



# **CITY OF EASTVALE CITY COUNCIL SPECIAL MEETING AGENDA**

**Eastvale City Hall  
12363 Limonite Ave, Suite 910, Eastvale, CA 91752  
Friday, March 11, 2016, at 3:00 P.M.**

## **City Council**

Ike Bootsma, Mayor  
Joseph Tessari, Mayor Pro Tem

## **Councilmembers**

Bill Link; Clint Lorimore; Adam Rush

Michele Nissen, City Manager  
John Cavanaugh, City Attorney  
Marc Donohue, City Clerk

- 1. CALL TO ORDER**
- 2. ROLL CALL/PLEDGE OF ALLEGIANCE**
- 3. PUBLIC COMMENT**
- 4. CITY COUNCIL BUSINESS**

### 4.1 Council Direction

RECOMMENDATION: Provide direction to staff regarding proposed changes to the timing of completion of certain conditions of approval for the Goodman Commerce Center Project.

## **5. ADJOURNMENT**

---

The next regular meeting of the Eastvale City Council will be held on March 23, 2016 at 7:00 p.m. at Rosa Parks Elementary School, 13830 Whispering Hills Drive, Eastvale, CA 92880.



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 twenty-four (24) hours prior to the special meeting, per Government Code 54954.2, at the following locations: City Hall, 12363 Limonite Ave. 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))



# CITY OF EASTVALE

## CITY COUNCIL STAFF REPORT

ITEM 4.1

---

**DATE:** MARCH 11, 2016

**TO:** HONORABLE MAYOR AND COUNCILMEMBERS

**FROM:** ERIC NORRIS, PLANNING DIRECTOR

**SUBJECT:** COUNCIL DIRECTION

---

**RECOMMENDATION: PROVIDE DIRECTION TO STAFF REGARDING PROPOSED CHANGES TO THE TIMING OF COMPLETION OF CERTAIN CONDITIONS OF APPROVAL FOR THE GOODMAN COMMERCE CENTER PROJECT**

---

### BACKGROUND

When the development of the first industrial/warehouse buildings at the Goodman Commerce Center was approved in November 2014, a number of conditions of approval were imposed, based on the City's review of the development and on the environmental analysis prepared for the project. The conditions covered a broad range of issues. They were imposed to ensure that the project would be built and operated properly and that required roads and other infrastructure were built and operational in time to meet the needs created by the project. With regard to public roadways, this was to be done by requiring that two of the three major streets bordering the project (Hamner Avenue and Cantu-Galleano Ranch Road) would be built before the first building in the project was allowed to be occupied.

Recently, the applicant, Goodman-Birtcher, approached City staff with a request to modify the timing component of several conditions. According to the applicant, they are working with a high-profile tenant for the first industrial/warehouse building. This user, code-named "Project Clyde" by Goodman-Birtcher,<sup>1</sup> has a schedule to occupy the building that would involve opening for business before the improvements to public streets can be completed. Construction for Project Clyde would also require changes to several other conditions to allow work to proceed more quickly than could occur if the conditions as currently written are adhered to.

The Project Clyde tenant has indicated they need to occupy the building by May 18, 2016.

The conditions which Goodman-Birtcher has requested to change in connection with timing of completion are highlighted in Attachment A to this report.

---

<sup>1</sup> Goodman-Birtcher is currently bound by a confidentiality agreement that prevents them from disclosing the name of the potential tenant.



## CITY OF EASTVALE CITY COUNCIL STAFF REPORT

ITEM 4.1

### DISCUSSION

At this time, the exact changes in the wording of the conditions of approval has not been developed. However, in general the proposed timing changes to the conditions of approval include:

- Allowing the first warehouse building to be occupied before improvements to Hamner Avenue and Goodman Way (a public street within the project site) are completed. (Note: Goodman Way would be paved and open to vehicle traffic. Because landscaping and lighting would not be installed, it would not be “complete.”)
- Allowing the use of temporary generators to provide power for the first industrial building until it is served by Southern California Edison, but not more than 12 months.
- Allowing construction to take place inside of the first industrial building 24 hours per day.
- Making the applicant responsible for the cost of installing and maintaining the landscaping in the Hamner Avenue median between Bellegrave Avenue and Cantu-Galleano Ranch Road. (The applicant is currently required to install the curbing around the median.)

