chino II Desalter, and the Roger Teagarden Ion Exchange Treatment Plant. Based on a water demand rate of 3.7 acre-feet per year (AFY) per acre for commercial-retail uses (City of Eastvale 2012b), the proposed development would have a total water demand of approximately 28.3 AFY or 25,265 gallons per day. ~~Thus, the proposed project's total water demand would equal approximately 0.21 percent of current treatment capacity.~~

The following text revision has been made to page 73 of the IS/MND:

#### **STANDARD CONDITIONS & REQUIREMENTS**

1. For any development associated with the proposed project, the project applicant will be required to comply with the recommendations of the Riverside County Waste Management Department and all federal, state, and local statutes and regulations related to solid waste, including the Solid Waste Reuse and Recycling Access Act of 1991.
2. The project applicant, developer, or successor in interest will be required to participate in any program adopted by the Jurupa Community Services District for the provision of non-potable water supply sources and related infrastructure. The City will verify compliance with this requirement prior to the issuance of the first building permit.



**Attachment 10**  
**Mitigated Negative Declaration**  
**(Available on City Website)**

**Attachment 11**

**ALUC letter**

**AIRPORT LAND USE COMMISSION  
RIVERSIDE COUNTY**



September 25, 2015

**CHAIR**  
Simon Housman  
Rancho Mirage

**VICE CHAIRMAN**  
Rod Ballance  
Riverside

Ms. Kanika Kith, Senior Planner  
City of Eastvale Planning Department  
12363 Limonite Avenue, Suite 910  
Eastvale CA 91752

**COMMISSIONERS**

Arthur Butler  
Riverside

Glen Holmes  
Hemet

John Lyon  
Riverside

**RE: AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW**

File No.: ZAP1023CH15  
Related File No.: 15-0958 (Major Development Plan)  
APN: 164-030-019

Dear Ms. Kith:

Greg Pettis  
Cathedral City

Steve Manos  
Lake Elsinore

Under the delegation of the Riverside County Airport Land Use Commission (ALUC), staff reviewed the above-referenced Major Development Plan for the establishment of a 72,779 square foot retail shopping center on a 7.64 net-acre site located at the northeast corner of Limonite Avenue and Sumner Avenue in the City of Eastvale.

**STAFF**

Director  
Ed Cooper

John Guerin  
Russell Brady  
Barbara Santos

County Administrative Center  
4080 Lemon St., 14th Floor  
Riverside, CA 92501  
(951) 955-5132

The site is located within Airport Compatibility Zone D of the Chino Airport Influence Area (AIA). Based on the site plan submitted by the applicant dated July 17, 2015 and utilizing an occupancy assumption of one person per 115 square feet of floor area for the grocery and retail stores in accordance with the Additional Compatibility Policies for the Chino Airport Land Use Compatibility Plan, the shopping center is anticipated to accommodate a maximum of 819 people, resulting in an average intensity of 107 people based on the 7.64-acre site area, which would be consistent with the Compatibility Zone D average acre criterion of 150 people. The most intense single-acre (210 feet by 210 feet) area on the site would include approximately 29,400 square feet of retail area within the grocery store which would accommodate a maximum of 256 people, which would be consistent with the Compatibility Zone D single-acre criterion of 450 people. These assumptions take into account the probable use of "Pad 1" and "Pad 2" (as shown on the site plan) as restaurants.

[www.rcaluc.org](http://www.rcaluc.org)

Based on the distance of the parcel to the end of the runway at 14,600 feet and the elevation of the easterly end of the runway at 636.5 feet above mean sea level (AMSL), FAA Obstruction Evaluation review would be required for any structure with a top point elevation exceeding 782.5 feet AMSL. The proposed maximum finished floor elevation is 664.5 feet AMSL and the maximum building height proposed is 38 feet for a total elevation of 702.5 feet AMSL. Therefore, FAA Obstruction Evaluation review for height/elevation reasons is not required.

As ALUC Director, I hereby find the above-referenced project **CONSISTENT** with the 2008 Chino Airport Land Use Compatibility Plan, subject to the following conditions:

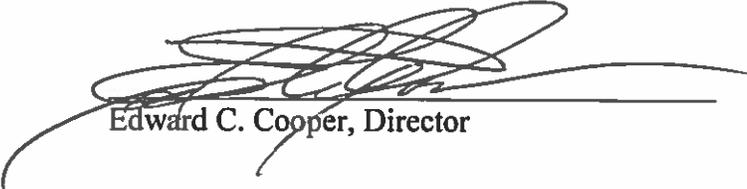
**CONDITIONS:**

1. Any new outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky.
  2. The following uses shall be prohibited:
    - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
    - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
    - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area, including but not limited to, composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, artificial marshes, incinerators, and fly ash disposal.
    - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
  3. The attached notice shall be provided to all potential purchasers of the property and tenants of the proposed buildings, and shall be recorded as a deed notice.
- 

**This finding of consistency is based upon the site plan labeled Sheet A010 dated July 17, 2015 prepared by McKently Malak Architects. Any change in locations or intended use of buildings may require further review to assure that land use intensity remains consistent with the 2008 Chino Airport Land Use Compatibility Plan. In particular, conversion to uses classified as "assembly" uses pursuant to the California Building Code would require careful evaluation.**

If you have any questions, please contact Russell Brady, Contract Planner, at (951) 955-0549, or John Guerin, Principal Planner, at (951) 955-0982.

Sincerely,  
RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

  
Edward C. Cooper, Director

RB/JJGJG

Attachments: Notice of Airport in Vicinity

cc: Cloverdale Village Center, LLC (property owner)  
Evergreen- Limonite + Sumner, LLC – Attn.: Jon Prystasz (representative) (Phoenix)  
Evergreen – Limonite + Sumner, LLC (Glendale CA) (payee)  
James Jenkins, Director, San Bernardino County Department of Airports  
Robert Cayce, Airport Operations Manager, Chino Airport  
ALUC Case File

Y:\AIRPORT CASE FILES\Chino\ZAP1023CH15\ZAP1023CH15LTR.doc

# **NOTICE OF AIRPORT IN VICINITY**

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Professions Code Section 11010 (b) (13)(A)

**Legend**

**Compatibility Zones**  
 Airport Influence Area Boundary\*  
 Zone A  
 Zone B1  
 Zone B2  
 Zone C  
 Zone D  
 Zone E

**Boundary Lines**  
 Airport Property Line  
 City Limits  
 County Line

**Note**

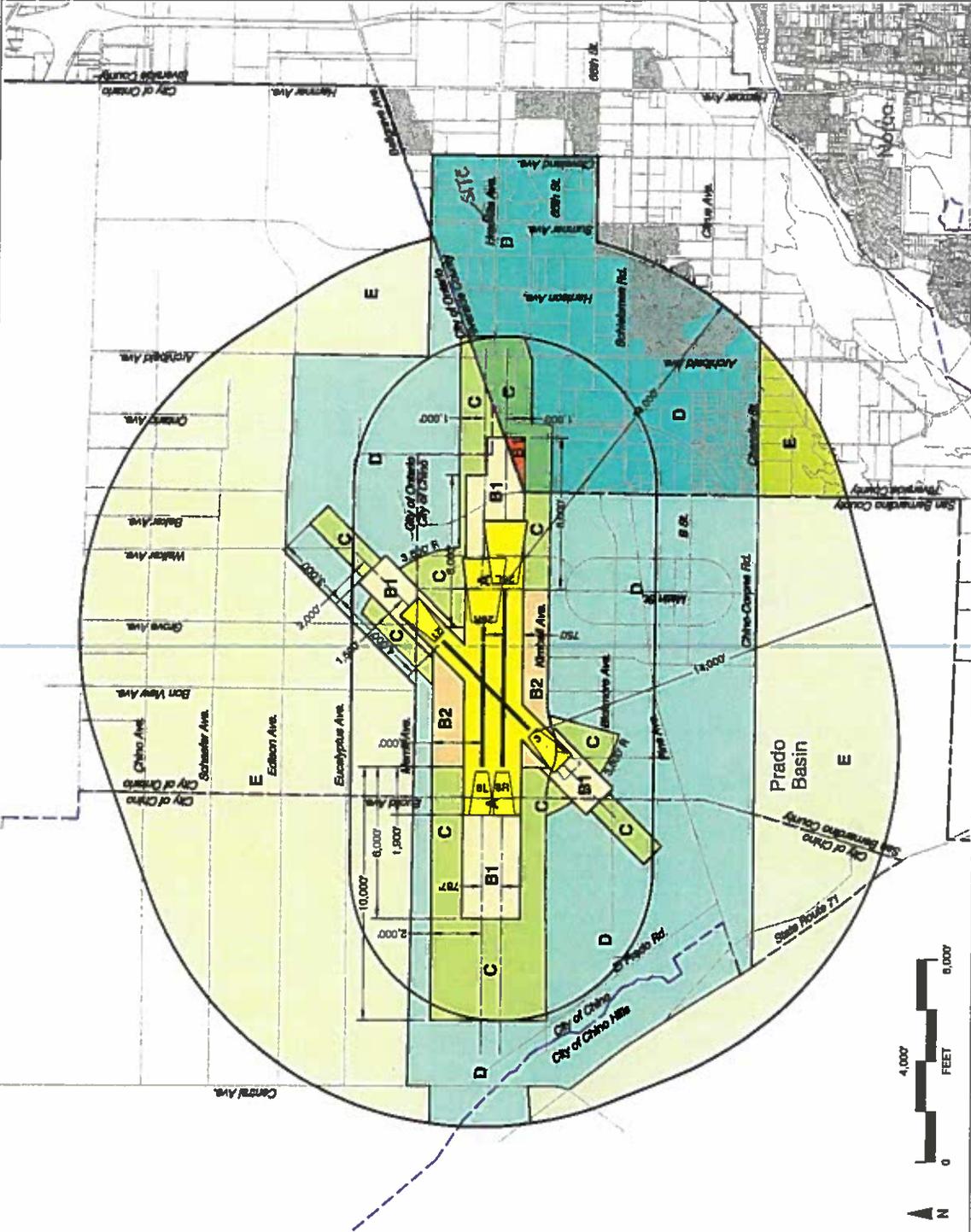
Airport influence boundary measured from a point 200 feet beyond runway ends in accordance with FAA airspace protection criteria (FAR Part 77). All other dimensions measured from runway ends and centerlines.

See Chapter 2, Table 2A, and the Additional Compatibility Policies for Chino Airport for compatibility criteria associated with this map.

\*The policies in this plan apply only to the portions of the airport influence area lying within Riverside County. Compatibility Zones in San Bernardino County are shown only to provide context for the Riverside County area.

Riverside County  
 Airport Land Use Commission  
 Riverside County  
 Airport Land Use Compatibility Plan  
 Policy Document  
 (Adopted September 2008)

Map CH-1  
 Compatibility Map  
 Chino Airport



Source: Mead & Hunt (June 2009)

11/19/2009 11:25 AM C:\Users\Public\Desktop\CH-1\Map CH-1.dwg 2/6/2009 11:25 AM

# Distance from Project to Beginning of Runway

Write a description for your map.

## Legend

Feature 1

Path Measure

Chino Airport Runway

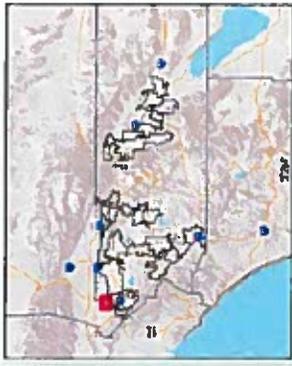
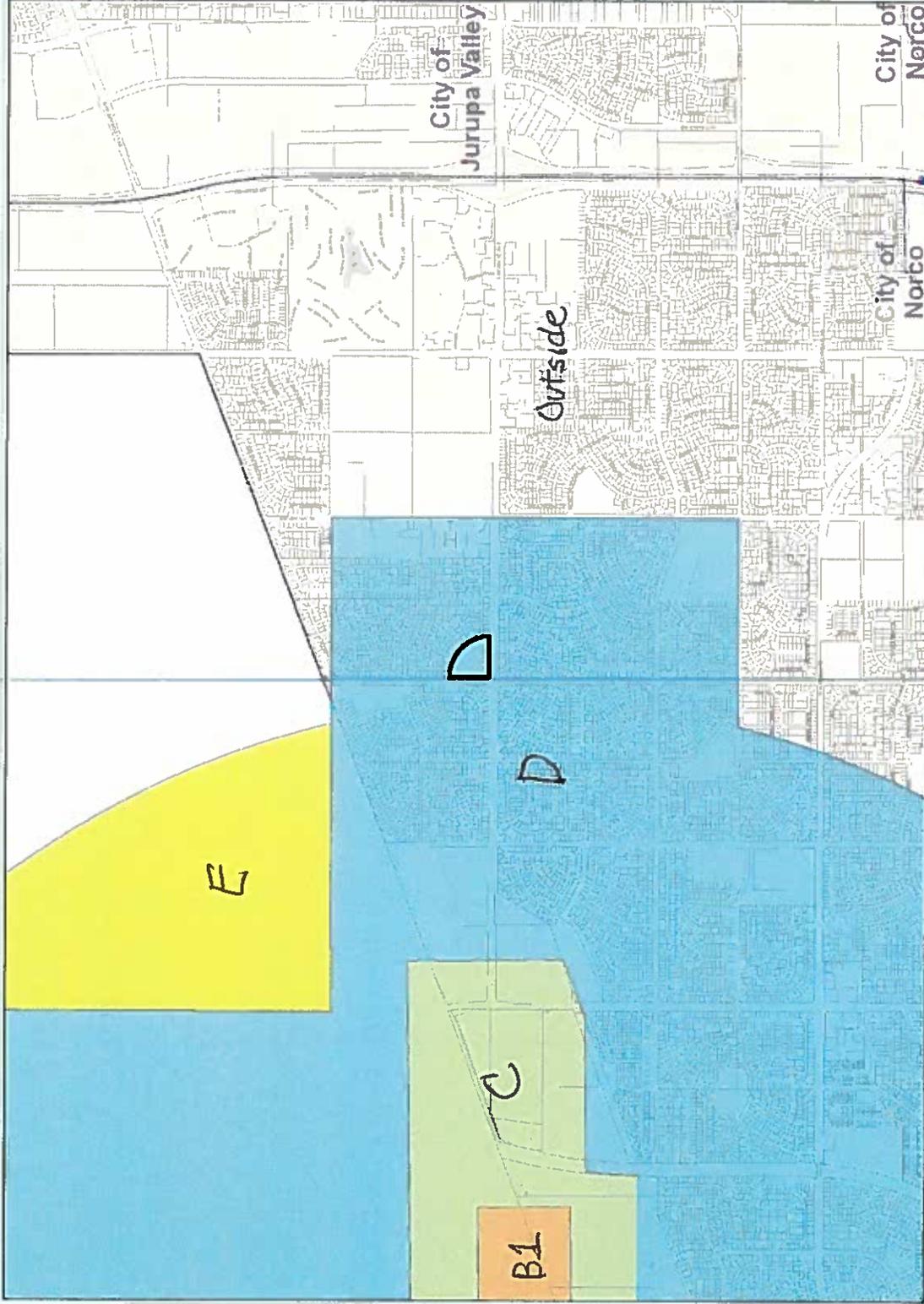
Easivale Marketplace

Google earth

1 mi



# My Map



**Legend**

Airports

**Airport Compatibility**

**OTHER ZONE**

- OTHER ZONE
- A
- A-EXC1
- B1
- B1-APZ I
- B1-APZ I-EXC1
- B1-APZ II
- B1-APZ II-EXC1
- B1-EXC1
- B2
- B2-EXC1
- C
- C1
- C1-EXC1
- C1-EXC3
- C1-EXC4
- C1-HIGHT
- C2
- C2-EXC1
- C2-EXC2
- C2-EXC3
- C2-EXC5
- C2-EXC8
- C2-HIGHT
- C2-HIGHT-EXC1

**Notes**

"IMPORTANT" Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

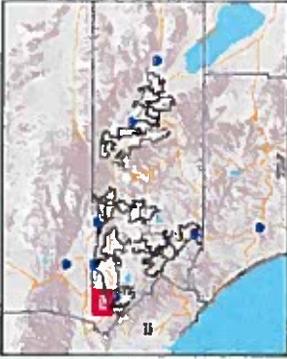
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# My Map



## Legend

- Runways
- highways\_large
- HWY
- INTERCHANGE
- INTERSTATE
- USHWY
- majorroads
- counties
- cities
- hydrography/lines
- waterbodies
- Lakes
- Rivers



0 6,052 12,104 Feet



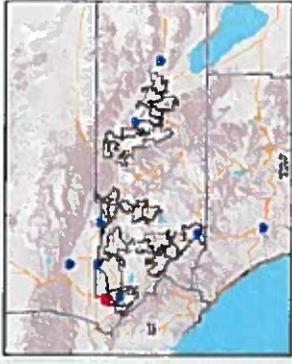
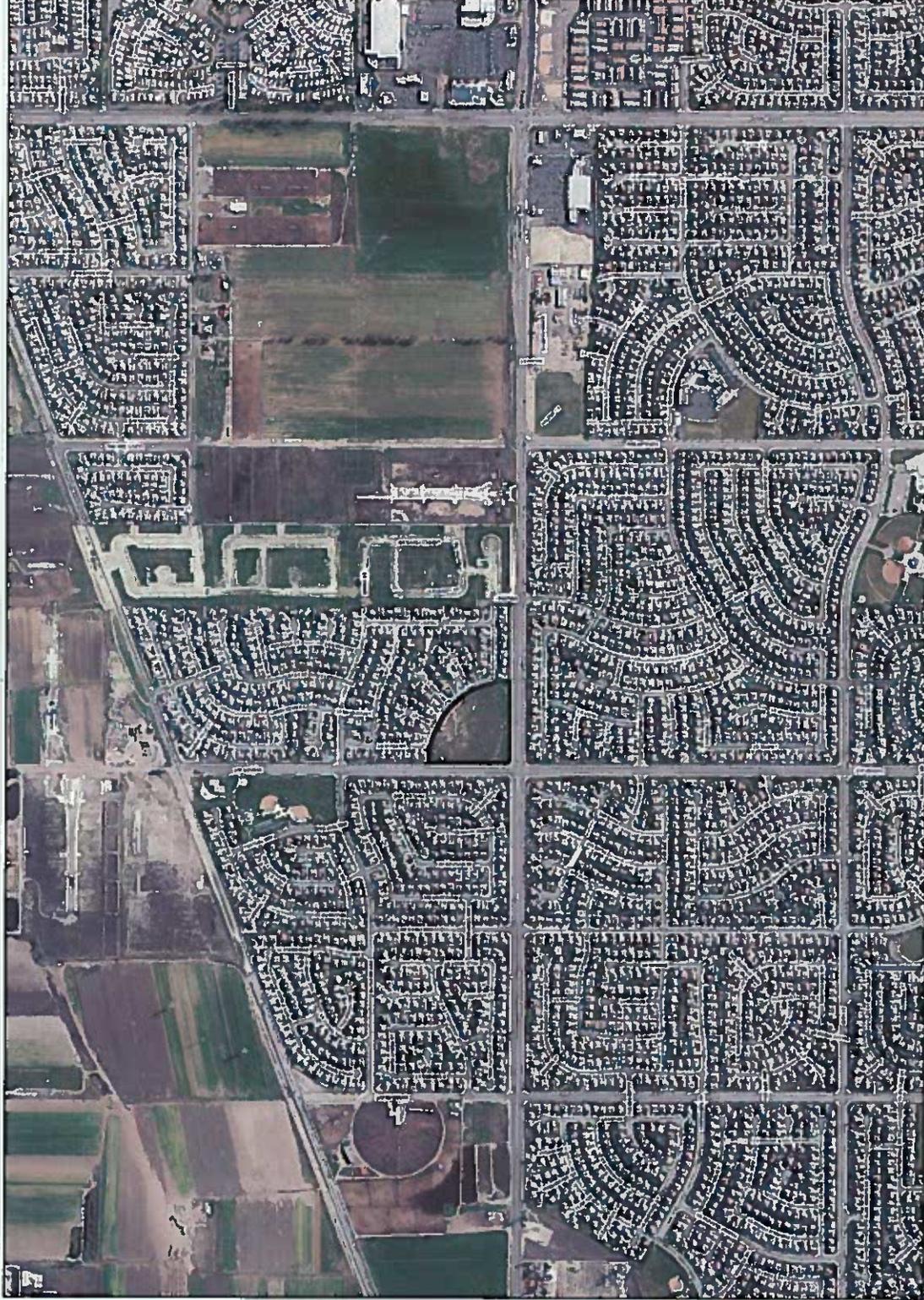
**\*IMPORTANT\*** Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

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## Notes

# My Map



## Legend

- RCLIS Parcels
- Cetap
- Runways
- roadsanno
- highways
- HWY
- INTERCHANGE
- INTERSTATE
- OFFRAMP
- ONRAMP
- USHWY
- counties
- cities
- hydrographylines
- waterbodies
- Lakes
- Rivers

## Notes

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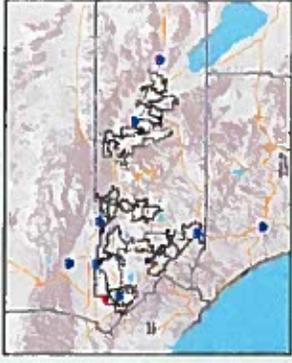
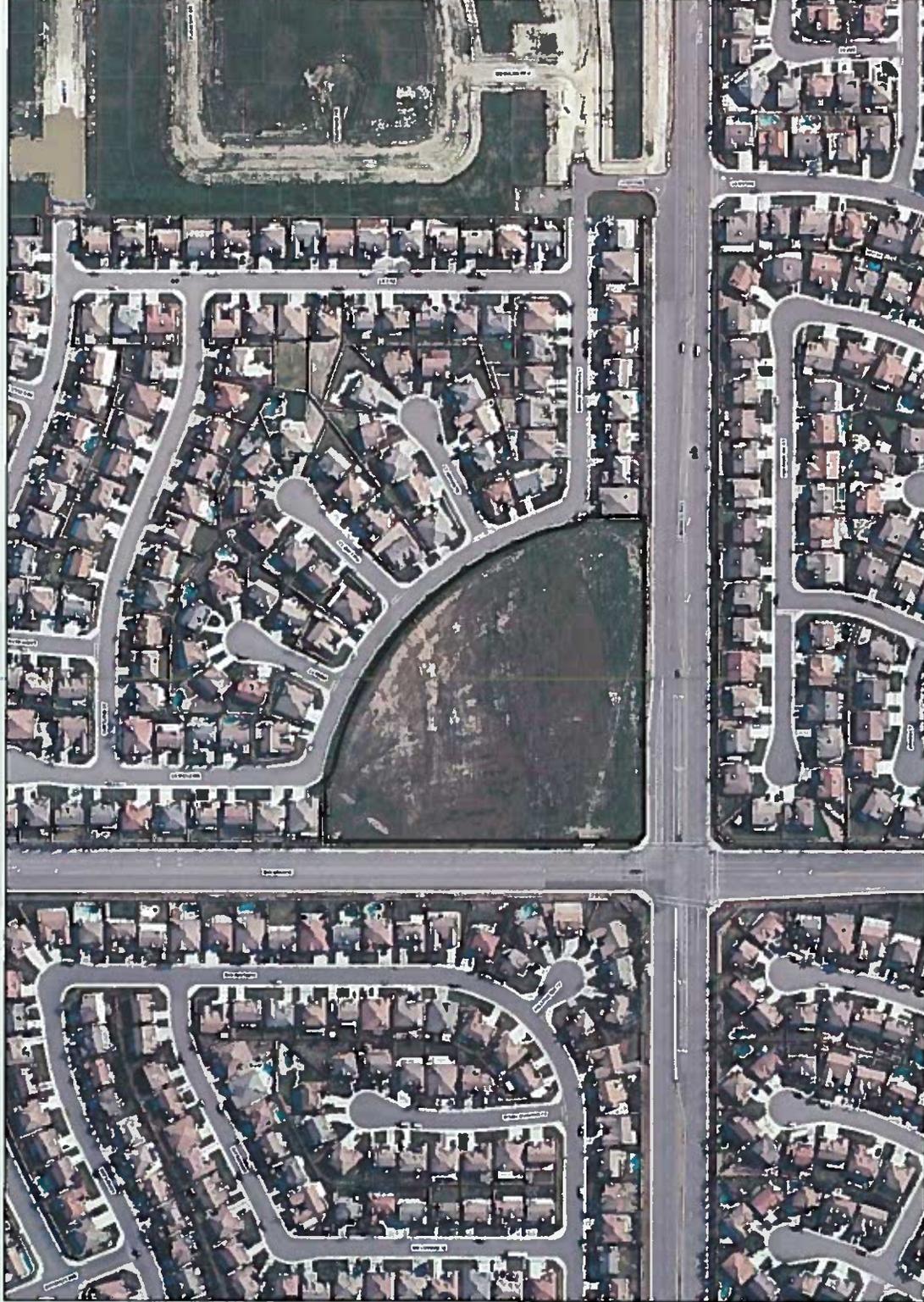
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# My Map



