



Staff Report

TO: City Council
FROM: Christina Taylor, Community Development Director
DATE: June 15, 2021
SUBJECT: **Second Reading for Consideration of Adoption of a Development Agreement for Beaumont Crossroads I (Formally Known as Rolling Hills Ranch Specific Plan) Establishing Sewer Discharge Limitations**

Background and Analysis:

The subject site, Beaumont Crossroads I (also known as Rolling Hills Ranch Specific Plan), is located on the south side of State Route 60 east of Potrero Boulevard in the westerly most area of town. The site is currently occupied by Wolverine and Amazon.



The site has been subject to various entitlement activities in the past. The original Rolling Hills Specific Plan was adopted in April 1991 and amended in 2000 ("First Amendment"), 2002 ("Second Amendment") and 2004 ("Third Amendment") to reflect changing market conditions and planning considerations. The Third Amendment changed the land use from residential to industrial. The Fourth Amendment in 2018 was three-fold: first, to amend Tables III-A (Zoning Standards) and IV-A (Zoning Standards) of the Specific Plan to permit an increase in the allowable building height on Parcels 3 and 4; second, to amend the Permitted Land Uses in Section IV (Zoning Ordinance) and Table IV-C to clearly delineate the uses which are permitted and not permitted in this SPA Zone; and third, to amend the permitted land uses to recognize that the City has eliminated the LM zoning classification on which the permitted land uses were based and replaced it with a proposed land use list based on the current M zoning classification.

The site was also subject to a development agreement originally entered into in 1994 and amended in June 2004 to reflect the change to industrial development. A subsequent amendment to the development agreement took place in 2014 effective through August 2019. There were no additional development agreement amendments thus the development agreement expired in August 2019.

The proposed development agreement is intended solely to address sewer discharge limitations and establish a maximum allowable sewer flow. Based on current sewer infrastructure, the sewer treatment plant expansion and proposed improvements in the area surrounding the development, establishing a maximum sewer flow is necessary to ensure the integrity of the City's system and to ensure capacity is available for future development. If an occupant for the development requires more capacity than the proposed cap allows, a reassessment will be necessary and mitigation for any identified impacts will be required.

The development agreement proposes the following language regarding the maximum allowable sewer flow:

Section 9. Vested Rights and Applicable Rules, Regulations and Policies

(e) *"Sewer flow from the Project shall be limited to the amount provided in the Sewer Study dated June 1, 2020, prepared by Thienes Engineering, titled "SEWER AREA STUDY AND PRELIMINARY LIFT STATION DESIGN FOR BEAUMONT CROSSROADS II LOGISTICS", which study has been accepted by the City. The maximum sewer flow from the Project shall not be greater than a projected cumulative 106,080 gallons per day (gpd) peak flow at any given time, based upon estimated flow from Wolverine (or any future occupant of the structure, including the planned Wolverine*

expansion Parcel 1, on APN 424-050-016 & 018) not to exceed 55,470gpd and estimated flow from Amazon (or any future occupant of the structure on APN 424-050-020&022) not to exceed 50,610gpd. Any actual or projected exceedance in the projected maximum flow generated by the Project as determined by City shall be reassessed for sewer system impacts by City and mitigated by Developer accordingly. All sewer discharges from the Project shall comply with the applicable provisions of law, regulations, policies and orders including, but not limited to, those contained in the Beaumont Municipal Code". This allocation of the sewer capacity to the Project may not be allocated by the City or the Developer to other buildings or projects within the area and shall remain available to Developer for those buildings only contained within this Agreement even if not being fully utilized from time-to-time.

Both City staff and the applicant have agreed to this language and the means by which the need for excess flow will be addressed.

Environmental Documentation:

An Environmental Impact Report (EIR) was prepared and certified in 1991 for the Rolling Hills Ranch Specific Plan, and the later Addendums in 2000, 2002, 2004 and 2005 assessing the environmental impacts of the project and subsequent implementation steps, for the project. The EIR and the findings made by the City Council remain valid. This development agreement amendment is not subject to CEQA, as it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. 14 CCR Section 15061(b)(3).

Findings:

The guidelines for development agreements are established in City of Beaumont Resolution No. 1987-34. This resolution requires City Council to make the following findings:

1. The proposed agreement is consistent with the objectives, policies, general land use and programs specified in the General Plan:

The proposed development agreement is consistent with the General Plan and its goals, objectives and policies. Specifically, approval of this agreement will help ensure adequate sewer infrastructure improvements as needed.

2. The proposed agreement facilitates land uses which are compatible with the uses authorized in, and the regulations prescribed for, the land use districts in which the real property is located:

The proposed development agreement has no impact on zoning or land use on the property or in the surrounding area. There are no proposed changes to the zoning, land use or project approvals as a result of this amendment.

3. The proposed agreement is in conformity with public convenience, general welfare and good land use practice:

The development agreement has no impact on land use or compatibility with the surrounding area. The limits on sewer discharge as a result of this project will add to the public convenience and improve the general welfare of the businesses and residents in the area by ensuring existing and proposed infrastructure can adequately serve the public.

4. The proposed agreement will not be detrimental to the health, safety and general welfare:

Approval of the development agreement will have no impact on the health, safety or welfare of the City, the surrounding area or its residents. The agreement, through the imposition of conditions will ensure the existing and proposed infrastructure can adequately serve the public.

5. The proposed agreement will not adversely affect the orderly development of property or the preservation of property values:

Approval of this development agreement will help facilitate the orderly development of infrastructure and related facilities. Approval of this agreement amendment will not have a negative effect on orderly development or preservation of property rights and is agreed to by both the City and the property owner.

There are no unusual or changed circumstances at this site which would affect the entitlements or consideration of amendment to the development agreement. All of the required findings can be made in a positive manner.

Fiscal Impact:

Cost to prepare this report and associated documents is approximately \$2,500 and is covered by the development agreement deposit on file.

Recommended Action:

Waive the second full reading and adopt by title only, "An Ordinance of the City Council of the City of Beaumont adopting the Development Agreement between the City of Beaumont and Beaumont Crossroads I."

Attachments:

- A. Ordinance
- B. Development Agreement
- C. Sewer Study