The City of Eastvale City Council certified the Final EIR for the proposed project on June 11, 2014, in accordance with the CEQA. The proposed timing modifications to these conditions of approval does not result in any new or more severe environmental impacts than previously evaluated and addressed in the EIR.

As stated above, the proposed changes only affect the *timing* of when some public improvements are to be built (delaying them from the currently approved schedule); the changes would *not* affect their ultimate configuration and would *not* eliminate the requirement that they be built.

In discussion with staff, the applicant has also agreed in concept to be responsible for the cost of constructing and maintaining the landscaped roadway median in Hamner Avenue, which is currently proposed to be publicly funded.

### STAFF RECOMMENDATION

Staff is seeking the Council’s direction on whether to proceed with this request. Should the Council wish to approve the applicant’s request, staff will develop final proposed language for the revised conditions of approval and provide a detailed staff report for the Council meeting on March 23, 2016.

Should the Council wish to proceed with this item, the following motion is suggested:



# CITY OF EASTVALE

## CITY COUNCIL STAFF REPORT

ITEM 4.1

*“Motion that the City Council direct staff to proceed with the drafting of modified conditions of approval in connection with the scheduled timing of certain improvements for project #No. 11-0271 (Major Development Review) and return with specific changes for Council review and approval at the March 23 City Council meeting.”*

### **FISCAL IMPACT**

The cost of processing of the proposed changes is being funded by the applicant. No costs to the City would result from the processing if staff is directed to do so by the City Council.

Staff will provide additional information on the fiscal impacts of the applicant’s offer to pay for the construction and maintenance of the Hamner Avenue median in the staff report for the March 23<sup>rd</sup> meeting.

### **STRATEGIC PLAN IMPACT**

This item does not directly affect the Strategic Plan. Facilitating the operation of the Project Clyde tenant would help the City achieve its economic development goals.

### **ATTACHMENT**

1. Conditions of approval proposed to be changed (shown in yellow highlight)

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

	<p>museum repository complying with the Society of Vertebrate Paleontology standard guidelines. Accompanying specimen and site data, notes, maps, and photographs also shall be archived at the repository.</p> <p>h) Prior to issuance of certificate of occupancy, a qualified paleontologist or qualified designee shall prepare a final report summarizing the results of the mitigation program and present an inventory and description of the scientific significance of any fossil remains accessioned into the museum repository. The report shall be submitted to the City Planning Department, the Riverside County Regional Park and Open Space District, and the museum repository. The report shall comply with the Society of Vertebrate Paleontology standard guidelines for assessing and mitigating impacts on paleontological resources. (MM Paleo 2)</p>			
12.	<p>Electricity from power poles shall be used instead of temporary diesel- or gasoline-powered generators to reduce the associated emissions. Approval will be required by the City prior to issuance of grading permits. (MM Air 2)</p>	Prior to issuance of grading permit	Planning and Public Works Departments	
13.	<p>To reduce construction vehicle emissions, the contract specification packages shall require that any diesel-powered off-road equipment meets the following criteria:</p> <p>a) The contractor’s fleet of off-road diesel-powered construction equipment greater than 25 horsepower shall meet Tier 3 off-road emissions standards or better.</p> <p>b) Any emissions control device used by the contractor shall achieve Level 3 emissions reductions of no less than 85 percent for particulate matter, as specified by California Air Resources Board (ARB) regulations.</p> <p>c) The contractor shall also provide certification that their fleet is in compliance with ARB’s In-Use Off-Road Diesel Vehicle Regulation in effect at that time or proof that the contractor has applied to the South Coast Air Quality Management District (SCAQMD) SOON</p>	Prior to issuance of grading permit	Planning Department	