- Legend**
- RCLIS Parcels
  - Cemap
  - Runways
  - roadsanno
  - highways
  - HWY
  - INTERCHANGE
  - INTERSTATE
  - OFFRAMP
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**McKently Malak ARCHITECTS**  
 18 Angelo Alley, Suite 200  
 San Diego, CA 92108  
 PH: 619.594.9140 FAX 619.594.9147

ARCHITECT

**Evergreen**  
 Development & Construction  
 2300 E. CARLEBACK RD., SUITE 410  
 PHOENIX, AZ 85016  
 CONTACT: DANA DRAGON  
 (602) 962-1178



**EASTVALE MARKETPLACE**  
 NEC of Limonite Ave. & Sumner Ave.  
 Eastvale, California 92880

NO.	DATE	DESCRIPTION
1	07.20.13	MAJOR DEVELOPMENT PLAN & CLIP DRAWING

FOR NUMBER 151220000  
 DRAWN BY: CEI  
 CHECKED BY: HML  
 DATE: 07/17/13  
 SHEET DESCRIPTION:

TITLE SHEET

T100

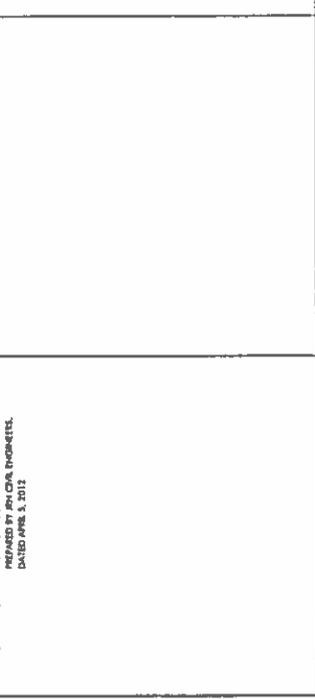
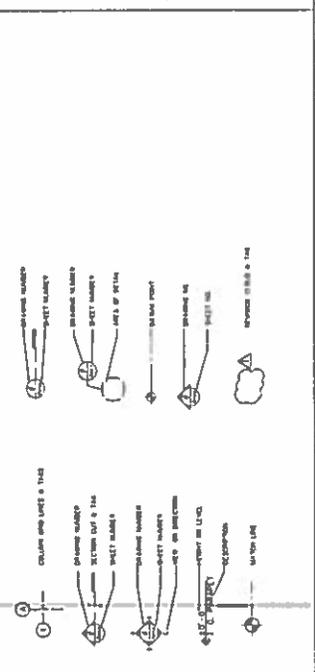
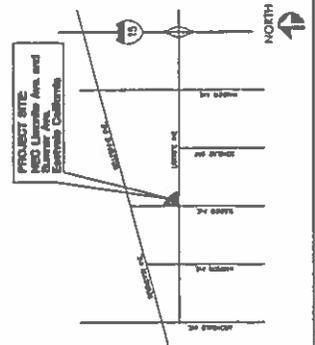
SHEET NUMBER  
 BASED ON SOME PLAN

# EASTVALE MARKETPLACE

## NEC OF LIMONITE AVENUE & SUMNER AVENUE EASTVALE, CALIFORNIA 92880

### MAJOR DEVELOPMENT PLAN REVIEW & CONDITIONAL USE PERMIT SUBMITTALS

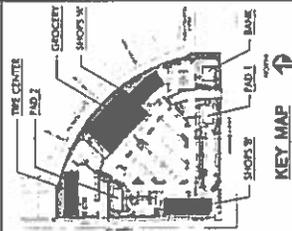
GENERAL DATA	PROPOSED BUILDING SUMMARY	PROPOSED PARKING SUMMARY	PROJECT TEAM	SHEET INDEX														
<p><b>PROJECT ADDRESS:</b> NEC OF LIMONITE AVE. &amp; SUMNER AVE. EASTVALE, CALIFORNIA 92880</p> <p><b>ASSESSOR'S PARCEL #:</b> 144-090-019</p> <p><b>LOCATION:</b> CITY OF EASTVALE, CALIFORNIA</p> <p><b>LEGAL DESCRIPTION:</b> LOT 310 OF TRACT NO. 20433 AS SHOWN THROUGH &amp; ON MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA</p> <p><b>SITE AREA:</b> 174,442 SQ. FT.</p> <p><b>JURISDICTION:</b> CITY OF EASTVALE, CALIFORNIA</p> <p><b>EXISTING LAND USE:</b> VACANT</p> <p><b>EXISTING ZONING:</b> CA-3, SETBACK HIGHWAY COMMERCIAL</p> <p><b>EXISTING USES OF ADJACENT PROPERTY:</b> NORTH: SINGLE-FAMILY RESIDENTIAL EAST: SINGLE-FAMILY RESIDENTIAL SOUTH: SINGLE-FAMILY RESIDENTIAL WEST: SINGLE-FAMILY RESIDENTIAL</p> <p><b>SETBACKS:</b> NO BUILDING SETBACK AREA REQUIRED PER MUNICIPAL CODE; HOWEVER, THERE ARE LANDSCAPE SETBACKS ADJACENT TO STREETS.</p> <p><b>GENERAL PLAN DESIGNATION:</b> COMMERCIAL RETAIL</p> <p><b>BOUNDARIES INFORMATION:</b> THIS PLAN HAS BEEN PREPARED BY USING ALL T.A.C.S. IN LAND TITLE SURVEY DATED APRIL 3, 2012.</p>	<p><b>PROPOSED BUILDINGS:</b></p> <table border="1"> <tr> <td>GROCERY</td> <td>8,343 SQ. FT.</td> </tr> <tr> <td>SHOPS W</td> <td>8,678 SQ. FT.</td> </tr> <tr> <td>SHOPS S</td> <td>4,120 SQ. FT.</td> </tr> <tr> <td>PAD 1</td> <td>8,100 SQ. FT.</td> </tr> <tr> <td>PAD 2</td> <td>8,100 SQ. FT.</td> </tr> <tr> <td>TREE STORE &amp; 4 BAY GROUPING FLOOR MEZZANINE FLOOR</td> <td>18,183 SQ. FT.</td> </tr> <tr> <td>TOTAL PROPOSED BUILDING AREA:</td> <td>87,779 SQ. FT.</td> </tr> </table> <p><b>TOTAL BUILDING COVERAGE:</b> 47.1%  <b>SEE SHEET T10 FOR CONDITIONAL LANDSCAPE PLAN</b></p>	GROCERY	8,343 SQ. FT.	SHOPS W	8,678 SQ. FT.	SHOPS S	4,120 SQ. FT.	PAD 1	8,100 SQ. FT.	PAD 2	8,100 SQ. FT.	TREE STORE & 4 BAY GROUPING FLOOR MEZZANINE FLOOR	18,183 SQ. FT.	TOTAL PROPOSED BUILDING AREA:	87,779 SQ. FT.	<p><b>PARKING DATA:</b></p> <p>TOTAL PARKING REQUIRED: 2,717 SPACES @ 5.0/1000 SF      0.5 SPACES/1,000 SF OF NET LEASABLE FLOOR AREA</p> <p>TOTAL PARKING PROVIDED:      STANDARD (P+15) = 200 SPACES      MAXIMUM (P+15) = 13 SPACES      CONTRACT (P+2, 14) = 50 SPACES      117% ALLOWED UP TO 20%</p> <p>PARKING SPACES PROVIDED: 213 SPACES</p> <p>CAL GREEN BIKE CYCLE REQUIRED: 18 BIKES (237 x .03)</p> <p>TOTAL BIKE CYCLE PROVIDED: 20 BIKES</p>	<p><b>OWNER:</b> EVERGREEN DEVCO, INC.      2300 E. CARLEBACK ROAD, SUITE 410      PHOENIX, AZ 85016      CONTACT: ANA DRAGON      E-mail Address: dragon@evergreen.com</p> <p><b>APPLICANT &amp; ARCHITECT:</b> MCKENTLY MALAK ARCHITECTS      18 ANGELO ALLEY, SUITE 200      SAN DIEGO, CA 92108      CONTACT: M. MALAK      619.594.9144 TEL. 619.594.9147 FAX      E-mail Address: hmckent@mcmla.com</p> <p><b>CIVIL ENGINEERS:</b> TAT &amp; ASSOCIATES, INC.      781 PETERSON DR.      11400 W. 14TH AVENUE, SUITE 100      DENVER, CO 80202      CONTACT: MR. LARRY JOHNSON      E-mail Address: ljohnson@tati.com</p> <p><b>LANDSCAPE ARCHITECT:</b> WELDON ASSOCIATES      11785 WASHINGTON ST.      SUITE 100      451.353.1109 FAX      CONTACT: MR. TIM DEWITT      E-mail Address: dewitt@weldon.com</p> <p><b>ELECTRICAL ENGINEERS:</b> GRANBERG ENGINEERING, INC.      1000 W. 42ND AVENUE, SUITE 100      DENVER, CO 80202      303.733.1449 TEL. 303.733.1450 FAX      CONTACT: MR. MARK D. BONDY      E-mail Address: mark@granberg.com</p>	<p><b>ACADEMICAL:</b>      T-100 TITLE SHEET</p> <p><b>SCA:</b>      C-0 ALI/MANUAL LAND TITLE SURVEY      C-1 PRELIMINARY LAND AND DRAINAGE PLAN      C-2 PRELIMINARY UTILITY PLAN      C-3 PRELIMINARY WATER QUANTITY MANAGEMENT PLAN</p> <p><b>LANDSCAPE:</b>      U-0 CONCEPTUAL LANDSCAPE PLAN</p> <p><b>ARCHITECTURAL:</b>      A-10 SITE PLAN      A-100 PROPOSED FLOOR PLAN      A-102 PROPOSED FLOOR PLAN      A-103 PROPOSED FLOOR PLAN      A-200 EXTERIOR ELEVATIONS      A-202 EXTERIOR ELEVATIONS      A-204 EXTERIOR ELEVATIONS      A-206 EXTERIOR ELEVATIONS      A-208 EXTERIOR ELEVATIONS      A-210 EXTERIOR ELEVATIONS      A-212 EXTERIOR ELEVATIONS      A-214 EXTERIOR ELEVATIONS      A-216 EXTERIOR ELEVATIONS      A-218 EXTERIOR ELEVATIONS      A-220 EXTERIOR ELEVATIONS      A-222 EXTERIOR ELEVATIONS      A-224 EXTERIOR ELEVATIONS      A-226 EXTERIOR ELEVATIONS      A-228 EXTERIOR ELEVATIONS      A-230 EXTERIOR ELEVATIONS      A-232 EXTERIOR 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ELEVATIONS</p>
GROCERY	8,343 SQ. FT.																	
SHOPS W	8,678 SQ. FT.																	
SHOPS S	4,120 SQ. FT.																	
PAD 1	8,100 SQ. FT.																	
PAD 2	8,100 SQ. FT.																	
TREE STORE & 4 BAY GROUPING FLOOR MEZZANINE FLOOR	18,183 SQ. FT.																	
TOTAL PROPOSED BUILDING AREA:	87,779 SQ. FT.																	



**McKenty  
Malak  
ARCHITECTS**  
39 HUGH AVE., SUITE 200  
FREMONT, CALIFORNIA 94538-3446  
PH: 415-554-9400 FAX: 415-554-9407

A PROJECT OF

**Evergreen**  
COMMERCIAL REAL ESTATE GROUP  
2801 E. CALLE REAL, SUITE 410  
PHOENIX, AZ 85018  
CONTACT: DANA DRAGON  
PHONE: 602-997-7178



**EASTVALE MARKETPLACE**  
NEC of Limonite Ave. & Sumner Ave.  
Eastvale, California 92880

NO.	DATE	DESCRIPTION
1	07.26.13	MAJOR DEVELOPMENT PLAN & CONCEPTUAL

ALL INFORMATION IS BASED ON ORIGINAL PLANS AND SPECIFICATIONS. THE DRAWING IS THE PROPERTY OF THE ARCHITECT AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT. THE ARCHITECT ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS IN THIS DOCUMENT. THE USER OF THIS DOCUMENT ASSUMES ALL LIABILITY FOR ANY SUCH ERRORS OR OMISSIONS.

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DRAWN BY: [Name]  
DATE: 08/17/15  
SHEET DESCRIPTION:

PROPOSED SITE PLAN

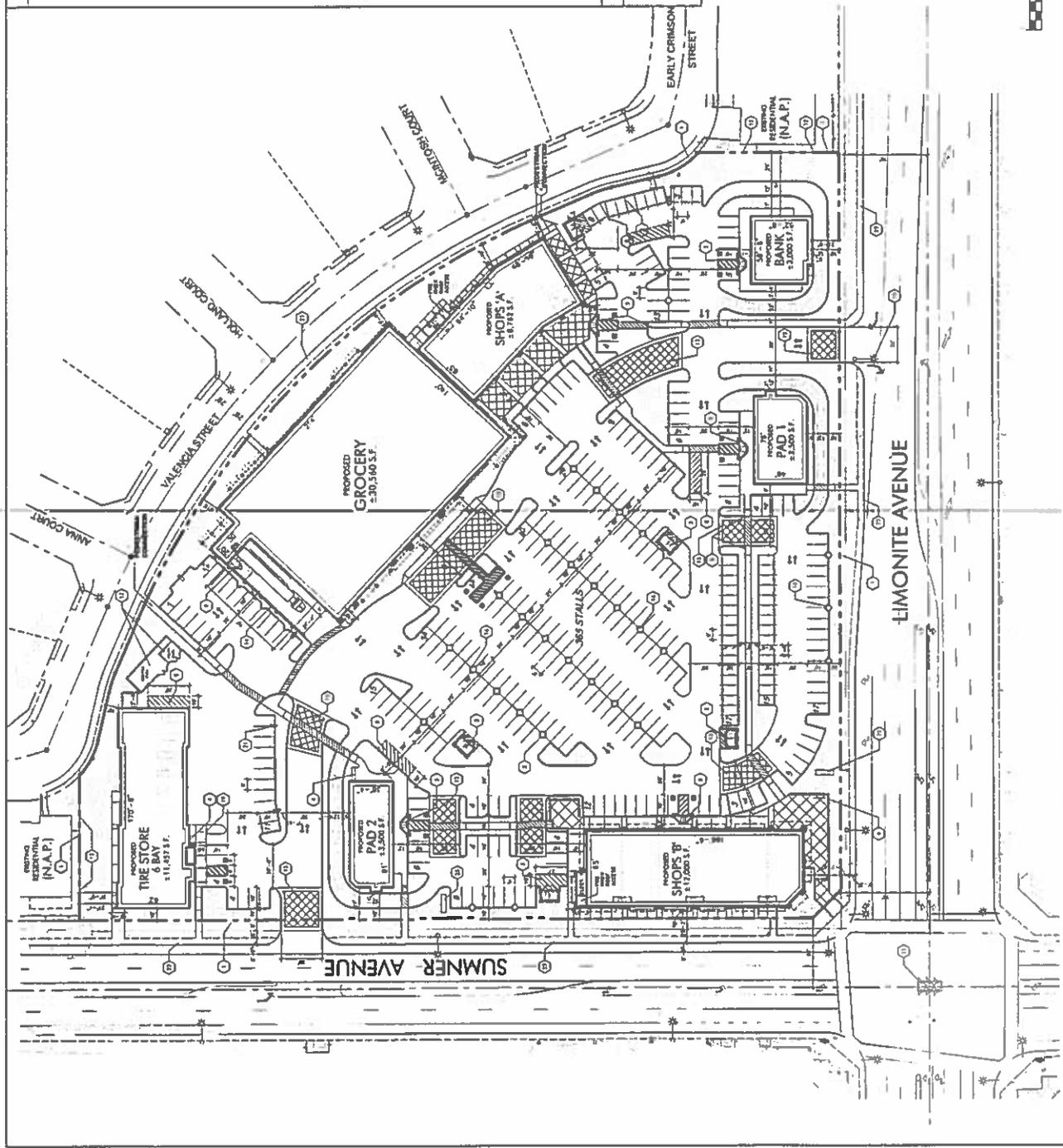
SHEET NUMBER  
**A010**

MAJOR DEVELOPMENT PLAN

**KEY NOTES**

- 1 EXISTING PROPERTY LINE
- 2 NEW TRANSFORMER
- 3 NEW TRASH ENCLOSURE
- 4 NEW BIKE RACKS
- 5 NEW RAMP
- 6 NEW PARKING STRIPING
- 7 NEW CURB
- 8 NEW 10'-35' LOADING ZONE
- 9 NEW COMPACTOR
- 10 NEW PLANTER
- 11 EXISTING TRAFFIC LIGHT
- 12 EXISTING BLOCK WALL AT PROPERTY LINE
- 13 NEW ENHANCED PAVING
- 14 NEW LOW WALL @ LOADING AREA
- 15 EXISTING LIGHT POLE TO BE RELOCATED
- 16 NEW 5'-5" DIAMOND PLANTER
- 17 PROPOSED MASONRY TRASH ENCLOSURE AND TIRE RECYCLE STORAGE.
- 18 NEW BOLLARD
- 19 NEW 24" CONCRETE HIGH WALL
- 20 NOT USED.
- 21 NEW PARKING LIGHT
- 22 ROOF OVERHANG
- 23 EXISTING SIDEWALK
- 24 EXISTING GAS PIPE PADDOLE
- 25 NEW UMBRELLA SIGN

**LEGEND**



PROPOSED SITE PLAN

SCALE: 1" = 40'-0"



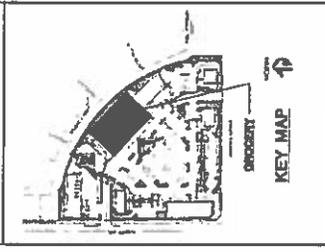






**McKenty Malak ARCHITECTS**  
 18 WEST 41ST ST SUITE 200  
 PLEASANTON, CALIFORNIA 94566  
 PH: 925 882 9100 FAX: 925 882 9107

**Evergreen**  
 Development Services | Construction  
 ZONE 5 CAMELBACK RD, SUITE 410  
 CONTRACT: DANA WILSON  
 OFFICE: 925 887-1138



**EASTVALE MARKETPLACE**  
 NEC of Limonite Ave. & Sumner Ave.  
 Castroville, California 97880

NO.	DATE	DESCRIPTION
1	07/18/15	MAJOR DEVELOPMENT PLANS
		CIP SUBMITTAL

**EXTERIOR ELEVATIONS (GROCERY)**

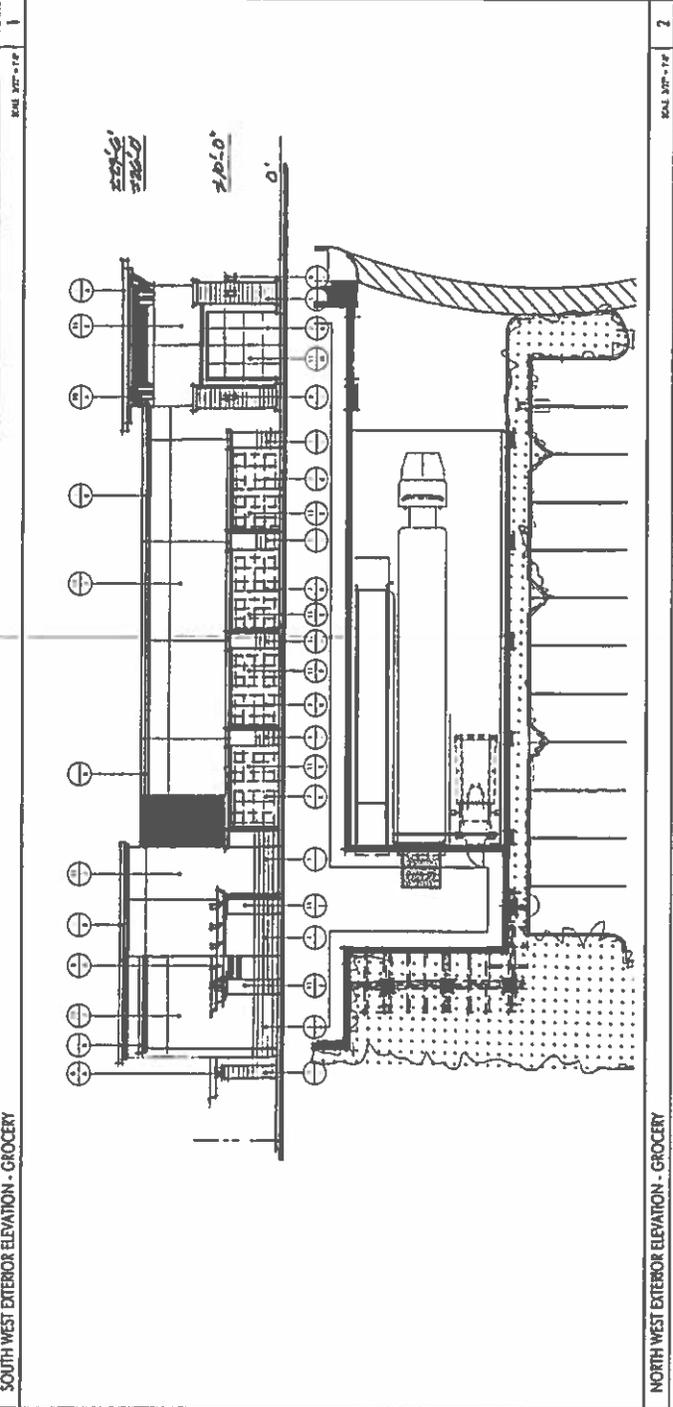
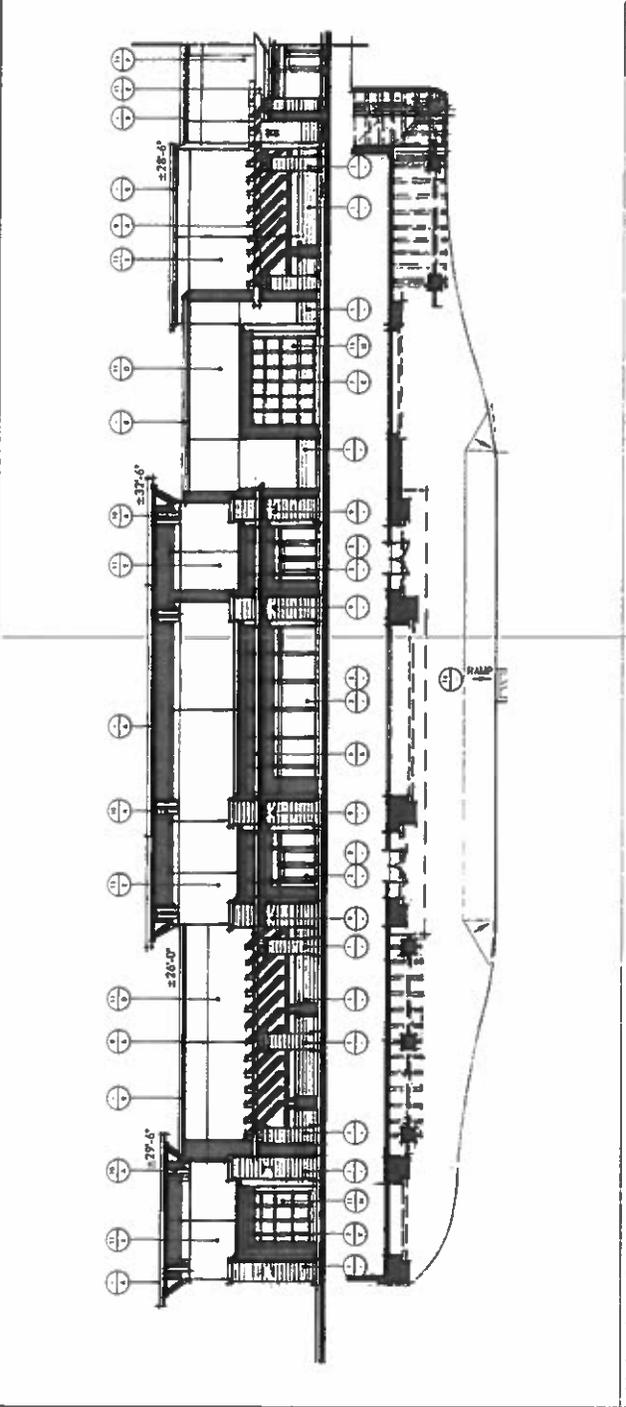
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 DRAWN BY: [ ]  
 DATE: 07/15/15  
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SHEET NUMBER: **A200**  
 BASED ON DRAWING P-105

