



Staff Report

TO: City Council

FROM: Christina Taylor, Community Development Director

DATE: August 4, 2020

SUBJECT: **Second Reading and Adoption of an Ordinance Amending and Restating the Development Agreement (PLAN2019-0336) for the Hidden Canyon Specific Plan, a 2.89 Million Square Foot Industrial Business Park (Hidden Canyon Industrial Park); Located at the Western Terminus of Fourth Street, South of State Highway 60, East of Jack Rabbit Trail**

Background and Analysis:

The subject site, known as the Hidden Canyon Specific Plan, is located along the south side of State Route 60 in the westerly-most area of the City of Beaumont.



The site has been subject to other various entitlement activities in the past, as follows:

Beaumont Gateway Specific Plan

When owned by the Lockheed Corporation, the site received specific plan and tentative tract approval in 1995 for 573 dwelling units, with a minimum lot size of 5,000 square feet. Due to economic and market considerations at that time, the project never moved forward with development.

Wyle Laboratories Test Facility

Wyle Laboratories subsequently acquired the site and received City approval in 2001 for a zone change and general plan amendment for an industrial designation, and a conditional use permit for operation of a small industrial testing facility on the site.

Hidden Canyon Specific Plan (2005)

CRV-SC Beaumont Partners, LP received City approval in 2005 for the entitlement for a maximum of 426 residential lots, 19.5 acres of parks and open space, and a 4.8 acre commercial site.

Hidden Canyon Industrial Specific Plan (2012)

Amendment to the specific plan changing the land use designations from residential to industrial and providing for up to 2.89 million square feet of industrial floor space. This is the currently entitled status for this site.

Plot Plan Approval

11-PP-04 Plot Plan was approved by the Planning Commission on February 14, 2012, and is now expired.

16-PP-02 Plot Plan was re-approved by the City Council on September 6, 2016, and is now expired.

Plot Plan PP2018-0134 is the current entitlement, approved by the Planning Commission on November 13, 2018, and was extended by the Planning Commission until November 13, 2020. The development agreement approved in December 2020, extended this entitlement until November 13, 2027.

The approved specific plan, environmental impact report (EIR) addendum, and 2012 staff report are available for review on the City's Transparency Portal website within Community Development/Specific Plans.

The original development agreement had two main items:

- The extension of the entitlements for Plot Plan 2018-0134 for a period of seven (7) years from the current expiration date. Under the proposed development agreement, the expiration date would be November 13, 2027, and
- The allowance of assignment or transfer of the development agreement.

The proposed amendment to the development agreement will address the following:

- Establishing a maximum allowable sewer flow.

At this time, an end user for the development has not been disclosed. 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 to serve an occupant. If an occupant for the development will require more capacity than the proposed cap allows, a reassessment will be necessary and mitigation for any identified impacts will be required.

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

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

(e) "Sewer flow from the Crossroads II Project shall be limited to the amount provided in the June 1, 2020, dated Sewer Study 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 139,679 gallons per day (gpd) peak flow for the Project at any given time. 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".."

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

Environmental Documentation:

An EIR was prepared and certified in 1995 for the Beaumont Gateway Specific Plan, and the later Hidden Canyon addendums in both 2005 and 2012, assessing the environmental impacts of the project and subsequent implementation steps, including subdivision of the site, for the same 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 amendment to the development agreement is consistent with the General Plan and its goals, objectives and policies. Specifically, approval of this amendment will help facilitate a development which is an avenue for new employment, improvements to infrastructure and circulation.

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 amendment 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 amendment 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 amendment to the development agreement will have no impact on the health, safety or welfare of the City, the surrounding area or its residents. The amendment to this agreement, through the imposition of conditions, will not have a detrimental effect on the health, safety or general welfare of the City or its residents and 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 amendment 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 that 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 of staff time and legal review for preparation of this report is covered by the development agreement deposit on file.

Recommended Action:

Waive the second full reading and adopt by title only the “An Ordinance of the City Council of the City of Beaumont, California, Approving an Amended and Restated Development Agreement by and Between the City of Beaumont and MPLD II Inland Empire, LLC.”

Attachments:

- A. Ordinance
- B. Restated and Amended Development Agreement
- C. Sewer & Preliminary Lift Station Design for Beaumont Crossroads II Logistics