	<p>a) Soliciting bids that include use of energy- and fuel-efficient fleets.</p> <p>b) Soliciting preference construction bids that use BACT, particularly those seeking to deploy zero- and/or near-zero emission technologies.</p> <p>c) Using GHG-emitting construction materials consistent with the California Green Building Standards Code.</p> <p>d) Use of cement blended with the maximum feasible amount of flash or other materials that reduce GHG emissions from cement production. (MM GHG 2)</p>			
39.	All contractors shall turn off all construction equipment and delivery vehicles when not in use and/or if idling for longer than 3 minutes. (MM GHG 5)	During construction	Building Department	
40.	The general contractor shall develop a low-impact construction commuting plan for all tradespersons to utilize during project construction. This plan may address the home to office/shop commute, office/shop to job site commute, or both. (MM GHG 6)	During construction	Building Department	
41.	Project-related construction shall adhere to the hours set forth in Eastvale Municipal Code Section 8.01.010, Ordinance No. 2010-08. Exceptions shall be only with the written consent of the City of Eastvale Building Official. (MM Noise 2)	During construction	Building Department	
42.	To minimize noise impacts resulting from poorly tuned or improperly modified vehicles and construction equipment, all vehicles and construction equipment shall maintain equipment engines in good condition and in proper tune per manufacturers' specifications and use noise reduction features (e.g., mufflers and engine shrouds) that are no less effective than those originally installed by the manufacturer, to the satisfaction of the City of Eastvale Building Department. Equipment maintenance records and equipment design specification data sheets shall be kept on-site during construction or be available within 24 hours of receipt of the request. Compliance with this measure shall be subject to periodic inspections by the City of Eastvale Building Department. (MM Noise 3)	During construction	Building Department	

	<p>include the following geometrics:</p> <p>Northbound: Two left-turn lanes, plus one right-turn lane.</p> <p>Southbound: Not applicable.</p> <p>Eastbound: Three through lanes, plus one shared through and right-turn lane.</p> <p>Westbound: One left-turn lane, and a minimum of two through lanes.</p> <p>This condition is consistent with and satisfies mitigation measure MM Trans 5.</p> <p>The City Engineer reserves the right to require reasonable and warranted alternative configurations of the geometrics as long as the above minimum traffic flow is maintained.</p>			
53.	<p>Prior to issuance of the first certificate of occupancy, the implementing developer shall construct the intersection of Hamner Avenue (NS) and the northern driveway between Parcels 6 and 9 (EW) to restrict movement to right-in and right-out only from the driveway with the following geometrics:</p> <p>Northbound: Two through lanes, plus one shared through and right-turn lane.</p> <p>Southbound: Two through lanes.</p> <p>Eastbound: Not applicable.</p> <p>Westbound: One right-turn lane. Stop controlled.</p> <p>This condition is consistent with and satisfies mitigation measure MM Trans 6.</p> <p>The City Engineer reserves the right to require reasonable and warranted alternative configurations of the geometrics as long as the above minimum traffic flow is maintained.</p>	Prior to issuance of certificate of occupancy	Public Works Department	
54.	<p>Prior to issuance of the first certificate of occupancy, the implementing developer shall construct the intersection of Hamner Avenue (NS) and Street B (EW) to include the following geometrics:</p> <p>Northbound: Two through lanes, plus one shared through and right-turn</p>	Prior to issuance of certificate of occupancy	Public Works Department	

	<p>lane.</p> <p>Southbound: One left-turn lane and two through lanes.</p> <p>Eastbound: One through lane (east of Hamner Avenue).</p> <p>Westbound: One right-turn lane. Stop controlled.</p> <p>This condition satisfies mitigation measure MM Trans 7.</p> <p>The City Engineer reserves the right to require reasonable and warranted alternative configurations of the geometrics as long as the above minimum traffic flow is maintained.</p>			
55.	<p>Prior to issuance of first certificate of occupancy, landscaping shall be installed around the water quality basins located on Parcels 3 and 4 of PM 36487.</p>	<p>Prior to issuance of certificate of occupancy</p>	<p>Planning and Public Works Departments</p>	
56.	<p>Prior to issuance of first certificate of occupancy, a 10-foot-wide pedestrian and bike trail shall be installed around the water quality basins located on Parcels 3 and 4, and provide appropriate connection of the trail from the business park to the commercial area. Tubular steel fencing shall be installed around all basins on the project site designed to hold more than 18 inches of standing water. Gates shall be provided for maintenance of the basins.</p>	<p>Prior to issuance of certificate of occupancy</p>	<p>Planning and Public Works Departments</p>	
57.	<p>Prior to issuance of the first certificate of occupancy, the developer shall construct full eastbound improvements (four lanes) and westbound improvements (minimum of two lanes) on Cantu-Galleano Ranch Road from Hamner Avenue to Interstate 15 including the frontage of the NAP parcel (approximately a 12-acre lot located on the southeast corner of Hamner Avenue and Cantu-Galleano Road), provided the necessary rights-of-way can be obtained from the NAP owner. Otherwise, the frontage of the NAP parcel shall include a minimum of two eastbound lanes, curb and gutter, and sidewalk. The developer will make every effort to work with the NAP parcel to dedicate the full rights-of-way.</p> <p>In no case shall the developer improve Cantu-Galleano Ranch Road to fewer than three lanes of travel adjacent to the NAP parcel between Hamner Avenue and I-15 adjacent to the Specific Plan boundary line per</p>	<p>Prior to issuance of certificate of occupancy</p>	<p>Public Works Department</p>	