**FINISH LEGEND**

KEY	NOTATION	FINISH DESCRIPTION
1	○	MANUFACTURER'S FINISH LAMINATE
2	○	MANUFACTURER'S FINISH LAMINATE
3	○	MANUFACTURER'S FINISH LAMINATE
4	○	MANUFACTURER'S FINISH LAMINATE
5	○	MANUFACTURER'S FINISH LAMINATE
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KEY	NOTATION	FINISH DESCRIPTION
51	○	MANUFACTURER'S FINISH LAMINATE
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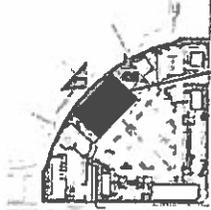
**McKenty  
Malak  
ARCHITECTS**

18 HUNTERS BLVD  
PHOENIX, AZ 85016  
TEL: 480 966 8848 FAX: 480 966 8997

PROJECT

**Evergreen**  
Construction Services | Construction

2800 E CAMELBACK RD SUITE 410  
PHOENIX, AZ 85018  
CONTACT: DAVID DRAGON  
GROUP: 480 966 1718



DISCREET  
KEY MAP

**EASTVALE MARKETPLACE**  
NEC of Limonite Ave. & Summer Ave.  
Eastvale, California 92880

BLUES / FINISHES  
No. DATE DESCRIPTION  
1 07 16 13 MAJOR DEVELOPMENT PLAN  
CLIP SUBMITTAL

SHEET NUMBER

JOB NUMBER: 15127400A  
DRAWN BY: [blank]  
DATE: 07.16.13  
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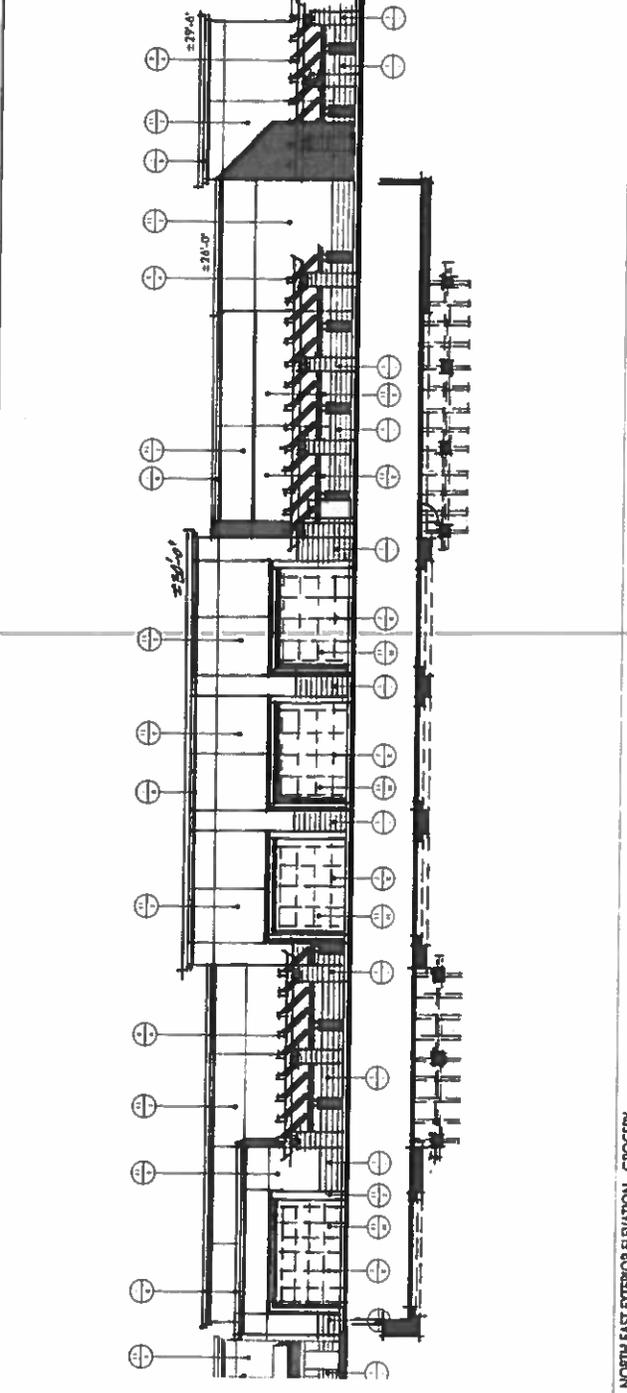
EXTERIOR ELEVATIONS  
(GROCERY)

**A201**

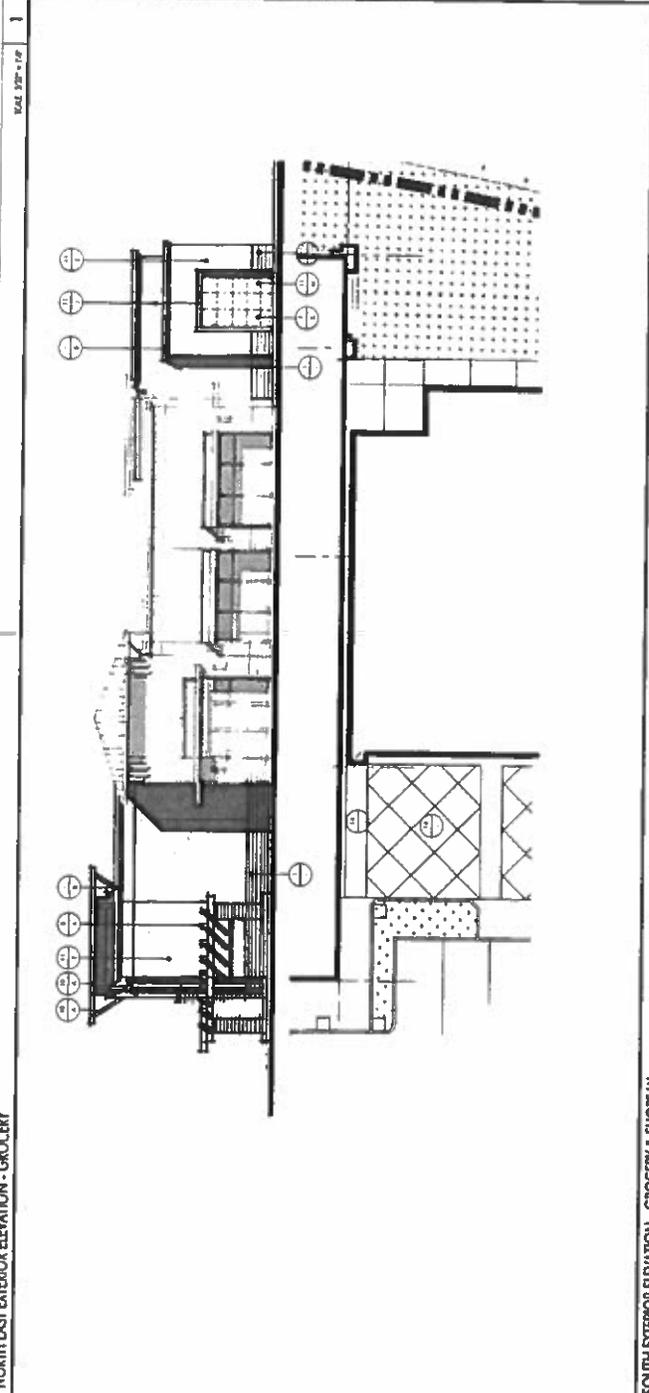
MAJOR DEVELOPMENT PLAN

**FINISH LEGEND**

SYMBOL	MATERIAL	MANUFACTURER / FINISH / COLOR
1	CONCRETE	MANUFACTURER: NEW CONSTRUCTION COLOR: CONCRETE FINISH: POLISHED
2	STAINLESS STEEL	MANUFACTURER: ANCHOR ALUMINUM FINISH: CLEAR ANODIZED ALUMINUM
3	STAINLESS STEEL	MANUFACTURER: ANCHOR ALUMINUM FINISH: CLEAR ANODIZED ALUMINUM
4	STAINLESS STEEL	MANUFACTURER: ANCHOR ALUMINUM FINISH: CLEAR ANODIZED ALUMINUM
5	STAINLESS STEEL	MANUFACTURER: ANCHOR ALUMINUM FINISH: CLEAR ANODIZED ALUMINUM
6	STAINLESS STEEL	MANUFACTURER: ANCHOR ALUMINUM FINISH: CLEAR ANODIZED ALUMINUM
7	STAINLESS STEEL	MANUFACTURER: ANCHOR ALUMINUM FINISH: CLEAR ANODIZED ALUMINUM
8	STAINLESS STEEL	MANUFACTURER: ANCHOR ALUMINUM FINISH: CLEAR ANODIZED ALUMINUM
9	STAINLESS STEEL	MANUFACTURER: ANCHOR ALUMINUM FINISH: CLEAR ANODIZED ALUMINUM
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13	STAINLESS STEEL	MANUFACTURER: ANCHOR ALUMINUM FINISH: CLEAR ANODIZED ALUMINUM
14	STAINLESS STEEL	MANUFACTURER: ANCHOR ALUMINUM FINISH: CLEAR ANODIZED ALUMINUM
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26	STAINLESS STEEL	MANUFACTURER: ANCHOR ALUMINUM FINISH: CLEAR ANODIZED ALUMINUM
27	STAINLESS STEEL	MANUFACTURER: ANCHOR ALUMINUM FINISH: CLEAR ANODIZED ALUMINUM
28	STAINLESS STEEL	MANUFACTURER: ANCHOR ALUMINUM FINISH: CLEAR ANODIZED ALUMINUM
29	STAINLESS STEEL	MANUFACTURER: ANCHOR ALUMINUM FINISH: CLEAR ANODIZED ALUMINUM
30	STAINLESS STEEL	MANUFACTURER: ANCHOR ALUMINUM FINISH: CLEAR ANODIZED ALUMINUM
31	STAINLESS STEEL	MANUFACTURER: ANCHOR ALUMINUM FINISH: CLEAR ANODIZED ALUMINUM
32	STAINLESS STEEL	MANUFACTURER: ANCHOR ALUMINUM FINISH: CLEAR ANODIZED ALUMINUM
33	STAINLESS STEEL	MANUFACTURER: ANCHOR ALUMINUM FINISH: CLEAR ANODIZED ALUMINUM
34	STAINLESS STEEL	MANUFACTURER: ANCHOR ALUMINUM FINISH: CLEAR ANODIZED ALUMINUM
35	STAINLESS STEEL	MANUFACTURER: ANCHOR ALUMINUM FINISH: CLEAR ANODIZED ALUMINUM
36	STAINLESS STEEL	MANUFACTURER: ANCHOR ALUMINUM FINISH: CLEAR ANODIZED ALUMINUM
37	STAINLESS STEEL	MANUFACTURER: ANCHOR ALUMINUM FINISH: CLEAR ANODIZED ALUMINUM
38	STAINLESS STEEL	MANUFACTURER: ANCHOR ALUMINUM FINISH: CLEAR ANODIZED ALUMINUM
39	STAINLESS STEEL	MANUFACTURER: ANCHOR ALUMINUM FINISH: CLEAR ANODIZED ALUMINUM
40	STAINLESS STEEL	MANUFACTURER: ANCHOR ALUMINUM FINISH: CLEAR ANODIZED ALUMINUM
41	STAINLESS STEEL	MANUFACTURER: ANCHOR ALUMINUM FINISH: CLEAR ANODIZED ALUMINUM
42	STAINLESS STEEL	MANUFACTURER: ANCHOR ALUMINUM FINISH: CLEAR ANODIZED ALUMINUM
43	STAINLESS STEEL	MANUFACTURER: ANCHOR ALUMINUM FINISH: CLEAR ANODIZED ALUMINUM
44	STAINLESS STEEL	MANUFACTURER: ANCHOR ALUMINUM FINISH: CLEAR ANODIZED ALUMINUM
45	STAINLESS STEEL	MANUFACTURER: ANCHOR ALUMINUM FINISH: CLEAR ANODIZED ALUMINUM
46	STAINLESS STEEL	MANUFACTURER: ANCHOR ALUMINUM FINISH: CLEAR ANODIZED ALUMINUM
47	STAINLESS STEEL	MANUFACTURER: ANCHOR ALUMINUM FINISH: CLEAR ANODIZED ALUMINUM
48	STAINLESS STEEL	MANUFACTURER: ANCHOR ALUMINUM FINISH: CLEAR ANODIZED ALUMINUM
49	STAINLESS STEEL	MANUFACTURER: ANCHOR ALUMINUM FINISH: CLEAR ANODIZED ALUMINUM
50	STAINLESS STEEL	MANUFACTURER: ANCHOR ALUMINUM FINISH: CLEAR ANODIZED ALUMINUM



NORTH EAST EXTERIOR ELEVATION - GROCERY



SOUTH EXTERIOR ELEVATION - GROCERY & SHOPS 'A'

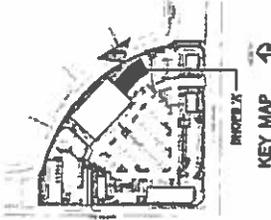


**McKenty  
Malak  
ARCHITECTS**  
15 BAYVIEW AVENUE SUITE 100  
PACIFIC PALMS SPRING, CA 92688  
TEL: 951 866 0843 FAX: 951 866 2099

ARCHITECT FOR



**Evergreen**  
2300 E. CAMELBACK RD. SUITE 410  
PHOENIX, AZ 85016  
CONSTRUCTION MANAGER  
CONTRACT NO. 1047124



**EASTVALE MARKETPLACE**  
NEC of Limonte Ave. & Summer Ave.  
Escondido, California 92880

ISSUES / REVISIONS

No.	DATE	DESCRIPTION
1	07.18.13	MAJOR DEVELOPMENT PLAN E. CIP SUBMITTAL

CONTRACT NO. 1512788AA

DESIGNED BY: [Redacted]  
CHECKED BY: [Redacted]  
DATE: 07.13.13  
SHEET DESCRIPTION:

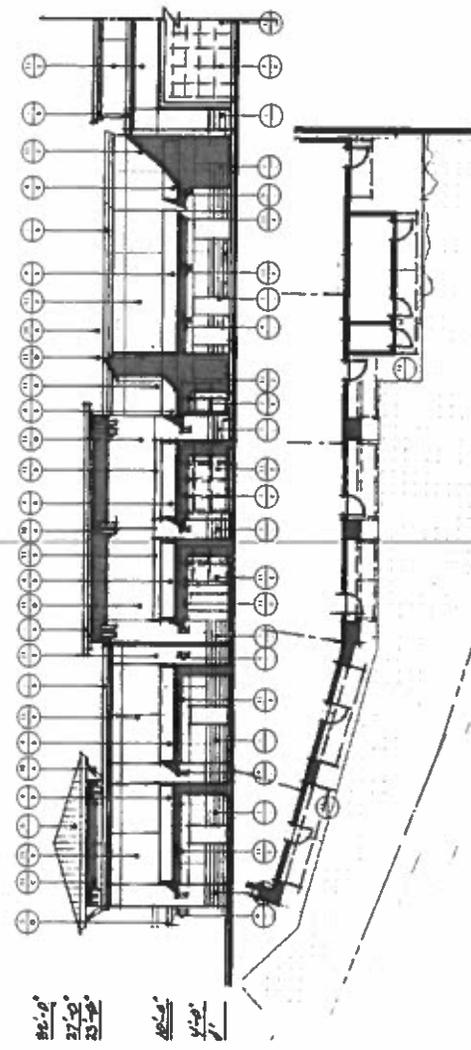
EXTERIOR ELEVATIONS  
(SHOPS A)

SHEET NUMBER  
**A203**

BASED ON: 1047124-02-01

**FINISH LEGEND**

ITEM	SYMBOL	MANUFACTURER / FINISH LOCATION
1	CONC	MANUFACTURER: [Redacted] COLOR: [Redacted]
2	STAINWOOD	MANUFACTURER: [Redacted] COLOR: [Redacted]
3	STAINWOOD GLASS	MANUFACTURER: [Redacted] COLOR: [Redacted]
4	FLOOR FINISH	MANUFACTURER: [Redacted] COLOR: [Redacted]
5	METAL CLAMP	MANUFACTURER: [Redacted] COLOR: [Redacted]
6	METAL ROOF	MANUFACTURER: [Redacted] COLOR: [Redacted]
7	SMALL WALLS	MANUFACTURER: [Redacted] COLOR: [Redacted]
8	METAL TRUSS	MANUFACTURER: [Redacted] COLOR: [Redacted]
9	SMALL ROOF	MANUFACTURER: [Redacted] COLOR: [Redacted]
10	WOOD FINISH	MANUFACTURER: [Redacted] COLOR: [Redacted]
11	PAINT	MANUFACTURER: [Redacted] COLOR: [Redacted]
12	PAINT	MANUFACTURER: [Redacted] COLOR: [Redacted]
13	PAINT	MANUFACTURER: [Redacted] COLOR: [Redacted]
14	PAINT	MANUFACTURER: [Redacted] COLOR: [Redacted]
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16	PAINT	MANUFACTURER: [Redacted] COLOR: [Redacted]
17	PAINT	MANUFACTURER: [Redacted] COLOR: [Redacted]
18	PAINT	MANUFACTURER: [Redacted] COLOR: [Redacted]
19	PAINT	MANUFACTURER: [Redacted] COLOR: [Redacted]
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21	PAINT	MANUFACTURER: [Redacted] COLOR: [Redacted]
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26	PAINT	MANUFACTURER: [Redacted] COLOR: [Redacted]
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28	PAINT	MANUFACTURER: [Redacted] COLOR: [Redacted]
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37	PAINT	MANUFACTURER: [Redacted] COLOR: [Redacted]
38	PAINT	MANUFACTURER: [Redacted] COLOR: [Redacted]
39	PAINT	MANUFACTURER: [Redacted] COLOR: [Redacted]
40	PAINT	MANUFACTURER: [Redacted] COLOR: [Redacted]
41	PAINT	MANUFACTURER: [Redacted] COLOR: [Redacted]
42	PAINT	MANUFACTURER: [Redacted] COLOR: [Redacted]
43	PAINT	MANUFACTURER: [Redacted] COLOR: [Redacted]
44	PAINT	MANUFACTURER: [Redacted] COLOR: [Redacted]
45	PAINT	MANUFACTURER: [Redacted] COLOR: [Redacted]
46	PAINT	MANUFACTURER: [Redacted] COLOR: [Redacted]
47	PAINT	MANUFACTURER: [Redacted] COLOR: [Redacted]
48	PAINT	MANUFACTURER: [Redacted] COLOR: [Redacted]
49	PAINT	MANUFACTURER: [Redacted] COLOR: [Redacted]
50	PAINT	MANUFACTURER: [Redacted] COLOR: [Redacted]
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53	PAINT	MANUFACTURER: [Redacted] COLOR: [Redacted]
54	PAINT	MANUFACTURER: [Redacted] COLOR: [Redacted]
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66	PAINT	MANUFACTURER: [Redacted] COLOR: [Redacted]
67	PAINT	MANUFACTURER: [Redacted] COLOR: [Redacted]
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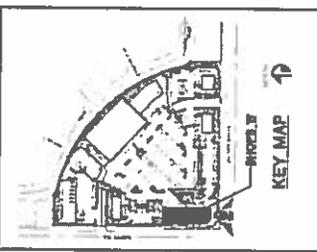


NORTH EAST EXTERIOR ELEVATION - SHOPS A

SCALE: 3/8" = 1'-0"

**Mckently  
Malak  
ARCHITECTS**  
11 West 41st Street  
New York, NY 10018  
Tel: 212 924 8888 Fax: 212 924 8887

**Evergreen**  
Architectural Interiors | Interiors  
2800 E CAMBERGARD SUITE #10  
PHOENIX, AZ 85016  
CHANDLER OFFICE  
CHANDLER, AZ 85226  
CHANDLER OFFICE  
CHANDLER, AZ 85226