	MM Trans 8.			
58.	Prior to issuance of the first certificate of occupancy, the developer shall construct full northbound (three lanes) improvements on Hamner Avenue from Bellegrave Avenue to Cantu-Galleano Ranch Road including the frontage of the NAP parcel, provided the necessary rights-of-way can be obtained from its owner. Otherwise, the frontage of the NAP parcel shall include a minimum of two northbound lanes, curb and gutter, and sidewalk. (MM Trans 4)	Prior to issuance of certificate of occupancy	Public Works Department	
59.	Prior to issuance of the first certificate of occupancy, the developer shall construct raised median (not including landscaping) and partial southbound (two lanes) improvements on Hamner Avenue from Cantu-Galleano Ranch Road to Bellegrave Avenue. The developer shall enter into a reimbursement agreement with the City of Eastvale for the construction of improvements, which lies outside the City of Eastvale boundary. The costs of such improvements will be paid by the development(s) within the City of Ontario through an agreement between the cities of Ontario and Eastvale. (MM Trans 4)	Prior to issuance of certificate of occupancy	Public Works Department	
60.	Prior to issuance of the first certificate of occupancy, the developer shall construct full curb return at Hamner and Bellegrave including a minimum of 100-foot lane on Bellegrave to act as a westbound right turn lane onto Hamner. The remaining full improvements on Bellegrave will be constructed during the Business Park development on Parcels 3 and 4 of PM 36487.	Prior to issuance of certificate of occupancy	Public Works Department	
61.	Prior to issuance of the first certificate of occupancy, the developer shall construct full improvements of Street A to include two lanes southbound and one lane north per the Specific Plan.	Prior to issuance of certificate of occupancy	Public Works Department	
62.	Prior to issuance of the first certificate of occupancy, the developer shall construct full improvements of Street B.	Prior to issuance of certificate of occupancy	Public Works Department	
63.	Prior to issuance of the first certificate of occupancy, the developer shall construct full curb return at the southeast corner of Cantu-Galleano	Prior to issuance of certificate of	Public Works	

	Ranch Road and Hamner Avenue, provided the necessary rights-of-way can be obtained from the NAP parcel. Otherwise an interim curb return shall be constructed. The developer will make every effort to work with the NAP parcel to dedicate the rights-of-way.	occupancy	Department	
64.	<p>Prior to issuance of the first certificate of occupancy, the developer shall construct the following improvements to the satisfaction of the City Engineer:</p> <ul style="list-style-type: none"> <li>a) All intersection curb returns to satisfy truck-turning requirements.</li> <li>b) New traffic signal at Cantu-Galleano Ranch Road and Street A.</li> <li>c) New traffic signal and associated public improvements at the intersection of Hamner Avenue and the drive access between Parcels 5 and 6 of PM 36487.</li> <li>d) New traffic signal and associated public improvements at the intersection of Hamner Avenue and the drive access on Parcel 9 of PM 36487.</li> </ul>	Prior to issuance of certificate of occupancy	Public Works Department	
65.	<p>Prior to issuance of the first certificate of occupancy, the developer shall modify the traffic signals to the satisfaction of the City Engineer at:</p> <ul style="list-style-type: none"> <li>a) Hamner Avenue and Cantu Galleano Ranch Road</li> <li>b) Hamner Avenue and Bellegrave Avenue</li> </ul>	Prior to issuance of certificate of occupancy	Public Works Department	
66.	Prior to issuance of the first certificate of occupancy, the developer shall construct a concrete intersection at Hamner Avenue and Cantu-Galleano Ranch Road per the satisfaction of the City Engineer in coordination with the City of Ontario.	Prior to issuance of certificate of occupancy	Public Works Department	
67.	<p>Prior to issuance of the first certificate of occupancy, the developer shall install traffic interconnect system to coordinate traffic signals along the following roadways:</p> <ul style="list-style-type: none"> <li>a) Hamner Avenue – between Cantu-Galleano Ranch Road and Bellegrave Avenue</li> <li>b) Cantu Galleano Ranch Road and Bellegrave Avenue – between Hamner and I-15</li> </ul>	Prior to issuance of certificate of occupancy	Public Works Department	

68.	<p>Prior to issuance of the first certificate of occupancy, in coordination with roadway improvements the developer shall construct 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, and sewer, water, and flood control facilities in accordance with each respective agency's requirements and specifications and to the satisfaction of the City Engineer.</p>	<p>Prior to issuance of certificate of occupancy</p>	<p>Public Works Department</p>	
69.	<p>Prior to issuance of the first certificate of occupancy, the implementing developer shall modify the signalized intersection of Hamner Avenue (NS) and Cantu-Galleano Ranch Road (EW) to include the following geometrics:</p> <p>Northbound: Two through lanes plus one shared through and right-turn lane.</p> <p>Southbound: One left-turn lane plus two through lanes.</p> <p>Eastbound: Not applicable.</p> <p>Westbound: Two left-turn lanes. One shared through and right-turn lane plus three through lanes (may need to be temporarily blocked until Cantu-Galleano Ranch Road extension west of Hamner Avenue is constructed by the City of Ontario).</p> <p>This condition is consistent with and satisfies mitigation measure MM Trans 9.</p> <p>The City Director of Public Works reserves the right to require reasonable and warranted alternative configurations of the geometrics as long as the above minimum traffic flow is maintained.</p>	<p>Prior to issuance of certificate of occupancy</p>	<p>Public Works Department</p>	
70.	<p>Prior to issuance of the first certificate of occupancy for the development, the implementing developer shall modify the signalized intersection of Hamner Avenue (NS) and Bellegrave Avenue (EW) to include the following geometrics:</p> <p>Northbound: One left-turn lane. Two through lanes plus one shared through and right-turn lane.</p>	<p>Prior to issuance of certificate of occupancy</p>	<p>Public Works Department</p>	

	<p>Southbound: One left-turn lane. One through lane plus one shared through and right-turn lane.</p> <p>Eastbound: One left-turn lane. Two through lanes plus one right-turn lane.</p> <p>Westbound: Two left-turn lanes. One through lane plus one right-turn lane.</p> <p>This condition is consistent with and satisfies mitigation measure MM Trans 13.</p> <p>The City Director of Public Works reserves the right to require reasonable and warranted alternative configurations of the geometrics as long as the above minimum traffic flow is maintained.</p>			
71.	<p>Prior to issuance of the first certificate of occupancy for the development, the implementing developer shall contribute its fair share of improvements and modify the signalized intersection of Milliken Avenue (NS) and Riverside Drive (EW) to include the following geometrics:</p> <p>Northbound: One left-turn lane. One through lane. One shared through and right-turn lane.</p> <p>Southbound: One left-turn lane. One through lane. One shared through and right-turn lane.</p> <p>Eastbound: One left-turn lane. One through lane. One right-turn lane with overlapping signal.</p> <p>Westbound: One left-turn lane. One through lane. One right-turn lane.</p> <p>This condition is consistent with and satisfies mitigation measure MM Trans 16.</p> <p>The City Director of Public Works reserves the right to require reasonable and warranted alternative configurations of the geometrics as long as the above minimum traffic flow is maintained.</p>	Prior to issuance of certificate of occupancy	Public Works Department	