**EASTVALE MARKETPLACE**  
NEC of Lincoln Ave. & Summer Ave.  
Eastvale, California 92880

**REVISIONS**

No.	DATE	DESCRIPTION
1	07.18.11	ISSUE FOR DEVELOPMENT PLANS & CLIP SUBMITTAL

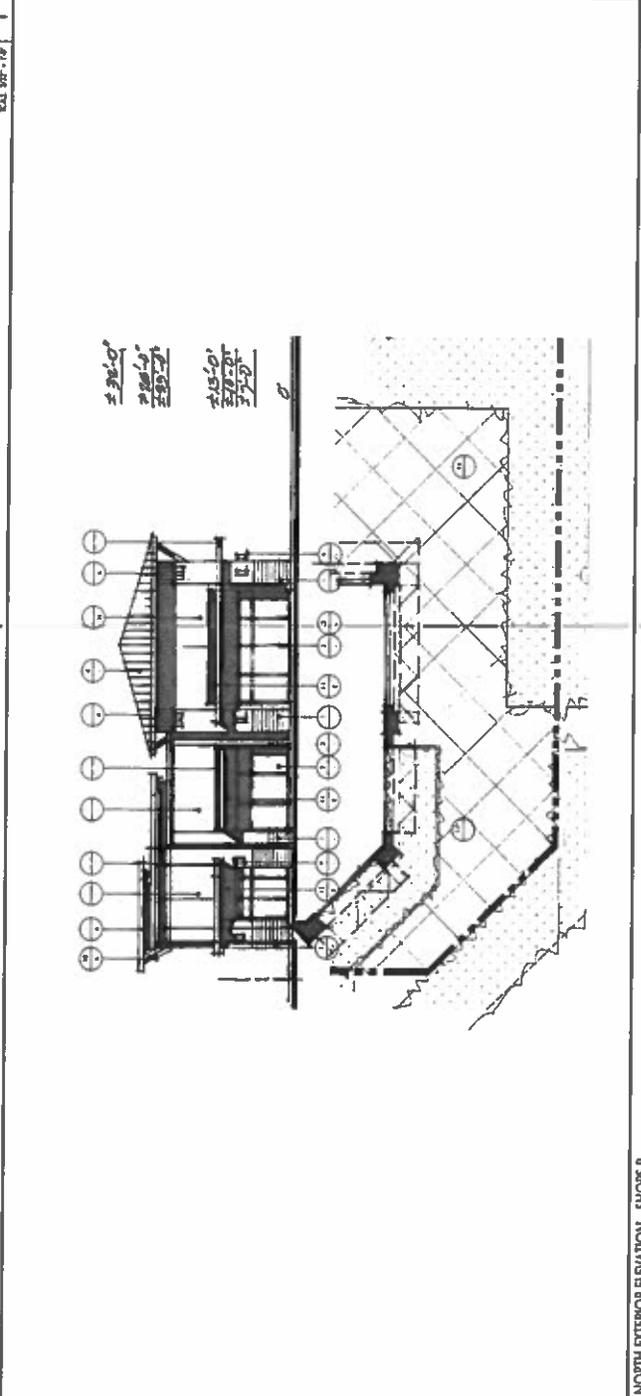
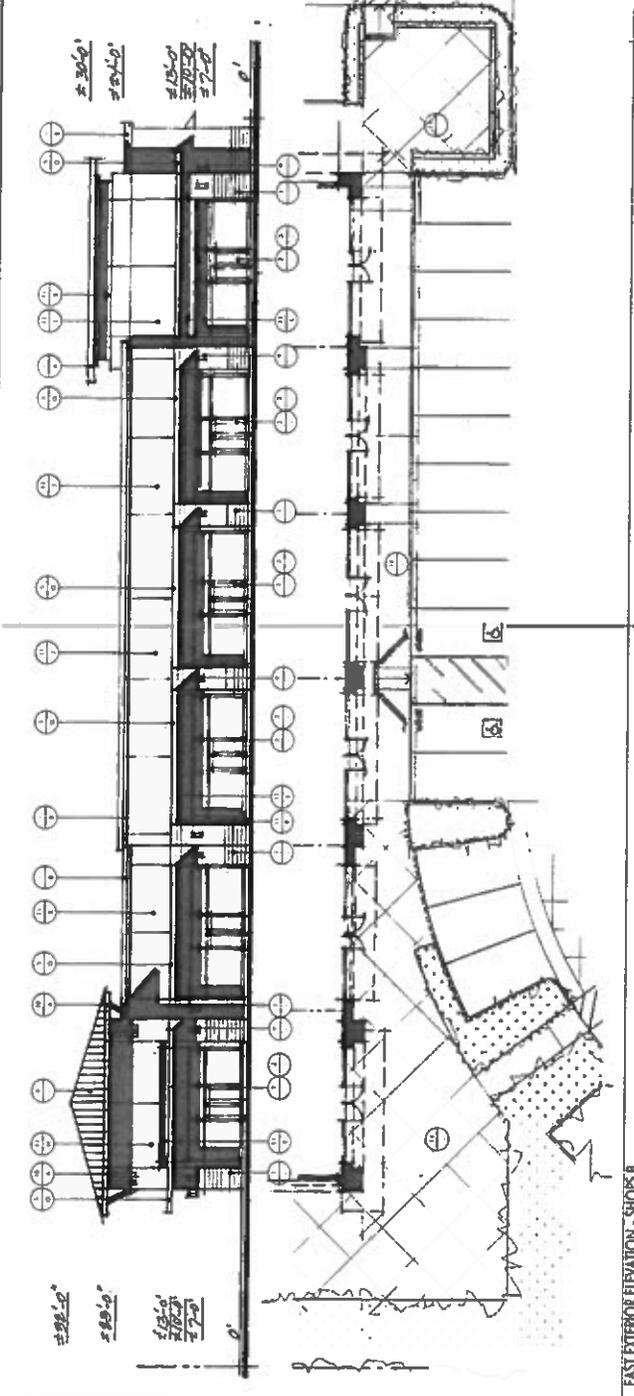
JOB NUMBER: 11127-000  
DRAWN BY: JRM  
DATE: 07.18.11  
CHECKED BY: JRM  
SKETCH DESCRIPTION:  
**EXTERIOR ELEVATIONS (SHOPS B)**

SHEET NUMBER:  
**A204**

BASED ON: 10/14/10

**FINISH LEGEND**

ITEM	MATERIAL	MANUFACTURER / PRODUCT CODE
1	CONCRETE	MANUFACTURER: ARCADIA COLOR: CHARCOAL BURNISHED FINISH: POLISHED ALUMINUM
2	EXTERIOR WALL	MANUFACTURER: JACOBA ALUMINUM FINISH: POLISHED ALUMINUM
3	EXTERIOR GLASS	MANUFACTURER: BARNETT TYPE: 1/2" CLEAR GLASS
4	FRAME GLASS	MANUFACTURER: BARNETT TYPE: 1/2" CLEAR GLASS
5	METAL CANOPY	MANUFACTURER: NEW CONSTRUCTION FINISH: POLISHED ALUMINUM COLOR: CHARCOAL BURNISHED FINISH: POLISHED ALUMINUM
6	METAL ROOF	MANUFACTURER: NEW CONSTRUCTION FINISH: POLISHED ALUMINUM COLOR: CHARCOAL BURNISHED FINISH: POLISHED ALUMINUM
7	PAINT	MANUFACTURER: INTERMIX COLOR: DE GRAY FINISH: 700 DUNE SPERM
8	METAL WALL	MANUFACTURER: NEW CONSTRUCTION FINISH: POLISHED ALUMINUM COLOR: CHARCOAL BURNISHED FINISH: POLISHED ALUMINUM
9	PAINT	MANUFACTURER: INTERMIX COLOR: DE GRAY FINISH: 700 DUNE SPERM
10	WOOD	MANUFACTURER: LA JOLLA FINISH: POLISHED ALUMINUM COLOR: CHARCOAL BURNISHED FINISH: POLISHED ALUMINUM
11	BRICK	MANUFACTURER: NEW CONSTRUCTION FINISH: POLISHED ALUMINUM COLOR: CHARCOAL BURNISHED FINISH: POLISHED ALUMINUM
12	METAL ROOFING	MANUFACTURER: NEW CONSTRUCTION FINISH: POLISHED ALUMINUM COLOR: CHARCOAL BURNISHED FINISH: POLISHED ALUMINUM
13	CONCRETE FINISH	MANUFACTURER: NEW CONSTRUCTION FINISH: POLISHED ALUMINUM COLOR: CHARCOAL BURNISHED FINISH: POLISHED ALUMINUM
14	PAINT	MANUFACTURER: INTERMIX COLOR: DE GRAY FINISH: 700 DUNE SPERM
15	PAINT	MANUFACTURER: INTERMIX COLOR: DE GRAY FINISH: 700 DUNE SPERM
16	PAINT	MANUFACTURER: INTERMIX COLOR: DE GRAY FINISH: 700 DUNE SPERM
17	PAINT	MANUFACTURER: INTERMIX COLOR: DE GRAY FINISH: 700 DUNE SPERM
18	PAINT	MANUFACTURER: INTERMIX COLOR: DE GRAY FINISH: 700 DUNE SPERM
19	PAINT	MANUFACTURER: INTERMIX COLOR: DE GRAY FINISH: 700 DUNE SPERM
20	PAINT	MANUFACTURER: INTERMIX COLOR: DE GRAY FINISH: 700 DUNE SPERM
21	PAINT	MANUFACTURER: INTERMIX COLOR: DE GRAY FINISH: 700 DUNE SPERM
22	PAINT	MANUFACTURER: INTERMIX COLOR: DE GRAY FINISH: 700 DUNE SPERM
23	PAINT	MANUFACTURER: INTERMIX COLOR: DE GRAY FINISH: 700 DUNE SPERM
24	PAINT	MANUFACTURER: INTERMIX COLOR: DE GRAY FINISH: 700 DUNE SPERM
25	PAINT	MANUFACTURER: INTERMIX COLOR: DE GRAY FINISH: 700 DUNE SPERM
26	PAINT	MANUFACTURER: INTERMIX COLOR: DE GRAY FINISH: 700 DUNE SPERM
27	PAINT	MANUFACTURER: INTERMIX COLOR: DE GRAY FINISH: 700 DUNE SPERM
28	PAINT	MANUFACTURER: INTERMIX COLOR: DE GRAY FINISH: 700 DUNE SPERM
29	PAINT	MANUFACTURER: INTERMIX COLOR: DE GRAY FINISH: 700 DUNE SPERM
30	PAINT	MANUFACTURER: INTERMIX COLOR: DE GRAY FINISH: 700 DUNE SPERM
31	PAINT	MANUFACTURER: INTERMIX COLOR: DE GRAY FINISH: 700 DUNE SPERM
32	PAINT	MANUFACTURER: INTERMIX COLOR: DE GRAY FINISH: 700 DUNE SPERM
33	PAINT	MANUFACTURER: INTERMIX COLOR: DE GRAY FINISH: 700 DUNE SPERM
34	PAINT	MANUFACTURER: INTERMIX COLOR: DE GRAY FINISH: 700 DUNE SPERM
35	PAINT	MANUFACTURER: INTERMIX COLOR: DE GRAY FINISH: 700 DUNE SPERM
36	PAINT	MANUFACTURER: INTERMIX COLOR: DE GRAY FINISH: 700 DUNE SPERM
37	PAINT	MANUFACTURER: INTERMIX COLOR: DE GRAY FINISH: 700 DUNE SPERM
38	PAINT	MANUFACTURER: INTERMIX COLOR: DE GRAY FINISH: 700 DUNE SPERM
39	PAINT	MANUFACTURER: INTERMIX COLOR: DE GRAY FINISH: 700 DUNE SPERM
40	PAINT	MANUFACTURER: INTERMIX COLOR: DE GRAY FINISH: 700 DUNE SPERM
41	PAINT	MANUFACTURER: INTERMIX COLOR: DE GRAY FINISH: 700 DUNE SPERM
42	PAINT	MANUFACTURER: INTERMIX COLOR: DE GRAY FINISH: 700 DUNE SPERM
43	PAINT	MANUFACTURER: INTERMIX COLOR: DE GRAY FINISH: 700 DUNE SPERM
44	PAINT	MANUFACTURER: INTERMIX COLOR: DE GRAY FINISH: 700 DUNE SPERM
45	PAINT	MANUFACTURER: INTERMIX COLOR: DE GRAY FINISH: 700 DUNE SPERM
46	PAINT	MANUFACTURER: INTERMIX COLOR: DE GRAY FINISH: 700 DUNE SPERM
47	PAINT	MANUFACTURER: INTERMIX COLOR: DE GRAY FINISH: 700 DUNE SPERM
48	PAINT	MANUFACTURER: INTERMIX COLOR: DE GRAY FINISH: 700 DUNE SPERM
49	PAINT	MANUFACTURER: INTERMIX COLOR: DE GRAY FINISH: 700 DUNE SPERM
50	PAINT	MANUFACTURER: INTERMIX COLOR: DE GRAY FINISH: 700 DUNE SPERM



**McKently  
Malak  
ARCHITECTS**  
18 Regal Blvd, Suite 100  
Phoenix, AZ 85018  
Tel: 480 980 8011 Fax: 480 980 8087

PROJECT NO.

**Evergreen**  
2800 E Camelback Rd, Suite 410  
Phoenix, AZ 85018  
CONTACT: DANA LINDSEY  
CDDP: 000 001 1729



**EASTVALE MARKETPLACE**  
NEC of Lincoln Ave. & Summer Ave.  
Eastvale, California 92880

BUILD / REVISIONS

No.	DATE	DESCRIPTION
1	07.16.13	MAJOR DEVELOPMENT PLAN #1
		CLIP SUBMITTAL

CDR: ISABELE 13121JAMA

DESIGNED BY: \_\_\_\_\_ CHECKED BY: JMA

DATE: 07.13.13

SHEET DESCRIPTION:

**EXTERIOR ELEVATIONS  
(SHOPS B)**

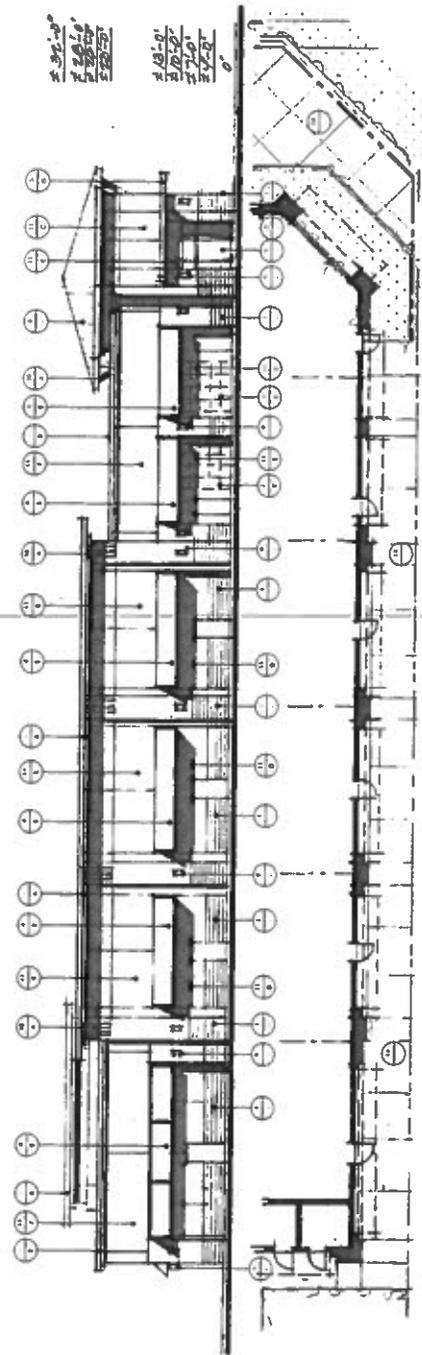
SHEET NUMBER

**A205**

BASED ON DRAWING P 43

**FINISH LEGEND**

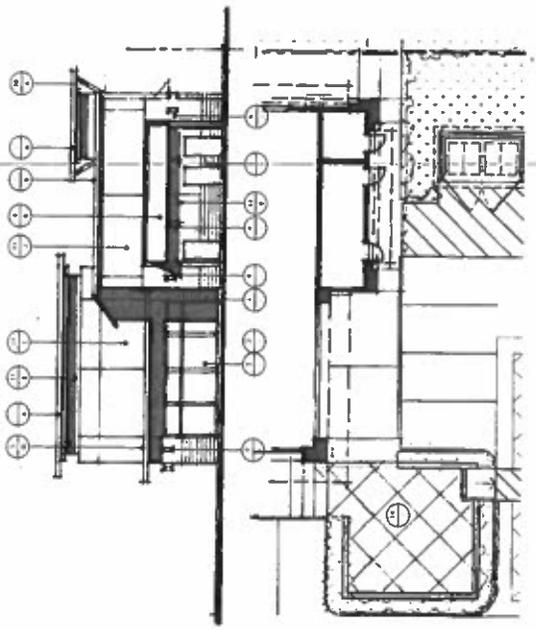
KEY	DETAIL	FINISH / MATERIAL / NOTES
1	CMU	MANUFACTURER: ANGLUS BLOCK COLOR: SANDSTONE, SANDSTONE PAINT: MASONRY PAINT FROM CLARK WOODZON PLUMBING
2	SPRINKLER	PAINT: MASONRY PAINT FROM CLARK WOODZON PLUMBING
3	EXTERIOR WALL	PAINT: MASONRY PAINT FROM CLARK WOODZON PLUMBING
4	FABRIC SIDING	MANUFACTURER: BARNHILL COLOR: BARNHILL
5	METAL CLADDING	MANUFACTURER: METAL CLADDING COLOR: METAL CLADDING
6	METAL ROOF	MANUFACTURER: METAL ROOF COLOR: METAL ROOF
7	WALL PANELS	MANUFACTURER: BARNHILL COLOR: BARNHILL
8	METAL WALLS	MANUFACTURER: METAL WALLS COLOR: METAL WALLS
9	WALL SIDING	MANUFACTURER: BARNHILL COLOR: BARNHILL
10	WOOD STAIRS	MANUFACTURER: WOOD STAIRS COLOR: WOOD STAIRS
11	WOOD	MANUFACTURER: WOOD COLOR: WOOD
12	WOOD SIDING	MANUFACTURER: WOOD SIDING COLOR: WOOD SIDING
13	WOOD SIDING	MANUFACTURER: WOOD SIDING COLOR: WOOD SIDING
14	WOOD SIDING	MANUFACTURER: WOOD SIDING COLOR: WOOD SIDING
15	WOOD SIDING	MANUFACTURER: WOOD SIDING COLOR: WOOD SIDING
16	WOOD SIDING	MANUFACTURER: WOOD SIDING COLOR: WOOD SIDING
17	WOOD SIDING	MANUFACTURER: WOOD SIDING COLOR: WOOD SIDING
18	WOOD SIDING	MANUFACTURER: WOOD SIDING COLOR: WOOD SIDING
19	WOOD SIDING	MANUFACTURER: WOOD SIDING COLOR: WOOD SIDING
20	WOOD SIDING	MANUFACTURER: WOOD SIDING COLOR: WOOD SIDING
21	WOOD SIDING	MANUFACTURER: WOOD SIDING COLOR: WOOD SIDING
22	WOOD SIDING	MANUFACTURER: WOOD SIDING COLOR: WOOD SIDING
23	WOOD SIDING	MANUFACTURER: WOOD SIDING COLOR: WOOD SIDING
24	WOOD SIDING	MANUFACTURER: WOOD SIDING COLOR: WOOD SIDING
25	WOOD SIDING	MANUFACTURER: WOOD SIDING COLOR: WOOD SIDING
26	WOOD SIDING	MANUFACTURER: WOOD SIDING COLOR: WOOD SIDING
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34	WOOD SIDING	MANUFACTURER: WOOD SIDING COLOR: WOOD SIDING
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42	WOOD SIDING	MANUFACTURER: WOOD SIDING COLOR: WOOD SIDING
43	WOOD SIDING	MANUFACTURER: WOOD SIDING COLOR: WOOD SIDING
44	WOOD SIDING	MANUFACTURER: WOOD SIDING COLOR: WOOD SIDING
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WEST EXTERIOR ELEVATION - SHOPS B

SCALE: 3/8" = 1'-0"

1'-0" = 0'  
1'-0" = 0'  
1'-0" = 0'  
1'-0" = 0'  
1'-0" = 0'



SOUTH EXTERIOR ELEVATION - SHOPS B

SCALE: 3/8" = 1'-0"

**McKenty  
Malak  
ARCHITECTS**  
15 8th Street, Suite 100  
Pasadena, CA 91105  
PH: 626 799 8888  
FX: 626 799 8899

PROJECT FOR:



**Evergreen**  
2300 E CAROLAN RD, SUITE 110  
PASADENA, CA 91109  
COMMERCIAL ARCHITECTURE  
OCEAN 800 867 1126



KEY MAP  
↑

**EASTVALE MARKETPLACE**  
NEC of Limonte Ave. & Sumner Ave.  
Eastvale, California 92880

No.	DATE	DESCRIPTION
1	07.19.15	MARKER DEVELOPMENT PLANS CIP SUBMITTAL

DESIGNED BY: [Signature]  
DRAWN BY: [Signature]  
DATE: 07.15.15  
SHEET DISPOSITION

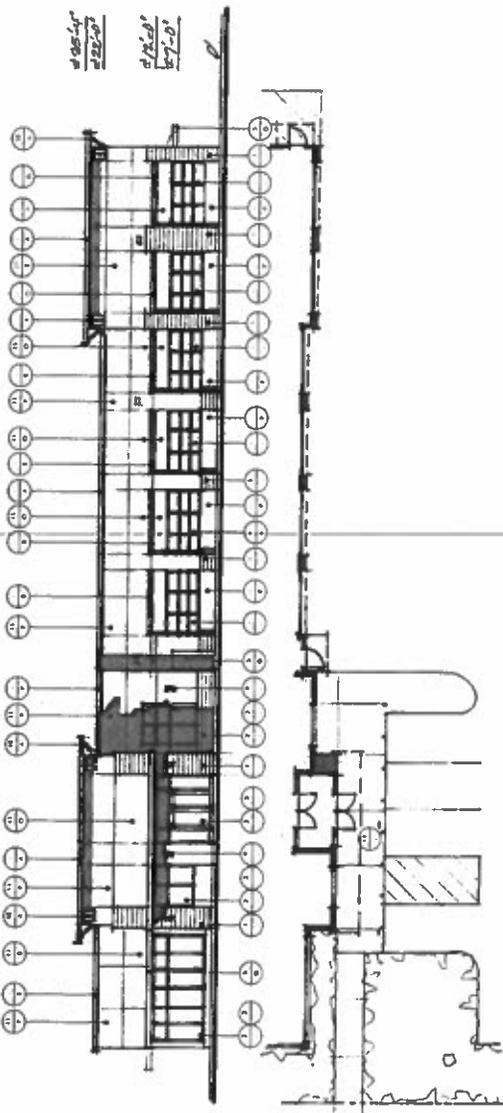
EXTERIOR ELEVATIONS  
(FIRE STORE)

**A206**

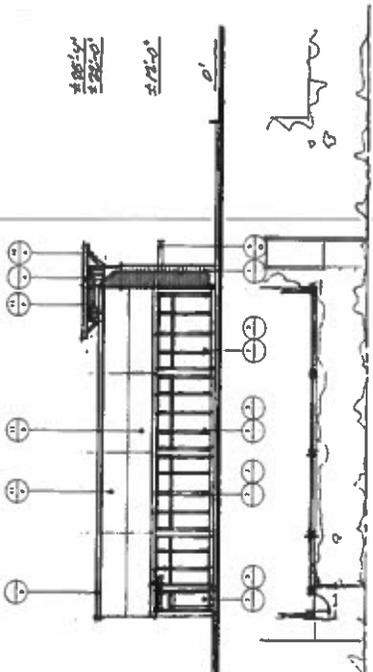
SHEET NUMBER

**FINISH LEGEND**

KEY	NOTATION	DESCRIPTION
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SOUTH EXTERIOR ELEVATION - FIRE STORE



WEST EXTERIOR ELEVATION - FIRE STORE

SHEET NUMBER 1

SHEET NUMBER 2













**KEY MAP**

**EASTVALE MARKETPLACE**  
NEC of Limonite Ave. & Summer Ave.  
Eastvale, California 92880

DATE: 04.15.15  
DESCRIPTION: MAJOR DEVELOPMENT PLANS  
CIP SUBMITTAL

JOB NUMBER: 151224AA  
DRAWN BY: [Name]  
DATE: 04.03.15  
SHEET DESCRIPTION: CONCEPTUAL LANDSCAPE PLAN

**CONCEPTUAL LANDSCAPE PLAN**

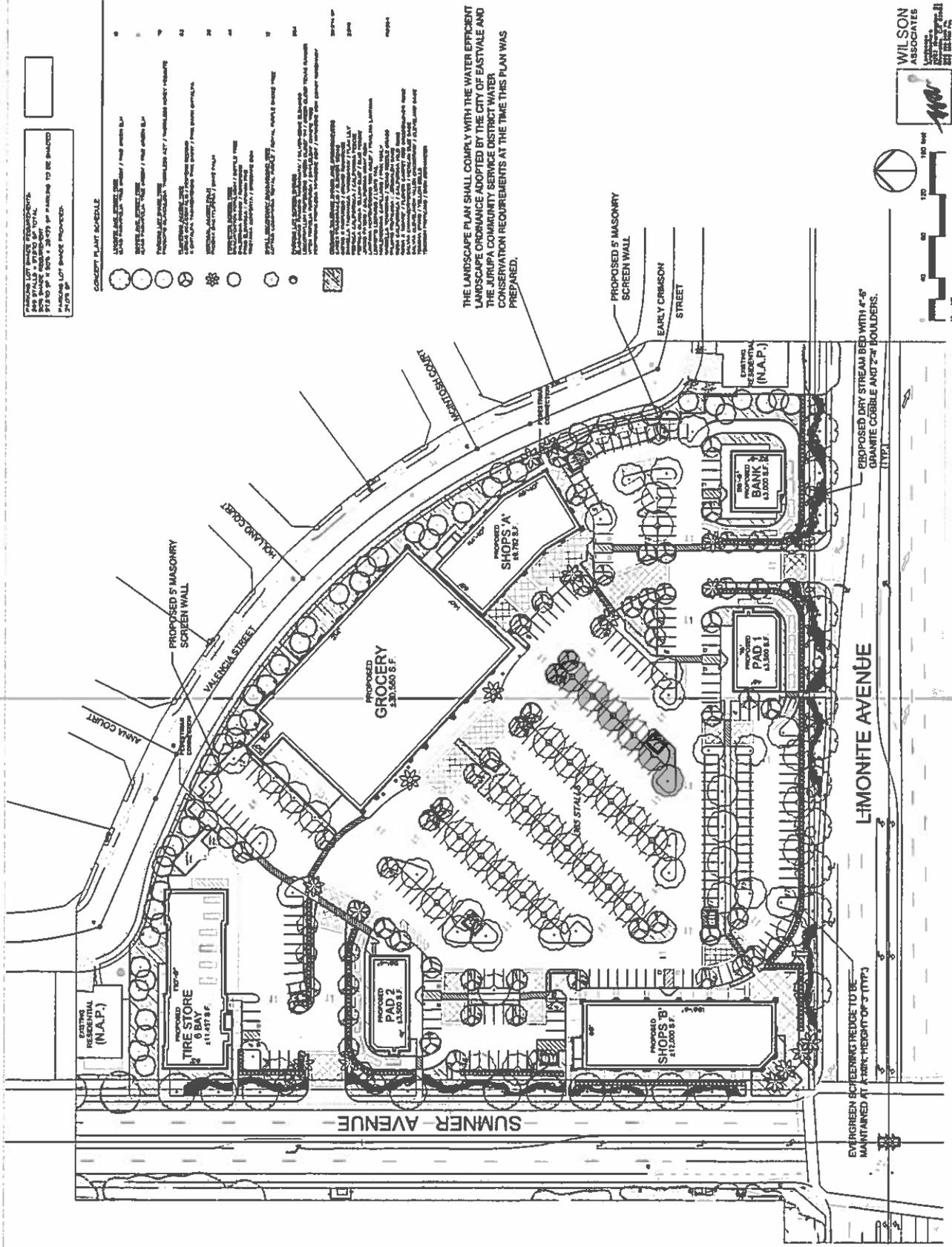
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PLANTING SHALL BE INSTALLED AS SHOWN UNLESS OTHERWISE NOTED.

**CONCEPT PLANT SCHEDULE**

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THE LANDSCAPE PLAN SHALL COMPLY WITH THE WATER EFFICIENT LANDSCAPE ORDINANCE ADOPTED BY THE CITY OF EASTVALE AND THE JURUPA COMMUNITY SERVICE DISTRICT WATER CONSERVATION REQUIREMENTS AT THE TIME THIS PLAN WAS PREPARED.



**WILSON ASSOCIATES**  
LANDSCAPE ARCHITECTS  
1000 S. GATEWAY BLVD., SUITE 200  
TAMPA, FL 33606  
TEL: 813.281.1111 FAX: 813.281.1112  
WWW.WILSONASSOCIATES.COM

NOT JOB NO. 1504 7/20/15

**Attachment 12**

**Noise Study**

**(Available on City Website)**

**Attachment 13**  
**Queuing Analysis**



August 26, 2015

Mr. Jon Prystasz  
Evergreen Commercial Realty, LLC  
2390 East Camelback Road, Suite 410  
Phoenix, AZ 85016

**RE: *Driveway Queuing Analysis for the Eastvale Marketplace Project  
in the City of Eastvale***

Dear Mr. Prystasz:

Kimley-Horn and Associates, Inc. (Kimley-Horn) has prepared the following letter report to evaluate vehicle queuing for the Eastvale Marketplace Project, on the northeast corner of Limonite Avenue and Sumner Avenue. The project proposes approximately 71,000 square feet of commercial development, with one driveway on Sumner Avenue and one on Limonite Avenue. A copy of the project site plan is provided as *Attachment A* to this report.

The queuing analysis will evaluate the vehicle queues that would occur due to traffic generated by the proposed commercial center. The analysis focuses on vehicles entering and exiting the site, and the driveway storage length necessary to accommodate vehicle queues on the driveways. Throat lengths are measured along the driveway from the right-of-way line to the first cross drive aisle or parking space on-site. Recommendations are provided for minimum driveway throat lengths based on the analysis results.

#### *Site Characteristics*

The project is located on the northeast corner of Limonite Avenue and Sumner Avenue. Ingress and egress movements are proposed via one driveway on Limonite Avenue and one driveway on Sumner Avenue. The Limonite Avenue driveway would allow right-in, right-out, and left-in movements. Vehicles entering and exiting the site at the Sumner Avenue driveway would be allowed all turning movements. Both driveways would be unsignalized. The driveway throat lengths would be approximately 120 feet for the Limonite Avenue driveway, and approximately 170 feet for the Sumner Avenue driveway.

*Project Trip Generation*

According to the *Focused Traffic Evaluation for the Eastvale Marketplace Project*, prepared by Kimley-Horn in June 2015, the proposed commercial center is expected to generate 2,945 new vehicle trips on a daily basis, with 68 morning peak hour trips (42 entering and 26 exiting) and 264 evening peak hour trips (127 entering and 137 exiting). The evening peak hour represents the worst-case scenario for project trips entering and exiting the site.

*Queuing*

The driveway queuing was evaluated based on the Opening Year 2017 With Project conditions. For analysis purposes, an average vehicle length is assumed to be 25 feet. The driveway throat length of 120 feet for the Limonite Avenue represents a queue capacity of 4 to 5 vehicles, and the 170 feet of storage for the Sumner Avenue driveway represents a queue capacity of 6 to 7 vehicles.

Analysis results are expressed in feet of queue based on the 95<sup>th</sup> Percentile Queue, as calculated using the Highway Capacity Manual (HCM) methodology. The methodology provides an estimate of queue distance needed on the exit approach at the unsignalized driveways, based on the approach rate, and the amount of time vehicles will need to wait for an acceptable gap in traffic on the adjacent street system. The resulting queues at each driveway are summarized on **Table 1**. Analysis worksheets are provided in *Attachment B*.

**Table 1. Opening Year 2017 With Project – Estimated Driveway Queue Lengths**

Location	AM Peak	PM Peak
<b>Limonite Avenue Driveway</b>	1.53 ft	15.70 ft
<b>Sumner Avenue Driveway</b>	2.90 ft	14.55 ft

The analysis shows that both driveways would experience queues of no more than one vehicle during the peak hours, and would not require a significantly long driveway throat to accommodate entering and exiting traffic. While the current site plan has been designed to provide a much longer driveway throat length than indicated by the analysis for both driveways (120 feet for the Limonite driveway, and 170 feet for the Sumner Avenue driveway) review of the analysis results indicates that a shorter queue storage length would be sufficient to accommodate the project queues.

Based on other agency guidelines and resources researched from around the country, a minimum driveway throat length ranging from 50 to 75 feet is suggested for unsignalized driveways for a shopping center of this size. A summary of driveway length standards from different agencies and other sources is provided on **Table 2**.

**Table 2. Minimum Driveway Throat Lengths**

Source	Minimum Driveway Throat Length (ft.)
Orange County Zoning Code <sup>1</sup>	70
Texas DOT Roadway Design Manual	50 - 75
Florida DOT	Signalized: 80 – 90 Unsignalized: 30 – 50
NCHRP Report 659: Guide for the Geometric Design of Driveways	50
<i>Transportation and Land Development, (Stover and Keopke, 2<sup>nd</sup> Edition)</i>	1 exit lane: 30 – 75 2 exit lanes: 50 – 75

<sup>1</sup> The Orange County code indicates that the 70' minimum driveway throat length is based on a site with 351-450 parking spaces.

The 95<sup>th</sup> percentile queueing analysis indicates that, during the evening peak hour, a queue of no more than one vehicle would be observed. The Eastvale Marketplace site plan reflects a queueing capacity of 6 to 7 vehicles at the Sumner Avenue driveway and 4 to 5 vehicles at the Limonite Avenue driveway. Based on the queueing analysis and review of minimum driveway lengths from other agencies and sources, a throat length of 50 to 75 feet (approximately 2 to 3 vehicles), would be adequate for the project.

Please feel free to contact us if you have any questions.

Sincerely,



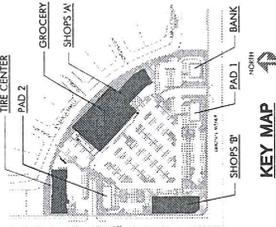
Serine Ciandella,  
Senior Vice President



Jason Melchor, PE  
#C65218

ATTACHMENT A  
EASTVALE MARKETPLACE SITE PLAN

A PROJECT FOR:



**EASTVALE MARKETPLACE**  
 NEC of Limonite Ave. & Summer Ave.  
 Eastvale, California 92880

ISSUES / REVISIONS	No.	DATE	DESCRIPTION
1	08.20.15	08.20.15	MAJOR DEVELOPMENT PLAN & CIP SUBMITTAL

AN INSTRUMENT OF SERVICE, ALL SERVICES SHALL BE PROVIDED IN ACCORDANCE WITH THE PROFESSIONAL STANDARDS OF PRACTICE FOR ARCHITECTS AND ENGINEERS IN THE STATE OF CALIFORNIA. THE ARCHITECT'S RESPONSIBILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE PROJECT AS SHOWN ON THESE PLANS. THE ARCHITECT DOES NOT WARRANT THE ACCURACY OF ANY INFORMATION PROVIDED BY OTHER PROFESSIONALS OR CONTRACTORS. THE ARCHITECT'S LIABILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE PROJECT AS SHOWN ON THESE PLANS. THE ARCHITECT'S LIABILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE PROJECT AS SHOWN ON THESE PLANS.

JOB NUMBER: 15172MAMA  
 DRAWN BY: HM  
 DATE: 08.20.15  
 CHECKED BY: HM  
 SHEET DESCRIPTION:

PROPOSED SITE PLAN

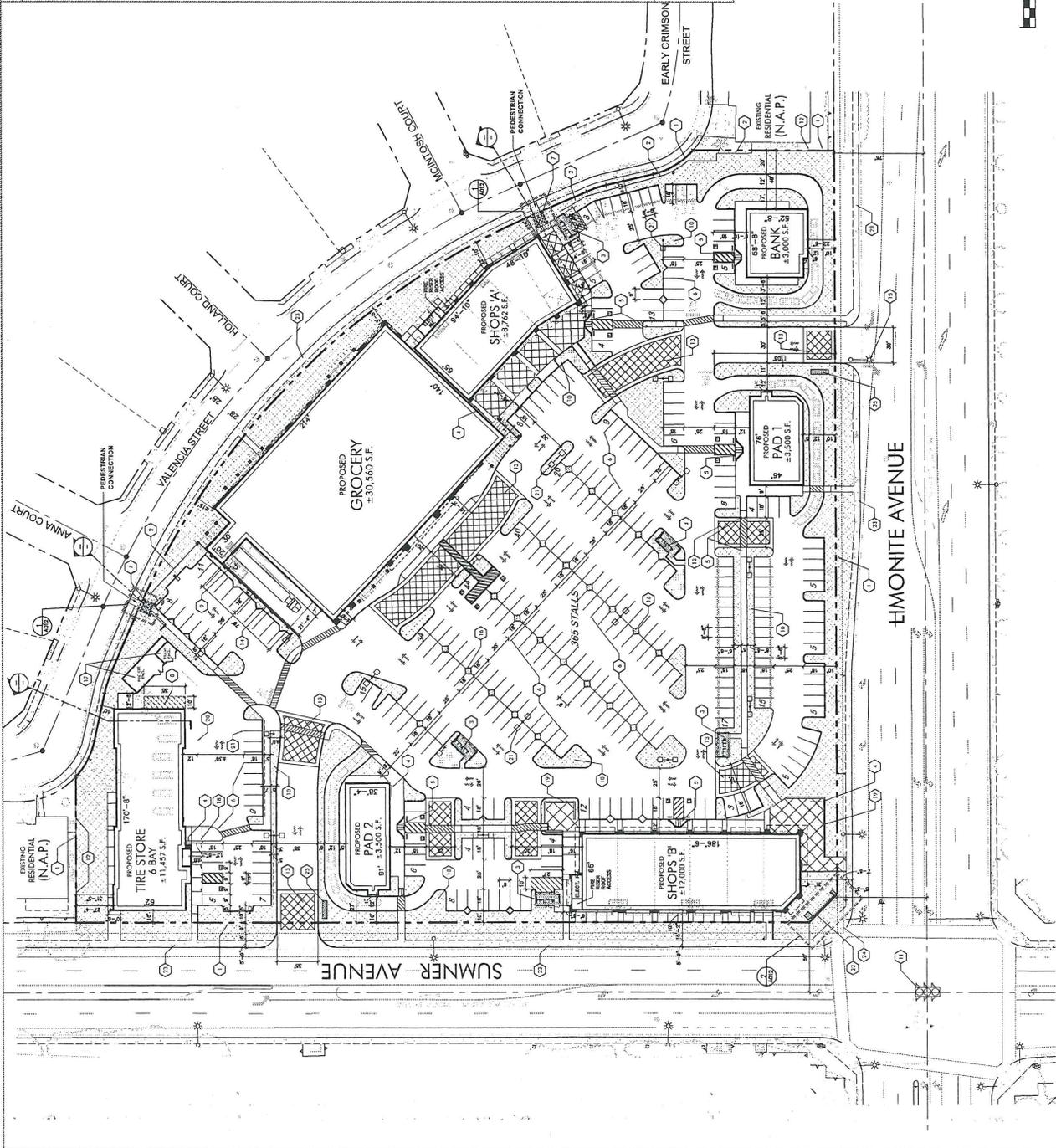
SHEET NUMBER: **A010**  
 BASED ON SCHEME 02/07

**KEY NOTES**

- 1 EXISTING PROPERTY LINE
- 2 NEW 4 FT. HIGH FENCE WITH GREEN SCREEN, SEE SHEET A011, DETAIL #2.
- 3 NEW TRASH ENCLOSURE, SEE SHEET A011, DETAIL #1.
- 4 NEW BIKE RACKS
- 5 NEW RAMP
- 6 NEW PARKING STRIPS, TYP.
- 7 NEW TRELLIS ELEMENT, SEE SHEET A012, DETAIL #1.
- 8 NEW 10'x35' LOADING ZONE
- 9 NEW COMPACTOR
- 10 NEW PLANTER
- 11 EXISTING TRAFFIC LIGHT
- 12 EXISTING BLOCK WALL AT PROPERTY LINE
- 13 NEW ENHANCED PAVING
- 14 NEW LOW WALL @ LOADING AREA
- 15 EXISTING LIGHT POLE TO BE RELOCATED
- 16 NEW 5'x5' DIAMOND PLANTER
- 17 PROPOSED MASONRY TRASH ENCLOSURE AND TIRE RECYCLE STORAGE.
- 18 NEW BOLLARD
- 19 NEW 24" CONCRETE HIGH WALL
- 20 LINE OF CONCRETE
- 21 NEW PARKING LIGHT
- 22 NEW CORNER MONUMENT SIGN, SEE SHEET A012, DETAIL #2.
- 23 EXISTING SIDEWALK
- 24 EXISTING GAS PIPE PADDLE
- 25 NEW MONUMENT SIGN

**LEGEND**

PROPOSED LANDSCAPE AREA



PROPOSED SITE PLAN

SCALE: 1" = 40'

ATTACHMENT B  
INTERSECTION ANALYSIS WORKSHEETS

**Intersection Level Of Service Report  
#2: Driveway 1**

Control Type: Two-way stop  
 Analysis Method: HCM2010  
 Analysis Period: 15 minutes

Delay (sec / veh): 13.9  
 Level Of Service: B  
 Volume to Capacity (v/c): 0.034

**Intersection Setup**

Name	Sumner Ave		Sumner Ave		Driveway 1	
Approach	Northbound		Southbound		Westbound	
Lane Configuration	⇌		⇌		⊥	
Turning Movement	Thru	Right	Left	Thru	Left	Right
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	0	0	0	0	0	0
Pocket Length [ft]	100.00	100.00	100.00	100.00	100.00	100.00
Speed [mph]	30.00		30.00		30.00	
Grade [%]	0.00		0.00		0.00	
Crosswalk	yes		yes		yes	

**Volumes**

Name	Sumner Ave		Sumner Ave		Driveway 1	
Base Volume Input [veh/h]	307	0	0	286	0	0
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00
Growth Rate	1.02	1.02	1.02	1.02	1.02	1.02
In-Process Volume [veh/h]	76	0	0	137	0	0
Site-Generated Trips [veh/h]	0	21	4	0	14	3
Diverted Trips [veh/h]	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0
Total Hourly Volume [veh/h]	389	21	4	429	14	3
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	97	5	1	107	4	1
Total Analysis Volume [veh/h]	389	21	4	429	14	3
Pedestrian Volume [ped/h]	0		0		0	

**Intersection Settings**

Priority Scheme	Free	Free	Stop
Flared Lane			no
Storage Area [veh]	0	0	0
Two-Stage Gap Acceptance			no
Number of Storage Spaces in Median	0	0	0

**Movement, Approach, & Intersection Results**

V/C, Movement V/C Ratio	0.00	0.00	0.00	0.00	0.03	0.00
d_M, Delay for Movement [s/veh]	0.00	0.00	8.15	0.00	13.94	9.80
Movement LOS	A	A	A	A	B	A
95th-Percentile Queue Length [veh]	0.00	0.00	0.70	0.35	0.12	0.12
95th-Percentile Queue Length [ft]	0.00	0.00	17.38	8.69	2.90	2.90
d_A, Approach Delay [s/veh]	0.00		0.08		13.21	
Approach LOS	A		A		B	
d_I, Intersection Delay [s/veh]	0.30					
Intersection LOS	B					

**Intersection Level Of Service Report  
#3: Driveway 2**

Control Type:	Two-way stop	Delay (sec / veh):	12.4
Analysis Method:	HCM2010	Level Of Service:	B
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.020

**Intersection Setup**

Name	Driveway 2		Limonite Ave		Limonite Ave	
Approach	Southbound		Eastbound		Westbound	
Lane Configuration	↗		↖		↗	
Turning Movement	Left	Right	Left	Thru	Thru	Right
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	0	0	1	0	0	0
Pocket Length [ft]	100.00	100.00	100.00	100.00	100.00	100.00
Speed [mph]	25.00		45.00		45.00	
Grade [%]	0.00		0.00		0.00	
Crosswalk	yes		yes		yes	

**Volumes**

Name	Driveway 2		Limonite Ave		Limonite Ave	
Base Volume Input [veh/h]	0	0	0	782	649	0
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00
Growth Rate	1.02	1.02	1.02	1.02	1.02	1.02
In-Process Volume [veh/h]	0	0	0	428	383	0
Site-Generated Trips [veh/h]	0	10	7	8	2	11
Diverted Trips [veh/h]	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0
Total Hourly Volume [veh/h]	0	10	7	1234	1047	11
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	0	3	2	309	262	3
Total Analysis Volume [veh/h]	0	10	7	1234	1047	11
Pedestrian Volume [ped/h]	0		0		0	

**Intersection Settings**

Priority Scheme	Stop	Free	Free
Flared Lane			
Storage Area [veh]	0	0	0
Two-Stage Gap Acceptance	no		
Number of Storage Spaces in Median	0	0	0

**Movement, Approach, & Intersection Results**

V/C, Movement V/C Ratio	0.00	0.02	0.01	0.01	0.01	0.00
d_M, Delay for Movement [s/veh]	0.00	12.37	10.56	0.00	0.00	0.00
Movement LOS		B	B	A	A	A
95th-Percentile Queue Length [veh]	0.00	0.06	0.03	0.00	0.00	0.00
95th-Percentile Queue Length [ft]	0.00	1.53	0.81	0.00	0.00	0.00
d_A, Approach Delay [s/veh]	12.37		0.06		0.00	
Approach LOS	B		A		A	
d_I, Intersection Delay [s/veh]	0.09					
Intersection LOS	B					

**Intersection Level Of Service Report  
#2: Driveway 1**

Control Type: Two-way stop  
 Analysis Method: HCM2010  
 Analysis Period: 15 minutes

Delay (sec / veh): 16.0  
 Level Of Service: C  
 Volume to Capacity (v/c): 0.154

**Intersection Setup**

Name	Sumner Ave		Sumner Ave		Driveway 1	
Approach	Northbound		Southbound		Westbound	
Lane Configuration	↑↑		←↑↑		←↑	
Turning Movement	Thru	Right	Left	Thru	Left	Right
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	0	0	0	0	0	0
Pocket Length [ft]	100.00	100.00	100.00	100.00	100.00	100.00
Speed [mph]	30.00		30.00		30.00	
Grade [%]	0.00		0.00		0.00	
Crosswalk	yes		yes		yes	

**Volumes**

Name	Sumner Ave		Sumner Ave		Driveway 1	
Base Volume Input [veh/h]	203	0	0	374	0	0
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00
Growth Rate	1.02	1.02	1.02	1.02	1.02	1.02
In-Process Volume [veh/h]	170	0	0	122	0	0
Site-Generated Trips [veh/h]	1	40	8	0	48	8
Diverted Trips [veh/h]	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	12	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0
Total Hourly Volume [veh/h]	378	40	8	503	60	8
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	95	10	2	126	15	2
Total Analysis Volume [veh/h]	378	40	8	503	60	8
Pedestrian Volume [ped/h]	0		0		0	

**Intersection Settings**

Priority Scheme	Free	Free	Stop
Flared Lane			no
Storage Area [veh]	0	0	0
Two-Stage Gap Acceptance			no
Number of Storage Spaces in Median	0	0	0

**Movement, Approach, & Intersection Results**

V/C, Movement V/C Ratio	0.00	0.00	0.01	0.01	0.15	0.01
d_M, Delay for Movement [s/veh]	0.00	0.00	8.19	0.00	15.96	11.22
Movement LOS	A	A	A	A	C	B
95th-Percentile Queue Length [veh]	0.00	0.00	0.86	0.43	0.58	0.58
95th-Percentile Queue Length [ft]	0.00	0.00	21.56	10.78	14.55	14.55
d_A, Approach Delay [s/veh]	0.00		0.13		15.40	
Approach LOS	A		A		C	
d_I, Intersection Delay [s/veh]	1.12					
Intersection LOS	C					

**Intersection Level Of Service Report  
#3: Driveway 2**

Control Type:	Two-way stop	Delay (sec / veh):	16.1
Analysis Method:	HCM2010	Level Of Service:	C
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.175

**Intersection Setup**

Name	Driveway 2		Limonite Ave		Limonite Ave	
Approach	Southbound		Eastbound		Westbound	
Lane Configuration	↗		↖		↘	
Turning Movement	Left	Right	Left	Thru	Thru	Right
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	0	0	1	0	0	1
Pocket Length [ft]	100.00	100.00	100.00	100.00	100.00	100.00
Speed [mph]	25.00		45.00		45.00	
Grade [%]	0.00		0.00		0.00	
Crosswalk	yes		yes		yes	

**Volumes**

Name	Driveway 2		Limonite Ave		Limonite Ave	
Base Volume Input [veh/h]	0	0	0	905	854	0
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00
Growth Rate	1.02	1.02	1.02	1.02	1.02	1.02
In-Process Volume [veh/h]	0	0	0	522	517	0
Site-Generated Trips [veh/h]	0	34	13	27	4	21
Diverted Trips [veh/h]	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	35	11	-11	-32	32
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0
Total Hourly Volume [veh/h]	0	69	24	1461	1360	53
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	0	17	6	365	340	13
Total Analysis Volume [veh/h]	0	69	24	1461	1360	53
Pedestrian Volume [ped/h]	0		0		0	

**Intersection Settings**

Priority Scheme	Stop	Free	Free
Flared Lane			
Storage Area [veh]	0	0	0
Two-Stage Gap Acceptance	no		
Number of Storage Spaces in Median	0	0	0

**Movement, Approach, & Intersection Results**

V/C, Movement V/C Ratio	0.00	0.18	0.05	0.01	0.01	0.00
d_M, Delay for Movement [s/veh]	0.00	16.08	12.92	0.00	0.00	0.00
Movement LOS		C	B	A	A	A
95th-Percentile Queue Length [veh]	0.00	0.63	0.16	0.00	0.00	0.00
95th-Percentile Queue Length [ft]	0.00	15.70	3.95	0.00	0.00	0.00
d_A, Approach Delay [s/veh]	16.08		0.21		0.00	
Approach LOS	C		A		A	
d_I, Intersection Delay [s/veh]	0.48					
Intersection LOS	C					

ATTACHMENT C  
OTHER AGENCY STANDARDS

(b) *Parking facility design:*

- (1) Off-street parking facilities shall be designed so that a car within a facility will not have to enter a street to move from one location to any other location within that parking facility. On industrial or office sites, separate noncontiguous parking facilities may be provided with independent entrances for employee and visitor parking, provided the designated use is clearly identified on all plot plans or site plans submitted for permits.
- (2) Parking and maneuvering areas shall be arranged so that any vehicle can leave the parking area and enter into an adjoining vehicular right-of-way traveling in a forward direction.
- (3) No dead-end parking aisles serving more than five (5) consecutive stalls will be permitted unless said aisle is provided with a turnaround area constructed in a manner meeting the approval of the Director, EMA.
- (4) Bumpers or tire stops shall be provided along any abutment to a pedestrian walkway, access or driveway, street or alley, except where screening is positioned, to ensure that the motor vehicle will not extend into these areas.
- (5) The point of exit or entry from any off-street parking space shall not be closer than twenty (20) feet from the curb face of the ultimate curblines at a street opening.
- (6) All paved parking stalls, except parallel spaces which may be single line, shall be clearly outlined with double or hairpin lines or special paving techniques on the surface of the parking facility. (See diagram in section 7-9-145.5.)

(c) *Parking accessways:* Parking accessways are those driveways that provide ingress or egress from a street to the parking aisles, and those driveways providing interior circulation between parking aisles. No parking is permitted on an accessway.

- (1) All parking facilities taking access from an arterial highway shall have a parking accessway between the highway and the parking aisles.
- (2) Parking accessways from arterial highways shall not have parking spaces taking direct access therefrom and shall not be intersected by a parking aisle or another parking accessway for a minimum distance of thirty (30) feet for projects with 0—200 parking spaces, fifty (50) feet for 201—350 spaces, seventy (70) feet for 351—450 spaces, and ninety (90) feet for 451 spaces or more. All distances shall be measured from the curb face of the ultimate curblines of the adjacent street.
- (3) Parking accessways from nonarterial highways shall be not less than twenty (20) feet in length from the ultimate curblines of the adjacent street.
- (4) One-way accessways shall have a minimum width of fifteen (15) feet unless it is a fire lane, which requires a minimum of twenty (20) feet.
- (5) Two-way accessways shall have a minimum width of twenty-eight (28) feet.

(d) *Parking aisles:* Parking aisles are driveways which provide direct access to parking spaces. Parking aisles shall have a minimum width of fourteen (14) feet as provided in section 7-9-145.5. In no case shall the parking aisles for two-way traffic be less than twenty-four (24) feet in width.

(e) *Number of required off-street parking spaces:*

- (1)

The minimum number of off-street parking spaces required shall be in compliance with the listed requirements set forth for each general category of land use in sections 7-9-145.6 and 7-9-145.1.

- (2) Whenever any commercial/industrial use is located on a building site that is also used for residential purposes, parking facilities shall be provided for the residential use as required, in addition to the parking required for the nonresidential use or uses.
- (f) *Landscaping:* Landscaping of parking areas shall be provided in accordance with the provisions of the applicable land use district regulations. In all cases, space within the off-street parking area not utilized for driveways, maneuvering areas, parking stalls or walkways shall be landscaped. Landscaped areas shall be separated from paved driveway, parking space and maneuvering areas by a minimum six-inch-high barrier.
- (g) *Screening:* Open parking spaces and parking structures shall be screened in accordance with section 7-9-145.3, whenever such parking is adjacent to a street right-of-way and when the street separates such parking from any district zoned for residential or agricultural uses. Screening shall be located adjacent to the inside edge of any required boundary landscaping and to the outside edge of the paved parking area when there is no landscaping.
- (h) *Vehicular access standards:* A site development permit, use permit or coastal development permit, for the CR, CC, CH and CN Districts shall be in substantial conformity with the following:
  - (1) The first street opening from an intersection should be a minimum of one hundred ten (110) feet from the point of intersection of the ultimate right-of-way lines of the abutting streets.
  - (2) The second street opening should be a minimum of three hundred (300) feet from the point of intersection of the ultimate right-of-way lines of the abutting streets.
  - (3) Any additional street openings should be a minimum of three hundred (300) feet, from center to center from any other street opening except in the CN District, where the distance between street openings should be a minimum of one hundred fifty (150) feet from center to center.
  - (4) There should be a minimum distance of twenty-two (22) feet measured at the ultimate property line, between a street opening in this district and any existing street opening in any other district.
- (i) *Joint use of parking facilities:* Uses on multiple building sites may share common parking facilities within one (1) or more parking areas located within such multiple building sites, provided the following requirements are met:
  - (1) A detailed parking plan, showing all common parking facilities, shall be approved by the Director, EMA.
  - (2) Parking facilities shall be within three hundred (300) feet of the entry point of the uses they serve.
  - (3) Adequate assurance is provided to guarantee that required parking will continue to be maintained in compliance with applicable provisions of section 7-9-145.
  - (4) The assurance required by (3) and the parking plan required by (1) shall be recorded in the office of the Orange County Recorder.
  - (5)

## Section 3: Driveway Design Principles

### General Guidelines

The following guidelines apply to all driveways to a state highway.

1. The driveway placement should be such that drivers approaching from the main roadway will have sufficient sight distance to ascertain the driveway's location in order to safely decelerate and complete the entry maneuver. Also, the driveway placement should be such that an exiting driver will have sufficient sight distance to judge a safe gap in oncoming traffic. For selecting appropriate driveway spacing distance, refer to the TxDOT Access Management Manual.
2. Each driveway radius should accommodate the appropriate design vehicle. This will generally be the passenger car (AASHTO P design vehicle) unless the driveway will routinely be expected to handle more than four larger vehicles per hour. Examples of facilities for which a larger design vehicle would normally be appropriate include truck terminals, bus terminals, and connections that serve the loading docks of shopping centers. Figure C-1 illustrates the effects of the radius on the right-turn entry and exit maneuver.
3. Figure C-2 illustrates various driveway design elements including return radius, entry width, exit width, throat width, and throat length.
4. With the exception of private residential driveways, farm/ranch driveways, field driveways, and driveways that are designed and signed for one-way operation (i.e. ingress or egress only but not both), driveways should be designed to accommodate simultaneous entry and exit by the appropriate design vehicle.
5. Driveways that cross sidewalks are located in a developing area where pedestrian traffic can be expected, should be designed to maintain an accessible route that is at least four feet wide across the driveway.
6. One-way driveways should have a minimum throat length of 50 feet (15 m) and preferably 75 feet (23 m).

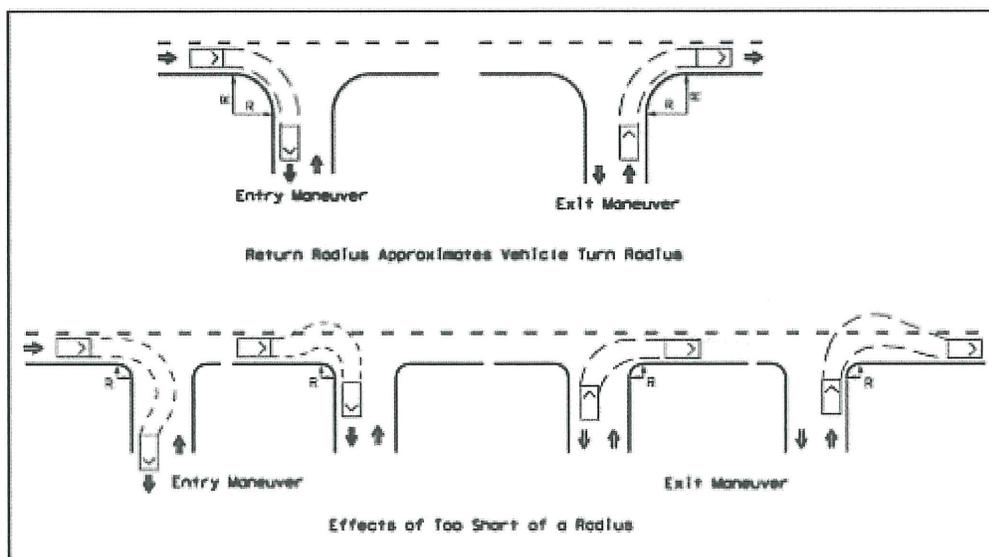


Figure C-1. Effects of Return Radius on the Right-Turn Maneuver

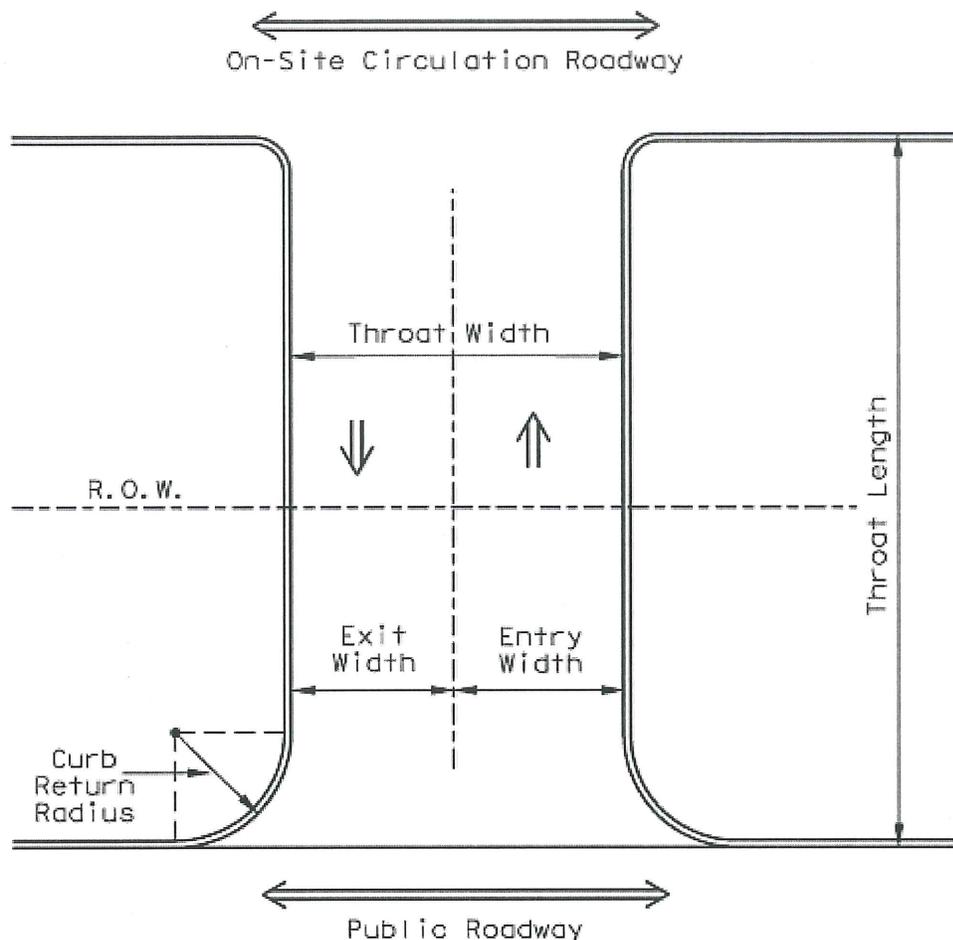


Figure C-2. Driveway Design Elements

### Geometrics for Two-Way Driveways

The following are standards for two-way driveways.

1. Private Residential Driveway – Driveways serving single-family or duplex residences are normally designed as non-simultaneous two-way driveways. Standard design criteria for private residential driveways are provided in Table C-1. However, for existing cases where the criteria cannot be obtained, every attempt should be made to match the existing driveway width at the ROW line.
2. Commercial Driveways – At locations where the expected volume of large vehicles is four or more per hour, the design should be based on the appropriate design vehicle. Such situations include, but are not limited to, truck stops, warehouses, concrete batch plants, sources of aggregate, RV sales/truck sales and RV parks. The design should also consider future roadway traffic and local conditions and incorporate simultaneous two-way driveways if justified.

Table C-1. Design Criteria for Private Residential Driveways

Radius	Throat Width	Radius	Throat Width
--------	--------------	--------	--------------

US Customary Units			Metric Units		
(ft.)	Standard (ft.)	Maximum (ft.)	(m)	Standard(m)	Maximum (m)
15 1.	14	24	4.5	4.2	7.2
1. Reference the <i>Access Management Manual</i> for suggested minimum values.					

Two exit lanes are recommended when the expected driveway exit volume exceeds 200 vph.

In cases where one-way operation is appropriate, a condition of the driveway permit should require that appropriate one-way signing be installed and maintained.

Table C-2 provides standard design criteria for two-way commercial driveways that would be expected to accommodate only P and SU design vehicles.

Table C-2. Designs for Two-Way Commercial Driveways

Condition	US Customary Units		Metric Units	
	Radius (R) (ft)	Throat Width (W) (ft)	Radius (R) (m)	Throat Width (W) (m)
One entry lane and one exit lane, fewer than 4 large vehicles per hour (see Fig. C-3)	25	28	7.5	8.4
One entry lane and one exit lane, 4 or more SU vehicles <sup>3</sup> per day (see Fig. C-3)	30	30	9.0	9.0
One entry lane and two exit lanes, without divider (see Fig. C-4)	25	40	7.5	12.0
One entry lane and two exit lanes, with divider (see Fig. C-5)	25	44 <sup>(1)</sup> -50 <sup>(2)</sup>	7.5	13.2 <sup>(1)</sup> -15.0 <sup>(2)</sup>
	25	56 <sup>(1)</sup> -62 <sup>(2)</sup>	7.5	16.8 <sup>(1)</sup> -18.9 <sup>(2)</sup>

Two entry lanes and two exit lanes, with divider (see Fig. C-6)					
(1)4 ft. [1.2 m] wide divider, face-to-face of curbs (2)10 ft. [3.0 m] wide divider, face-to-face of curbs (3)Driveway designs for larger vehicles will be considered on a case by case basis					

3. Service Driveways – Service driveways should be designed considering the vehicle type and frequency of use, current and future traffic operations on the state highway, and other local conditions.
4. Field Driveways – The distance from the edge of the shoulder to a gate should be sufficient to accommodate the longest vehicle (or combination of vehicles such as a truck and trailer) expected. At a minimum, this will normally be a truck with trailer.
5. Farm/Ranch Driveway – A typical design for a farm/ranch driveway should provide a 25-foot return radii and a 20-foot throat width. The distance from the edge of pavement must be sufficient to store the longest vehicle, or combination of vehicles, expected. At a minimum, this will normally be a truck with trailer.

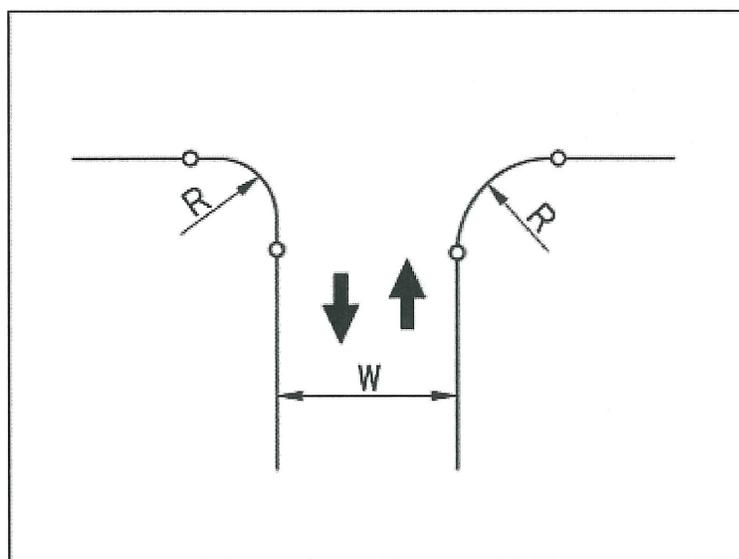


Figure C-3. One Entry Lane/One Exit Lane

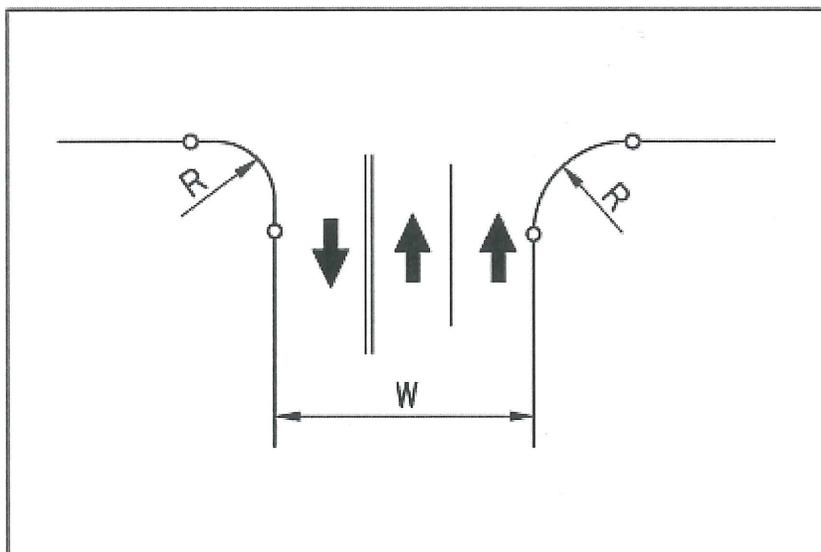


Figure C-4. One Entry Lane/Two Exit Lanes (Without a Divider)

*See Table C-2 for Suggested Dimensions Based on Conditions.*

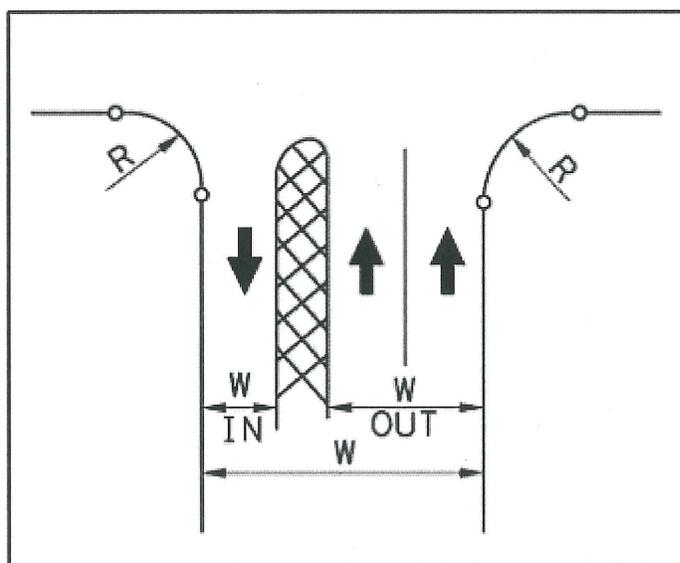


Figure C-5. One Entry Lane/Two Exit Lanes (With a Divider)

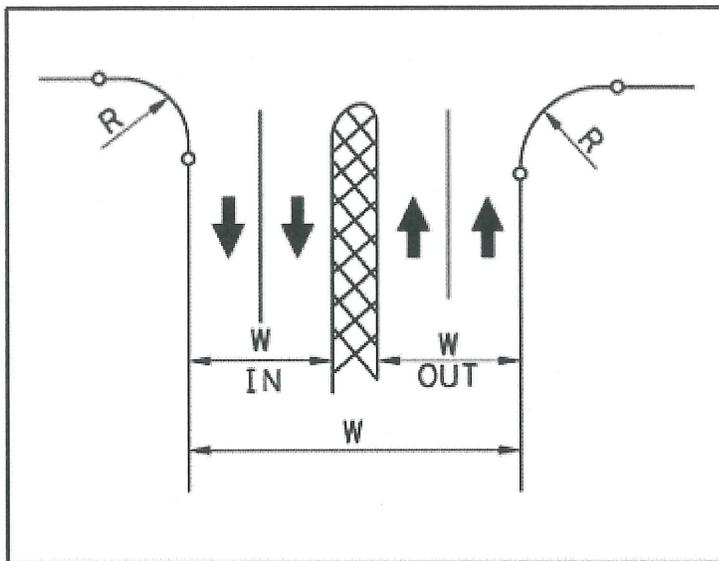


Figure C-6. Two Entry Lanes/Two Exit Lanes (With a Divider)

See Table C-2 for Suggested Dimensions Based on Conditions.

### Divided Driveways

A raised or depressed separation between the entry and exit sides of a divided driveway needs to be visible to drivers. Suggested treatments and divider sizes are shown in Table C-3:

Table C-3. Dimensions for Dividers in the Driveway Throat to Separate Entry and Exit Sides of the Driveway

Treatment	Width	Length
Slightly raised <sup>(1)</sup> (4in [100 mm]) with contrasting surface (1)	4 – 15 ft [1.2 – 4.5 m]	20 ft [6.0 m]
<sup>(1)</sup> For Rural - Rounded edges, 30° to 45° slope. (See Figure C-7)		

Figure C-7 illustrates a slightly raised divider (height 4 inches [100 mm]).

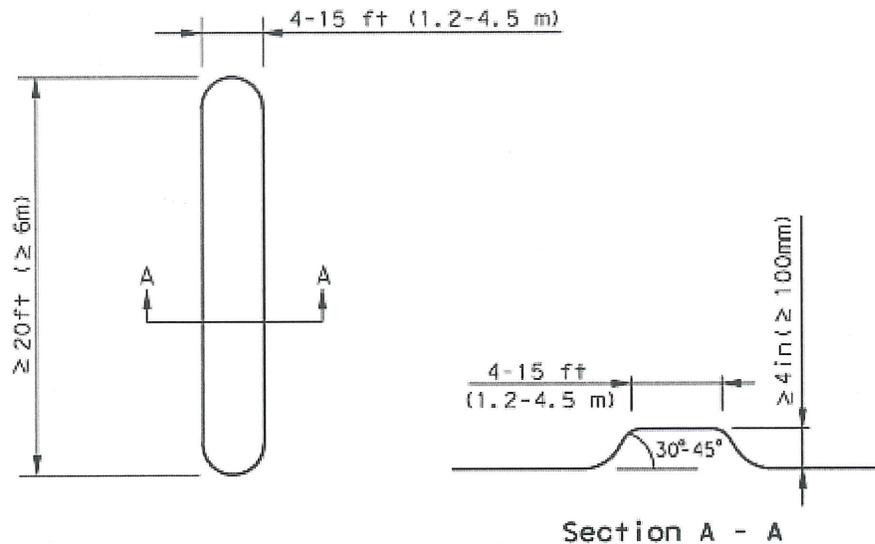


Figure C-7. Illustration of Slightly Raised Divider

A divided driveway is desirable in the following situations:

1. There are a total of four or more entering and exiting lanes.
2. A large number of pedestrians (30 or more in a one-hour interval) routinely cross the driveway.

Locating signing and lighting within a divider may assist approaching drivers in determining the driveway's location and geometrics.

An excessively wide divider may confuse drivers and cause them to think there are two closely spaced, two-way driveways. To avoid this problem, the recommended maximum width of a divider is 15 feet [4.5 m]. On the other hand, a divider that is too small may not be adequately visible to the motorist. Therefore the recommended minimum width of a slightly raised divider (height > 4 inches) is 4 feet [1.2 m].

Sec. 7-9-145.4. - Industrial, commercial, professional and institutional off-street parking requirements.

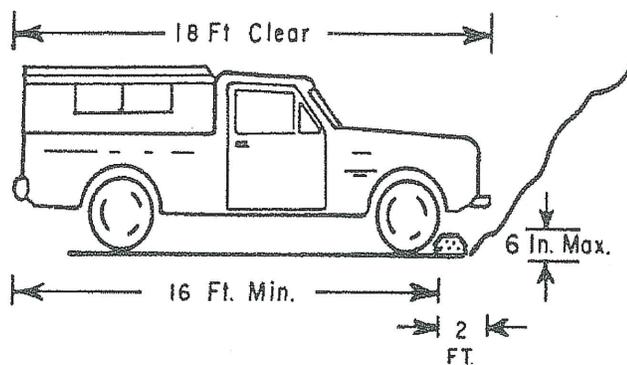
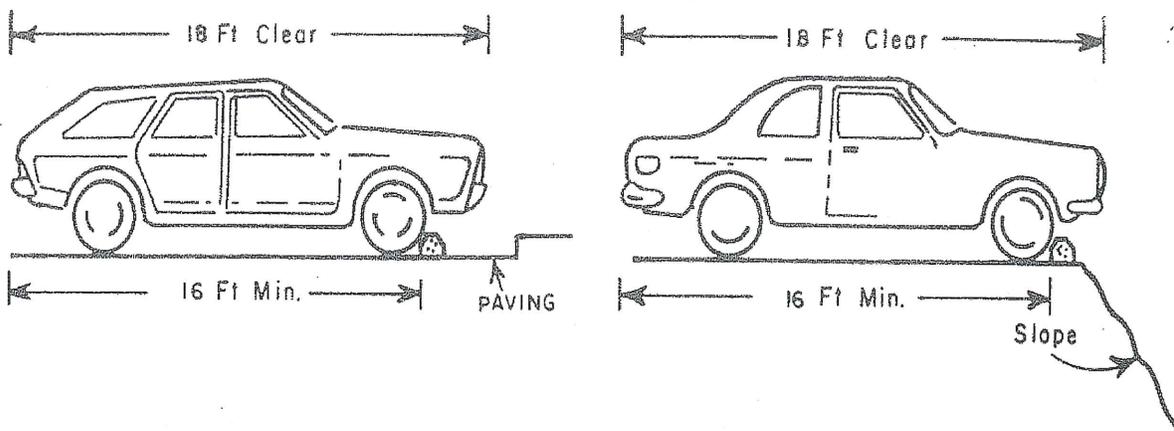
The following off-street parking requirements are applicable to all uses other than residential uses set forth in section 7-9-145.3, and are in addition to the general requirements set forth in section 7-9-145.2.

(a) *Size of parking spaces:*

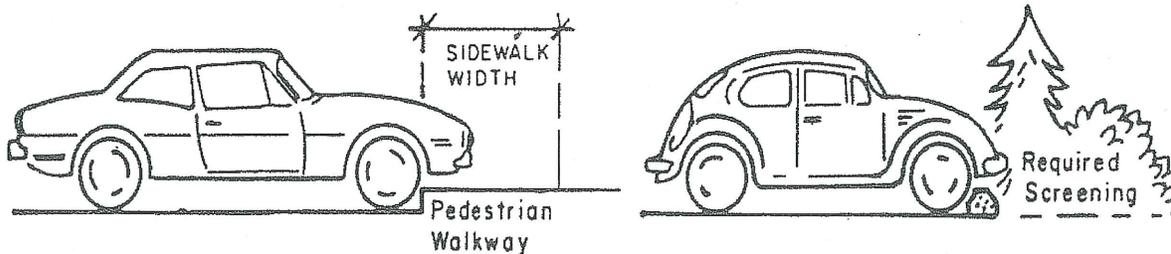
- (1) All covered or uncovered off-street parking spaces, except as noted below, shall be a minimum clear unobstructed nine (9) feet in width and eighteen (18) feet in length.
- (2) Parking spaces parallel to a curb may be eight (8) feet in width and eighteen (18) feet in length, with a minimum of eight (8) feet separating each pair of such parking spaces.
- (3) When a side of any space abuts a building, fence, support column or other obstruction which interferes in any way with access to a motor vehicle, the space shall be a minimum of two (2) feet wider than the standard required width.
- (4) In measuring the length of paving required for uncovered parking spaces, allowance may be made for vehicular projection beyond a bumper or tire stop, if such projection does not interfere with screening or pedestrian use, except under (b)(4) following. See illustration under (5) for examples of permitted projection.

SEC. 7-9-145.4(a)(5) ILLUSTRATIONS

### PERMITTED



### NOT PERMITTED



Given that one of the underlying factors to consider is the driveway volume, both entering and exiting vehicles during the peak time period, it may be necessary to estimate likely driveway usage before designing the length of the driveway throat.

### Design Suggestions

The throat length must be long enough to avoid internal site conflicts associated with crossing or weaving movements. It also must be adequate to avoid spillback onto the public road or internal circulation system. There are different controls:

1. Designing sufficient length to react to conflicts,
2. Designing sufficient length to accommodate traffic queues, and
3. Designing sufficient length to accommodate weaving.

Different sources have developed different approaches for establishing minimum throat lengths. The following narrative presents the approaches from various sources.

**Koepke and Levinson Throat Length.** When more detailed, site-specific information is available, one could apply the recommendations by Koepke and Levinson in *NCHRP Report 348* (5-20). For signalized driveways, suggested on-site throat lengths (per lane) were based on the equation  $N = 2qr$ , where

- N = number of cars to store,
- q = vehicles per hour per lane, and
- r = effective red time per cycle.

Alternative guidelines were cited based on the number of parking spaces per exit lane for multi-family, residential, retail, office, and industrial uses. The following suggested guidelines were based on both sets of criteria:

- 50 feet for minor driveways that serve 50 to 100 apartments, less than 50,000 square feet of retail, or a quality restaurant;
- 150 feet, with at least two exit lanes, for shopping centers of up to 700,000 square feet, and office complexes up to 500,000 square feet; and
- 200 feet or more, with at least two exit lanes, for larger commercial complexes.

**Stover and Koepke Throat Length.** In *Transportation and Land Development*, Stover and Koepke (5-13, p. 7-28) state that the exit condition controls the throat length for high-volume traffic generators, while the entry condition controls the throat length for low-volume traffic generators. The exit side of a driveway should be designed to enable traffic to efficiently leave a site. The throat length and cross section are interrelated: the wider the cross section, the longer the exit throat length needed to accommodate the associated weaving maneuvers. Exhibit 5-55 presents the minimum throat length for stop-controlled and for signalized-access drives, based on the number of egress or exit lanes.

**Exhibit 5-55. Minimum throat length based on the type of control and number of lanes.**

Type of Control	Number of Exit Lanes Present			
	1 Exit Lane	2 Exit Lanes	3 Exit Lanes	4 Exit Lanes
STOP sign	30 to 50 ft	50 ft (2 cars)	--	--
Signal	--	75 ft	200 ft	300 ft

NOTE: -- indicates no value given

Sources: *Transportation and Land Development*, 2nd ed. (2002), p. 7-28 (5-13) and *Access Management Manual* (2003), p. 184-185 (5-21)

**Attachment 14**  
**ABC Regulation**

**QUICK SUMMARY OF SELECTED LAWS FOR  
RETAIL LICENSEES**



**Introduction**

This pamphlet explains, in simple terms, some State laws and rules that retail licensees must follow. There are other State and local laws not listed here. When in doubt, call your local ABC office. You can also buy the entire set of ABC laws and rules from your local ABC office for \$11.50 plus tax.

*ABC Penalties.* ABC decides penalties for licensees on a case-by-case basis. ABC gives consideration to the type of violation, the licensee's past record, and the facts of each case. ABC penalties may be probation, suspension of the ABC license, a fine of \$750-\$6,000, or revocation of the ABC license.

*Definitions.* "B&P" means the Business and Professions Code. "CCR" means the California Code of Regulations. "PC" means the Penal Code. "H&S" means the Health and Safety Code. The term "licensee" as used here, means licensees, their agents, and employees. "Alcohol" means an alcoholic beverage. "On-sale" means bars, restaurants, taverns, clubs, hotels, motels, etc. "Off-sale" means liquor stores, grocery stores, convenience stores, etc. "Minor" means person under age 21.

Subject	Possible Penalties
<p><b>1. After Hours</b> Licensees may not sell, give, or deliver alcohol (by the drink or by the package) between 2:00 a.m. and 6:00 a.m. of the same day. No person may knowingly purchase alcohol between 2:00 a.m. and 6:00 a.m. (Sec. 25631 B&amp;P) Licensees may not permit patrons or employees to consume alcohol between 2:00 a.m. and 6:00 a.m. of the same day (even if someone bought the drinks before 2:00 a.m.). (Sec. 25632 B&amp;P) Some ABC licenses have special conditions (restrictions) as to hours of sale that are stricter than the law. Those licenses are marked "Conditional." (23800-23805 B&amp;P)</p>	<p><i>Criminal:</i> For the licensee or employee who sells or permits consumption after hours and for the patron who knowingly purchases after hours, the penalty is a maximum \$1,000 fine and/or six months in county jail. (Sec. 25617 B&amp;P)</p> <p><i>ABC:</i> Decided on a case-by-case basis</p>
<p><b>2. Attire and Conduct</b> On-sale licensees may not permit these acts: “(1) To employ or use any person in the sale or service of alcoholic beverages in or upon the licensed premises while such person is unclothed or in such attire, costume or clothing as to expose to view any portion of the female breast below the top of the areola or of any portion of the pubic hair, anus, cleft of the buttocks, vulva or genitals. (2) To employ or use the services of any hostess or other person to mingle with the patrons while such hostess or other person is unclothed or in such attire, costume or clothing as described in paragraph (1) above. (3) To encourage or permit any person on the licensed premises to touch, caress, or fondle the breasts, buttocks, anus or genitals of any other person. (4) To permit any employee or person to wear or use any device or covering, exposed to view, which simulates the breast, genitals, anus, pubic hair or any portion thereof.” (Rule 143.2 CCR. Also violates Sec. 311.6 PC if conduct is “obscene;” e.g., intercourse, sodomy, masturbation, etc.)</p>	<p><i>Criminal:</i> Violation of Rule 143.2 CCR carries no criminal penalty. For violation of Sec. 311.6 PC, the penalty is a maximum six months in county jail and/or a maximum \$1,000 fine. (Sec. 19 PC)</p> <p><i>ABC:</i> Decided on a case-by-case basis</p>

<p><b>3. Authority of Peace Officers/Refusing Inspection</b>  Police officers, sheriffs' deputies, and ABC investigators are sworn law enforcement officers (peace officers) with powers of arrest. Whether in plainclothes or uniform, peace officers have the legal right to visit and inspect any licensed premises at any time during business hours <i>without a search warrant or probable cause</i>. This includes inspecting the bar and back bar, store room, office, closed or locked cabinets, safes, kitchen, or any other area within the licensed premises. It is legal and reasonable for licensees to exclude the <i>public</i> from some areas of the premises. However, licensees <i>cannot and must not</i> deny entry to, resist, delay, obstruct, or assault a peace officer. (Secs. 25616, 25753, and 25755 B&amp;P; 148 and 241(b) PC)</p>	<p><i>Criminal:</i> For refusing to permit an inspection, the penalty is a \$100-\$1,000 fine and/or one to six months in county jail. (Sec. 25616 B&amp;P)  For resisting, delaying, or obstructing a peace officer, the penalty is a maximum \$1,000 fine and/or maximum one year in county jail. (Sec. 148(a) PC)  For assaulting a peace officer, the penalty is a maximum \$2,000 fine and/or a maximum one year in county jail. (Sec. 241(b) PC)</p> <p><i>ABC:</i> Decided on a case-by-case basis</p>
<p><b>4. Beer Keg Registration</b>  Licensees selling keg beer (six gallon capacity or larger): (a) Must tag all kegs and have the customer sign a receipt; (b) Must retain the receipts on the premises for six months and make them available to peace officers; (c) May not return any deposit upon the return of any keg that does not have an identification tag.  It is against the law for a customer to: (a) Possess a keg containing beer knowing that the keg does not have an identification tag; or (b) Provide false information to the licensee. (Section 25659.5 B&amp;P)</p>	<p><i>Criminal:</i> The penalty is a maximum \$1,000 fine and/or six months in county jail for (1) the licensee, (2) the person who possesses the unidentified keg; and (3) the customer who provides false information to the licensee. (Sec. 25617 B&amp;P).</p> <p><i>ABC:</i> Decided on a case-by-case basis</p>
<p><b>5. Clerk's Affidavit; Posting of Sign</b>  Any person selling alcohol at an off-sale premises must sign a statement that he or she understands basic ABC laws and must disclose any ABC law convictions. The licensee must post signs in the store that warn customers. (See Form ABC-299 for wording.) (Sec. 25658.4 B&amp;P)</p>	<p><i>Criminal:</i> None</p> <p><i>ABC:</i> Decided on a case-by-case basis</p>
<p><b>6. Concurrent Sales of Alcohol and Gasoline</b>  Licensees who sell both gasoline and alcohol must abide by the following conditions:  1. No beer or wine within five feet of the cash register or front door (unless in a permanently affixed cooler since 1/1/88);  2. No alcohol advertisements at the fuel islands;  3. No alcohol sales from a drive-in window;  4. No alcohol sales from an ice tub;  5. No self-illuminated beer or wine advertisements on buildings or windows; and  6. Cashiers selling beer or wine between 10:00 p.m. and 2:00 a.m. must be at least age 21. (Section 23790.5(d) B&amp;P)</p>	<p><i>Criminal:</i> None</p> <p><i>ABC:</i> Decided on a case-by-case basis</p>
<p><b>7. Conditional Licenses</b>  Some ABC licenses have special restrictions (conditions) limiting the hours of alcohol sales, type of entertainment, etc. Licensees must keep a copy of any conditions on the premises, abide by them, and show them to any peace officer upon request. (Secs. 23800-23805 B&amp;P)</p>	<p><i>Criminal:</i> None</p> <p><i>ABC:</i> Decided on a case-by-case basis</p>
<p><b>8. Contaminated Beverages</b>  Licensees and their employees may not sell, furnish or give away alcoholic beverages containing any deleterious or poisonous substance. (Sec. 347(b) PC)  Licensees may not allow open bottles of alcoholic beverages to become contaminated with insects or other foreign matter. (Secs. 25620, 25623 and 25634 H&amp;S)</p>	<p><i>Criminal:</i> For the licensee or employee who violates the penal code, the penalty is a fine up to \$2,000 and/or up to one year in county jail. (Sec. 347(b) PC)</p> <p><i>ABC:</i> Decided on a case-by-case basis</p>

<p><b>9. Discrimination</b>  A licensee, other than certain exempt club licensees, who refuses to provide full and equal accommodations, facilities, privileges, or services in the licensed premises by reason of one's sex, color, race, religion, ancestry, etc., may be subject to disciplinary action. There may be no discrimination as to the price of drinks based on race, religion, sex, marital status, membership or non-membership in an organization, or on any other conditions which would result in discrimination against the general public. (Sec. 51 Civil Code and Sec. 125.6 B&amp;P)</p>	<p><i>Criminal:</i> None   <i>ABC:</i> Decided on a case-by-case basis</p>
<p><b>10. Disorderly Conduct</b>  Licensees may not permit these acts in or about their licensed premises:  (a) Lewd conduct in public  (b) Prostitution  (c) Accosting others for the purpose of begging  (d) Loitering in or about public toilets for a lewd or lascivious purpose  (e) Loitering without apparent reason and refusing to identify oneself upon the request of any peace officer  (f) Being under the influence of alcohol and/or drugs in public and unable to exercise care for one's own safety or the safety of others. (647 PC)</p>	<p><i>Criminal:</i> For the person committing the illegal act, the penalty is a maximum six months in county jail and/or a maximum \$1,000 fine. (Sec. 19 PC)   <i>ABC:</i> Decided on a case-by-case basis</p>
<p><b>11. Disorderly House</b>  Licensees may not permit their licensed premises to become a disorderly house. A disorderly house is a licensed outlet (on- or off-sale) that (a) disturbs neighbors with noise, loud music, loitering, littering, vandalism, urination or defecation, graffiti, etc., and/or (b) has many ongoing crimes inside such as drunks, fights, assaults, prostitution, narcotics, etc. The licensed premises includes the parking lot. (Sec. 25601 B&amp;P; 316 PC)</p>	<p><i>Criminal:</i> The penalty is a maximum \$1,000 fine and/or six months in county jail. (Sec. 25617 B&amp;P)   <i>ABC:</i> Decided on a case-by-case basis</p>
<p><b>12. Drink Solicitation</b>  On-sale licensees may not:  (a) Employ hosts, hostesses, or entertainers who solicit others to buy them drinks, alcoholic or non-alcoholic  (b) Pay or agree to pay such an employee a percentage of the receipts from the sales of drinks solicited  (c) Permit any person, whether an employee or not, to loiter for the purpose of soliciting an alcoholic drink  (Seccs. 24200.5(b) and 25657(a)(b) B&amp;P; Rule 143 CCR; Sec. 303(a) PC)</p>	<p><i>Criminal:</i> For the licensee, the penalty is a maximum \$1,000 fine and/or six months in county jail. (Sec. 25617 B&amp;P)  For the drink solicitor, the penalty is a maximum \$1,000 fine and/or six months in county jail unless specific penalty. (Sec. 303(a) PC)   <i>ABC:</i> Decided on a case-by-case basis</p>
<p><b>13. Drug Paraphernalia</b>  Licensees may not sell any product knowing, or under circumstances where one reasonably should know, that the customer intends to use the product for illegal drug purposes. This includes, but is not limited to, scales and balances, diluents and adulterants, balloons, envelopes, containers, pipes, screens, syringes, needles, scouring pads, blow torches, or cigarette papers. (Secs. 11014.5, 11364.5, and 11364.7(a) H&amp;S)  The law presumes that a licensee, or his/her agent(s), knows that an item is drug paraphernalia if ABC or any other state or local law enforcement agency notifies the licensee in writing that a thing (e.g., a glass vial, pipe screen, wiry sponge or scouring pad, roach clips, etc.) is commonly sold or marketed as drug paraphernalia. (See also Form ABC-546-A, Notice to Licensees Concerning Drug Paraphernalia Under Section 24200.6 Business and Professions Code) (Sec. 24200.6 B&amp;P)</p>	<p><i>Criminal:</i> The penalty is a maximum six months in county jail and/or a maximum \$1,000 fine. (Sec. 19 PC)   <i>ABC:</i> Decided on a case-by-case basis</p>

<p><b>14. Entertainers and Conduct</b></p> <p>On-sale licensees who offer entertainment must abide by the following rules:  “(1) No licensee shall permit any person to perform acts of or acts which simulate:  (a) Sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation or any sexual acts which are prohibited by law.  (b) The touching, caressing or fondling on the breast, buttocks, anus or genitals.  (c) The displaying of the pubic hair, anus, vulva or genitals.  (2) Subject to the provisions of subdivision (1) hereof, entertainers whose breasts and/or buttocks are exposed to view shall perform only upon a stage at least 18 inches above the immediate floor level and removed at least six feet from the nearest patron.  No licensee shall permit any person to use artificial devices or inanimate objects to depict any of the prohibited activities described above.  No licensee shall permit any person to remain in or upon the licensed premises who exposes to public view any portion of his or her genitals or anus.”  (Rule 143.3 CCR. Also violates Sec. 311.6 PC if conduct is “obscene;” e.g., intercourse, sodomy, masturbation, etc.)</p>	<p><i>Criminal:</i> Violation of Rule 143.3 CCR carries no criminal penalty. For a violation of Sec. 311.6 PC, the penalty is a maximum six months in county jail and/or a maximum \$1,000 fine. (Sec. 19 PC)</p> <p><i>ABC:</i> Decided on a case-by-case basis</p>
<p><b>15. False I.D. (Possession or Use of)</b></p> <p>Minors may not possess or use identification that is altered, borrowed, stolen, counterfeit, or fraudulently obtained using false birth documents. (Sec. 25661 B&amp;P)</p>	<p><i>Criminal:</i> For the minor, the penalty is a minimum \$250 fine and/or 24-32 hours of community service. Second offense is a maximum \$500 fine and/or 36-48 hours community service. (Sec. 25661 B&amp;P)</p> <p><i>ABC:</i> Not applicable</p>
<p><b>16. Food Requirements</b></p> <p>Type 41, 47, and 49 licensees must operate and maintain their licensed premises as a bona fide eating place. They must make actual and substantial sales of meals, during the normal meal hours that they are open, at least five days a week. Normal meal hours are: Breakfast 6:00 a.m. - 9:00 a.m. lunch 11:00 a.m. - 2:00 p.m.; and dinner 6:00 p.m. - 9:00 p.m. Premises that are not open five days a week must serve meals on the days they are open.</p> <p>The premises must be equipped and maintained in good faith. This means the premises must possess working refrigeration and cooking devices, pots, pans, utensils, table service, condiment dispensers, menus, posters, signs, and enough goods to make substantial meals. The premises must comply with all regulations of the local health department.</p> <p>Incidental, sporadic or infrequent sales of meals or a mere offering of meals without actual sales is not compliance. “Meals” means the usual assortment of food commonly ordered at various hours of the day. The service of only sandwiches or salads is not considered compliance. However, certain specialty entrees, such as pizza, fish or ribs, and an assortment of other foods, such as soups, salads or desserts, may be considered a meal.</p> <p>The Department will presume that a licensee is operating as a bona fide eating place if the gross sales of food prepared and sold to guests on the premises exceeds the gross sales of alcoholic beverages. “Prepared” means any processing preliminary to the final serving of food. (Note: Some licensees have a “conditional” license that requires food sales to be 50% or more of the total gross sales.) (Secs. 23038 and 23787 B&amp;P)</p>	<p><i>Criminal:</i> None</p> <p><i>ABC:</i> Decided on a case-by-case basis</p>

<p><b>17. Harmful Matter</b> Licensees may not rent, sell, give, or show harmful matter to persons under age 18. Harmful matter includes, but is not limited to, a book, magazine, newspaper, or video tape that “. . . depicts or describes in a patently offensive way sexual conduct and . . . lacks serious literary, artistic, political, or scientific value for minors.” If licensees sell harmful matter, they must use reasonable care in ascertaining the true age of a minor.</p> <p>If licensees sell or rent videos of harmful matter, they must create an area within their licensed premises for the placement of the videos and advertising material and label it, “Adults Only.” Minors must not be able to readily access the videos or view the video box covers.</p> <p>If licensees sell books or magazines of harmful matter, they should contact their local police or sheriff’s department about any local ordinances that may apply. Some cities and counties require licensees to place “blinder racks” in front of such material so that the lower two-thirds of the material is not exposed to view. (Secs. 313 and 313.1 PC and Sec. 25612.5(c)(9) B&amp;P)</p>	<p><i>Criminal:</i> The penalty for a first offense of selling, giving, or showing harmful matter to a juvenile is a maximum \$2,000 fine and/or one year in county jail. The penalty for a second offense is State prison. Failure to create and label the “adults only” area is an infraction punishable by a maximum \$100 fine. (Sec. 313.4 PC and Sec. 25612.5(c)(9) B&amp;P)</p> <p><i>ABC:</i> Decided on a case-by-case basis</p>
<p><b>18. Law Enforcement Problem</b> Licensees may not permit their licensed premises to be a problem for the local law enforcement agency by needing an undue number of calls for service. The licensed premises includes the parking lot. (Sec. 24200(a) B&amp;P)</p>	<p><i>Criminal:</i> None</p> <p><i>ABC:</i> Decided on a case-by-case basis</p>
<p><b>19. Minors (Attempt to Purchase by)</b> Minors may not even try to buy alcohol. (Sec. 25658.5 B&amp;P)</p>	<p><i>Criminal:</i> For the minor, the penalty is a maximum \$100 fine and/or 24-32 hours community service. For the second offense, the penalty for the minor is a maximum \$250 fine and/or 36-48 hours of community service. (Sec. 25658.5 B&amp;P)</p> <p><i>ABC:</i> Not applicable</p>
<p><b>20. Minors (Employment of)</b> <b>On-Sale Licensed Premises.</b> Licensees may not employ minors on the portion of any premises which is primarily designed and used for the sale and service of alcohol for consumption on the premises. (Secs. 25663(a) and 25667 B&amp;P) <i>Exception:</i> Minor musicians (see #14) <i>Restaurants:</i> In a bona fide public eating place, persons age 18 or older may serve alcohol in an area primarily designed and used for the sale and service of food for consumption on the premises as an incidental part of their overall duties. Bartenders and cocktail waitresses must be 21. <i>Concession Stands:</i> A person who is at least 18 but not yet 21 may serve alcohol, as an incidental part of his or her duties, at a fixed concession stand that sells food products, soft drinks, and alcohol. <i>Pizza Parlors:</i> A person under age 21 may not serve alcohol while working behind a fixed counter where only soft drinks, alcohol, and other beverages are dispensed and food items are served at another counter within the premises.</p> <p><b>Off-Sale Licensed Premises.</b> Persons age 18 and older may sell alcohol unsupervised. Persons age 17 and younger may sell alcohol if under the continuous supervision of a person age 21 or older. (Sec. 25663(b) B&amp;P)</p>	<p><i>Criminal:</i> For the licensee, the penalty is a maximum \$1,000 fine and/or six months in county jail. No penalty for the minor employee. (Sec. 25617 B&amp;P)</p> <p><i>ABC:</i> Decided on a case-by-case basis</p>

<p><b>21. Minors (Entering and Remaining in Bars/Taverns)</b>  Licensees may not permit minors to enter and remain in any bar or tavern (license Types 42, 48, and 61), even during hours when the premises is closed. Both the licensee and the minor may be cited. <i>Exception:</i> Minors may enter and remain at any time for lawful business. For example, delivery and repair persons. (Sec. 25665 B&amp;P)</p>	<p><i>Criminal:</i> For the minor, the penalty is a minimum \$200 fine; a maximum \$1,000 and/or six months in county jail. For the licensee, the penalty is a maximum \$1,000 fine and/or six months in county jail. (Secs. 25665 and 25617 B&amp;P)</p> <p><i>ABC:</i> Decided on a case-by-case basis</p>
<p><b>22. Minors (Possession of Alcohol by)</b>  Minors may not possess alcohol in public. <i>Exceptions:</i> A minor may possess alcohol in public if (a) the minor is making a delivery for his licensed employer, or (b) a parent, guardian, or adult relative has given alcohol to a minor and asked the minor to deliver it to some other adult. A licensee may not give alcohol to a minor on the telephoned or written order of a parent. (Sec. 25662(a) B&amp;P)</p>	<p><i>Criminal:</i> For the minor, the penalty for a first offense is a \$250 fine or 24-32 hours community service. For a second offense, the penalty is a maximum \$500 fine and/or 36-48 hours community service. (Section 25662(a) B&amp;P)</p> <p><i>ABC:</i> Not applicable</p>
<p><b>23. Minors (Purchase or Consumption by)</b>  Minors may not purchase alcohol. Minors may not consume alcohol in an on-sale licensed premises. (Sec. 25658(b) B&amp;P)</p>	<p><i>Criminal:</i> For the minor, the penalty is a \$250 fine and/or 24-32 hours of community service. For a second or subsequent offense the penalty is a maximum \$500 fine and/or 36-48 hours community service. (Sec. 25658(e)(1) B&amp;P)</p> <p><i>ABC:</i> For a first offense, the penalty is a \$750-\$3,000 fine, license suspension, or probation. For a second offense within three years, the penalty is a mandatory license suspension. For a third offense within three years, the license may be revoked. (Sec. 25658.1 B&amp;P)</p>
<p><b>24. Minors (Sales/Furnishing to)</b>  No person may sell, furnish, or give alcohol to a minor. No person may cause or permit this to occur. This includes sales to minor “decoys” used by local law enforcement agencies. (Sec. 25658(a) B&amp;P)</p>	<p><i>Criminal:</i> For the seller, the penalty is a \$250 fine and/or 24-32 hours of community service. For a second or subsequent offense the penalty is a maximum \$500 fine and/or 36-48 hours community service. (Sec. 25658(e)(1) B&amp;P)</p> <p>For the furnisher, the penalty is a \$1,000 fine and a minimum 24 hours community service. (Sec. 25658(e)(2) B&amp;P)</p> <p>If the minor consumes the beverage and thereafter causes great bodily injury or death to the minor or any other person, the person who purchases and furnishes to the minor faces 6-12 months in county jail and/or a maximum \$1,000 fine. (Sec. 25658(e)(3) B&amp;P)</p> <p><i>ABC:</i> For a first offense, the penalty is a \$750-\$3,000 fine, license suspension, or probation. For a second offense within three years, the penalty is a mandatory license suspension. For a third offense within three years, the license may be revoked.</p>

<p><b>25. Musicians (Minors)</b> Musicians who are at least age 18 but not yet 21 can be employed in all types of on-sale premises, only if the following conditions exist: (a) There is no topless or nude entertainment, either live or on film; (b) The area of employment is restricted for the exclusive use of musicians and entertainers; (c) No alcohol is sold, served, or consumed in the restricted entertainment area; (d) The restricted area is readily identifiable. It must be a room, a stage, or an area bounded by partitions or other barriers at least 30 inches high; (e) While performing, the musician must remain in the restricted area.</p> <p>At a bar or tavern (license Type 42, 48, or 61) the minor musician must remain in the restricted area at all times, except when: (a) Entering or leaving the premises, (b) Setting up equipment, (c) Visiting restrooms, (d) Resting or changing clothing in a room which is not used for sale, service, or consumption of alcohol by the public, (e) Auditioning when the place is not open for business. An entertainer is a musician if the bulk of his or her performance involves making music with an instrument or his or her voice. (Sec. 25663.5 B&amp;P)</p>	<p><i>Criminal:</i> None</p> <p><i>ABC:</i> Decided on a case-by-case basis</p>
<p><b>26. Narcotics and Dangerous Drugs</b> Licensees may not knowingly permit illegal sales, negotiations, or use of narcotics or dangerous drugs on the licensed premises. (Secs. 24200.5(a) and 24200(a) B&amp;P; various H&amp;S)</p>	<p><i>Criminal:</i> Most drug offenses are felonies, punishable by imprisonment in State prison</p> <p><i>ABC:</i> Decided on a case-by-case basis</p>
<p><b>27. Objectionable Conditions (Failure to Correct)</b> Upon notice, licensees must take reasonable steps to correct objectionable, nuisance conditions on or about the licensed premises and on abutting public sidewalks up to 20 feet from the premises, within a reasonable period of time. The conditions include disturbance of the peace, public drunkenness, drinking in public, harassment of passersby, gambling, prostitution, loitering, public urination, lewd conduct, drug trafficking, or excessive loud noise. <i>Exception:</i> Restaurants (license Types 41 and 47), hotels, motels, wineries, and beer manufacturers are not responsible for correcting nuisance conditions on abutting public sidewalks. (Sec. 24200[e][f][g] B&amp;P).</p>	<p><i>Criminal:</i> The penalty is a maximum \$1,000 fine and/or six months in county jail. (Sec. 25617 B&amp;P)</p> <p><i>ABC:</i> Decided on a case-by-case basis</p>
<p><b>28. Obviously Intoxicated Persons and Habitual Drunkards</b> No person may sell or give alcohol to anyone who is obviously intoxicated. No person may cause or permit this to occur. A person is obviously intoxicated when the average person can plainly see that the person is intoxicated. In other words, the person looks or acts drunk. This includes regular customers who “always act that way.” It does not matter that the person is not driving. For there to be a violation of law, the prosecutor must prove that the server either saw or had the chance to see the signs of intoxication before the service. Some of the signs of intoxication are: being overly friendly, using foul language, argumentative, belligerent, slurred speech, slow, deliberate movements, swaying, drowsy, stumbling, red, watery eyes, or alcoholic breath.</p> <p>No person may sell or give alcohol to anyone who is a habitual drunkard (a person who has lost control over his or her drinking). No person may cause or permit this to occur. A server may discover a habitual drunkard in one of two ways: (a) A family member tells you the person has a drinking problem and asks you not to serve, or (b) the patron is a regular and unable to handle drinking on a regular basis. A licensee or server who has been warned and still serves a habitual drunkard faces possible ABC disciplinary action and criminal prosecution. (Secs. 25602(a) and 23001 B&amp;P; 397 PC)</p>	<p><i>Criminal:</i> The penalty is a maximum \$1,000 fine and/or six months in county jail. (Sec. 25617 B&amp;P)</p> <p><i>ABC:</i> The first offense is decided on a case-by-case basis. For a second offense within three years, the penalty is a mandatory license suspension.</p> <p><i>Civil:</i> Lawsuit (for service to an underage, obviously intoxicated person) (Sec. 25602.1 B&amp;P). Civil penalties are money judgments or settlements, usually against everyone (seller or server, licensee, licensee’s insurer, etc.). They are determined by the court or jury during a civil lawsuit.</p>

<p><b>29. Off-Sale Beer and Wine License Privileges</b>  Type 20 licensees cannot sell more than 52 gallons of wine at one time or sell alcohol for resale. (Sec. 23393 B&amp;P)</p>	<p><i>Criminal:</i> The penalty is a maximum \$1,000 fine and/or six months in county jail. (Sec. 25617 B&amp;P)</p> <p><i>ABC:</i> Decided on a case-by-case basis</p>
<p><b>30. Off-Sale General License Privileges</b>  Type 21 licensees cannot (a) sell more than 52 gallons of wine at one time, or (b) sell alcohol for resale. <i>Exception:</i> Licensees may sell alcohol for resale to the holder of a Daily On-Sale General license. (Secs. 23393 and 23394 B&amp;P)</p>	<p><i>Criminal:</i> For the violator, the penalty is a maximum \$1,000 fine and/or six months in county jail. (Secs. 25351 and 25617 B&amp;P)</p> <p><i>ABC:</i> Decided on a case-by-case basis</p>
<p><b>31. Operating Standards, Retail</b>  The following requirements apply to stores (license Type 20 and 21), bars and taverns (license Types 40, 42, 48, and 61). These requirements do not apply to restaurants (license Types 41 and 47), convention centers, exhibit halls, auditoriums, ballparks, stadiums, coliseums, hotels, motels, a certain marine park, wineries, or beer manufacturers.</p> <ol style="list-style-type: none"> <li>1. Post “No Loitering” signs upon written notice from the ABC;</li> <li>2. Post “No Open Container” signs upon written notice from the ABC;</li> <li>3. No alcohol consumption inside a store or outside a bar or tavern;</li> <li>4. Illuminate the exterior of the premises, including adjacent public sidewalks and parking lots under the licensee's control, during all hours of darkness when open for business;</li> <li>5. Remove litter daily from the premises, adjacent sidewalks and parking lots under licensee's control and sweep/clean these areas weekly;</li> <li>6. Remove graffiti from premises and parking lot within 72 hours (3 days) of application;</li> <li>7. Have no more than 33% of windows covered with advertising or signs;</li> <li>8. Have incoming calls blocked at pay phones upon request of local law enforcement or ABC; and</li> <li>9. Create a separate area for any video recordings of harmful matter (as defined in Penal Code Section 313). The area must be labeled “Adults Only.” Minors may not be able to readily access the videos or view the video box covers.</li> <li>10. Have a copy of the operating standards available during normal business hours for viewing by the general public. (Section 25612.5(c) B&amp;P)</li> </ol>	<p><i>Criminal:</i> The licensee only (not employees) may be cited for each violation of the operating standards. For the licensee, the penalty is a maximum \$1,000 fine and/or six months in county jail. (Sec. 25617 B&amp;P)</p> <p><i>ABC:</i> Decided on a case-by-case basis</p>
<p><b>32. Removal of Opened Wine Bottle</b>  Restaurants (license Type 41 and 47) may allow patrons to remove a partly-consumed bottle of wine from the premises upon departure. (Customers should place any open bottles in the trunk area of their vehicle to avoid violating the Vehicle Code.) (Sec. 23396.5 B&amp;P)</p>	<p>Not applicable. This is a permissive section of law.</p>
<p><b>33. Retail Delivery Orders</b>  Employees cannot deliver alcohol without a delivery order. It must state the quantity, brand, proof, price, name and address of the customer, and name and address of the store. The licensee must keep the order on file for two years after delivery. (Rule 17(e) CCR)</p>	<p><i>Criminal:</i> None</p> <p><i>ABC:</i> Decided on a case-by-base basis</p>
<p><b>34. Retail Store Qualifications</b>  Licensees may sell alcohol only in the original package for consumption off the premises. Licensees must conveniently display all alcohol. Licensees must make any alcohol deliveries from the licensed premises. Licensees may only take telephone orders for alcohol when the store is open to the general public. (Rule 27 CCR)</p>	<p><i>Criminal:</i> None</p> <p><i>ABC:</i> Decided on a case-by-case basis</p>

<p><b>35. Retail-to-Retail Sales</b>  Retail licensees may not purchase alcohol for resale from another retail licensee. Licensees must purchase alcohol for resale from a non-retail licensee only. Warehouse-type discount stores are licensed retailers, and they cannot sell alcohol for resale to other retailers. For example, a retail licensed store may not sell to the bar down the street who has run out of a certain brand of liquor. It would be illegal for both the store and the bar to do so. The borrowing of alcohol between retail licensees is an illegal, retail-to-retail sale. <i>Exception:</i> A licensee who has three or more outlets licensed exactly the same may transfer products between that licensee's stores. Also, type 21 licensees may sell distilled spirits for resale to the holder of a Daily On-Sale General license. (Sec. 23402 B&amp;P)</p>	<p><i>Criminal:</i> The penalty is a maximum \$1,000 fine and/or six months in county jail. (Secs. 25351 and 25617 B&amp;P)</p> <p><i>ABC:</i> Decided on a case-by-case basis</p>
<p><b>36. Returns by Consumers to Retailers</b>  Returns of all types of alcoholic beverages by consumers to sellers were once ruled to be illegal under both State and federal law. In 1961, the Federal Government approved the return by consumers of alcoholic beverages which were spoiled, deteriorated, contaminated, or otherwise unfit for human consumption. This approval was made on the condition that there would be a bottle-for-bottle exchange or cash refund for the unsatisfactory merchandise. It was necessary for a consumer to bring back a partially emptied bottle or a bottle which clearly showed deterioration of the product, such as sediment, to qualify for the refund. The Department adopted the federal policy that same year. Later, the Department modified its approval to the extent that other types of alcoholic beverages could be exchanged for those which were unfit for human consumption.</p> <p>A consumer may also make an exchange or receive a refund on an item purchased in error if the unopened container is returned to the seller. The advertising of "money-back guarantees" is specifically disapproved, however.</p> <p>A consumer cannot overbuy for a party and then return any of the unused alcoholic beverages. Neither can the recipient of a gift exchange it for other merchandise or be given a credit, because the recipient is not returning alcoholic beverages; if the retailer gave anything of value for the beverages, the retailer would be buying from other than a wholesaler. Sales to consumers are final except as previously set forth. The Department and federal law agree in this respect. (Sec. 25600(a)(2))</p>	<p><i>ABC:</i> Decided on a case-by-case basis</p>
<p><b>37. Right to Refuse Service to Minors</b>  Licensees and their employees have the legal right to refuse service to anyone who cannot show adequate written evidence of age. A licensee or employee may seize any identification presented by a person that shows the person to be under the age of 21 years or that is false, so long as a receipt is given to the person from whom the identification is seized and the seized identification is given within 24 hours of seizure to the local law enforcement agency that has jurisdiction over the licensed premises. A licensee, his or her agent or employee's decision to not seize a license shall not create any civil or criminal liability. (Sec. 25659 B&amp;P)</p>	<p>Not applicable. This is a permissive section of law.</p>

<p><b>38. Signs</b>  Bars and taverns (License Types 42, 48, and 61) must post signs reading, “No Person Under 21 Allowed.” Licensees must post one at or near each public entrance, visible from the exterior, and one inside in a prominent place. The signs must be at least 7” x 11” and have lettering at least 1” in height. (Rule 107 CCR)<sup>1</sup></p> <p>No more than 33% of the square footage of the windows and clear doors of an off-sale premises may have advertising or signs of any sort. (Sec. 25612.5(c)(7) B&amp;P)<sup>2</sup></p> <p>Stores (license Types 20 and 21) must post one or more customer warning signs in the store (see form ABC-299 for wording). (Sec. 25658.4 B&amp;P)<sup>2</sup></p> <p>Upon written notice from the ABC, licensees must post “No Loitering” and “No Open Container” signs. <i>Exception:</i> This law does not apply to restaurants (license Types 41 and 47), convention centers, exhibit halls, auditoriums, ballparks, stadiums, coliseums, hotels, motels, a certain marine park, wineries, or beer manufacturers. (Sec. 25612.5(c)(1)(2) B&amp;P)<sup>2</sup></p> <p>Signs may not be obnoxious, gaudy, blatant, or offensive, and must not obstruct the view of the interior of the premises from the street. (Sec. 25612 B&amp;P)<sup>2</sup></p> <p>All on- and off-sale licensees must post warning signs reading, “Warning: Drinking spirits, beer, coolers, wine, and other alcoholic beverages may increase cancer risk and, during pregnancy, can cause birth defects.” (Sec. 12601(b)(1)(D)(1) and 12601(b)(4)(E) CCR)<sup>3</sup></p>	<p><sup>1</sup><i>Criminal:</i> None</p> <p><i>ABC:</i> Decided on a case-by-case basis</p> <p><sup>2</sup><i>Criminal:</i> The penalty is a maximum \$1,000 fine and/or six months in county jail. (Sec. 25617 B&amp;P)</p> <p><i>ABC:</i> Decided on a case-by-case basis</p> <p><sup>3</sup><i>Criminal:</i> None</p> <p><i>ABC:</i> Decided on a case-by-case basis</p> <p><i>Civil:</i> A civil lawsuit may be brought against an alcohol manufacturer or distributor by the Attorney General, a district attorney, or a private citizen. Judgments are a maximum of \$2,500 per day per violation, with 25% of the sum going to the plaintiff. Civil penalties <u>do not</u> apply to the retail licensee. (Sec. 12601 CCR)</p>
<p><b>39. Substitution of Brands</b>  No person may substitute types or brands of alcohol without first informing the purchaser. (Sec. 25609 B&amp;P)</p>	<p><i>Criminal:</i> For the licensee or employee, the penalty is a maximum \$1,000 and/or six months in county jail. (Sec. 25617 B&amp;P)</p> <p><i>ABC:</i> Decided on a case-by-case basis</p>
<p><b>40. Undisclosed Ownership; Changes in Ownership</b>  The ABC license must reflect the true ownership of the licensed business. There can be no hidden owners or silent partners. Licensees must report any and all ownership changes to the ABC. (Secs. 23300 and 23355 B&amp;P; Rule 68.5 CCR)</p>	<p><i>Criminal:</i> The penalty is a maximum \$1,000 fine and/or six months in county jail. (Sec. 25617 B&amp;P)</p> <p><i>ABC:</i> Decided on a case-by-case basis</p>
<p><b>41. Unlawful Possession on Licensed Premises</b>  Licensees may not allow any alcohol on the premises other than what they are licensed to sell. <i>Exception:</i> Type 41 licensees may possess brandy, rum, or liqueurs for cooking purposes. (Section 25607(a)(b) B&amp;P)</p>	<p><i>Criminal:</i> For the licensee, employee or patron, the penalty is a maximum \$1,000 fine and/or six months in county jail. (Sec. 25617 B&amp;P)</p> <p><i>ABC:</i> Decided on a case-by-case basis</p>
<p><b>42. Weapons</b>  Licensees may not possess or sell certain firearms and/or weapons, including but not limited to, undetectable firearms, nunchakus, short-barreled shotguns, short-barreled rifles, metal knuckles, billy clubs, dirks, and daggers. (Sec. 12020 PC)</p>	<p><i>Criminal:</i> The penalty is imprisonment in the county jail not exceeding one year or in a State prison. (Sec. 12020(a) PC)</p> <p><i>ABC:</i> Decided on a case-by-case basis</p>

**Attachment 15**  
**Notification Map**



**Attachment 16**  
**Development Plans and TPM**  
**(Available on City Website)**

**Attachment 17**  
**Opposition Letter**

## Concern on Project # 15-0958

rahman syed <rusyed@yahoo.com>

Mon 11/9/2015 9:29 PM

Inbox

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

Hi Kanika Kith, I am resident of 13364 Linnea street Eastvale CA. I am writing regarding my concern on Project # 15-0958 which I consider inappropriate in the middle of pure residential complex. City of eastvale has already allotted few proper market place location ( East and west end) which completes all the required necessities of local eastvale community. Also new proposed commercial area in quite neighborhood will impact negative climate effect in the neighborhood as well as pollution/ traffic issues.

I strongly oppose any commercial allotment at the Project # 15-0958 site and suggest city government to reconsider any commercial allotment in quite residential neighborhood.

Please don't hesitate to contact me if you have any questions.

Regards

Dr. Syed Rahmanuddin

[13364 Linnea Street](#)

[Eastvale CA 92880](#)

310.405.5678

rusyed@yahoo.com