



1 which time it received input from staff, the city attorney, and the applicant; heard public testimony;  
2 discussed the proposed PPD and CDP; and closed the public hearing; and

3 WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

4 NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Rialto  
5 as follows:

6 SECTION 1. The Planning Commission hereby specifically finds that all of the facts set forth  
7 in the recitals above of this Resolution are true and correct and incorporated herein.

8 SECTION 2. Based on substantial evidence presented to the Planning Commission during  
9 the public hearing conducted with regard to the PPD, including written staff reports, verbal testimony,  
10 site plans, other documents, and the conditions of approval stated herein, the Planning Commission  
11 hereby determines that the PPD satisfies the requirements of Section 18.65.020E of the Rialto  
12 Municipal Code pertaining to the findings which must be made precedent to granting a Precise Plan  
13 of Design. The findings are as follows:

- 14 1. The proposed development is in compliance with all city ordinances and regulations,  
15 unless in accordance with an approved variance; and

16 *This finding is supported by the following facts:*

17 The Site has a General Plan land use designation of General Industrial and a zoning  
18 designation of Heavy Industrial (H-IND). Those designations allow for the development  
19 and operation of industrial warehouse building, as proposed by the Project. The Project,  
20 as conditioned herein, will comply with all City ordinances and regulations, including those  
21 required by the H-IND zone and the City's Design Guidelines. Additionally, the Project  
22 meets all the required development standards of Chapter 18.112 (Indoor Storage Facilities)  
23 of the Rialto Municipal Code including, but not limited to, required building setbacks,  
24 parking, landscaping, building height, floor area ratio, etc.

- 25 2. The site is physically suitable for the proposed development, and the proposed  
26 development will be arranged, designed, constructed, and maintained so that it will  
27 not be unreasonably detrimental or injurious to property, improvements, or the health,  
28 safety or general welfare of the general public in the vicinity, or otherwise be  
inharmonious with the city's general plan and its objectives, zoning ordinances or any  
applicable specific plan and its objectives; and

*This finding is supported by the following facts:*

The development of an industrial warehouse building on the Site is consistent with the H-  
IND zone, which conditionally permits the development and operation of industrial

1 warehouse buildings. To the north of the project site, is a transportation logistics facility  
2 occupied by the Hub Group. To the east the project site, across Willow Avenue, is a 10.5-  
3 acre reinforcing steel facility occupied by the Pacific Steel Group. To the south of the  
4 project site is a transportation logistics facility occupied by the Hollywood Delivery  
5 Service. To the west of the project site 3.8 acres of vacant land. The Project is consistent  
6 with the H-IND zone and the GI land use designation of the General Plan. The project is  
not expected to negatively impact any surrounding uses with the successful implementation  
of measures such as landscape buffering, the installation of solid screen walls and gates,  
aesthetic building enhancements, and other traffic related measures.

- 7 3. The proposed development will not unreasonably interfere with the use or enjoyment  
8 of neighboring property rights or endanger the peace, health, safety or welfare of the  
9 general public; and

10 *This finding is supported by the following facts:*

11 The Project's effects will be minimized through the implementation of the Conditions of  
12 Approval contained herein, such as extensive landscaping, concrete screen walls, and  
13 enhanced architectural features. The project site is surrounded by industrial land uses and  
14 there are no sensitive uses nearby. In addition, the site is designed to comply with  
15 requirements of Chapter 18.112 for indoor storage uses. The project is not expected to  
negatively impact any surrounding uses with the successful implementation of measures such  
as landscape buffering, the installation of solid screen walls, aesthetic building enhancements,  
and other traffic related measures.

- 16 4. The proposed development will not substantially interfere with the orderly or planned  
17 development of the City of Rialto.

18 *This finding is supported by the following facts:*

19 The Project is consistent with the Heavy Industrial (H-IND) zone, the Agua Mansa Specific  
20 Plan and the existing industrial developments in the area. The Project will replace an existing  
21 manufacturing development at the rear portion of the site and develop the Site with the  
22 highest and best use, in accordance with the Heavy Industrial (H-IND) zone and General  
23 Industrial (GI) land use designation. The City staff have reviewed the design of the Project  
to ensure compliance with all health, safety, and design requirements to ensure the Project  
will enhance the infrastructure as well as the aesthetics of the local community.

24 SECTION 3. Based on the findings and recommended mitigation within the Initial Study,  
25 staff determined that the project will not have an adverse impact on the environment, provided that  
26 mitigation measures are implemented, and a Mitigated Negative Declaration was prepared. The local  
27 newspaper published a copy of the Notice of Intent to adopt the Mitigated Negative Declaration for  
28 the project, and the City mailed the notice to all property owners within 1,000 feet of the project site

1 for a public comment period held from May 3, 2024, to June 2, 2024. The Mitigated Negative  
2 Declaration was prepared in accordance with the California Environmental Quality Act (CEQA). The  
3 Planning Commission directs the Planning Division to file the necessary documentation with the  
4 Clerk of the Board of Supervisors for San Bernardino County.

5 SECTION 4. PPD No. 2022-0060 is granted Scannell Properties. in accordance with the plans  
6 and application on file with the Planning Division, subject to the following Conditions of Approval:

- 7 1. The applicant is granted PPD No. 2022-0060 allowing the development of a 118,000  
8 square foot industrial warehouse building and associated paving, landscaping, fencing,  
9 lighting, and drainage improvements on 5.63 acres of land (APN: 0258-171-57 & 0258-  
10 171-31) located generally on the northwest corner of Rialto and Cactus Avenues within  
11 the Light Industrial (M-1) district, subject to the Conditions of Approval contained  
12 herein.
- 13 2. The approval of PPD No. 2022-0060 is granted for a period of one (1) year from the  
14 date of approval. Approval of PPD No. 2022-0060 will not become effective until the  
15 applicant has signed a Statement of Acceptance acknowledging awareness and  
16 acceptance of the required Conditions of Approval contained herein.
- 17 3. The development associated with PPD No. 2022-0060 shall conform to the site plan,  
18 fencing plan, floor plan, elevations, conceptual grading and utility plan, and preliminary  
19 landscape plan attached hereto as Exhibit A, except as may be required to be modified  
20 based on the Conditions of Approval contained herein.
- 21 4. The development associated with PPD No. 2022-0060 shall comply with all Conditions  
22 of Approval contained within CDP No. 2022-0036.
- 23 5. The development associated with PPD No. 2022-0060 shall comply with all applicable  
24 sections of the Rialto Municipal Code and all other applicable State and local laws and  
25 ordinances.
- 26 6. City inspectors shall have access to the site to reasonably inspect the site during  
27 normal working hours to assure compliance with these conditions and other codes.
- 28 7. The applicant shall indemnify, protect, defend, and hold harmless, the City of Rialto,  
and/or any of its officials, officers, employees, agents, departments, agencies, and  
instrumentalities thereof (collectively, the "City Parties"), 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

1 instrumentality thereof, that challenge, attack, or seek to modify, set aside, void, or  
2 annul, the any action of, or any permit or approval issued by, the City and/or any of  
3 its officials, officers, employees, agents, departments, agencies, and instrumentalities  
4 thereof (including actions approved by the voters of the City), for or concerning the  
5 Project (collectively, the “Entitlements”), whether such Actions are brought under  
6 the California Environmental Quality Act, the Planning and Zoning Law, the  
7 Subdivision Map Act, Code of Civil Procedure Chapter 1085 or 1094.5, the  
8 California Public Records Act, or any other state, federal, or local statute, law,  
9 ordinance, rule, regulation, or any decision of a court of competent jurisdiction. This  
10 condition to indemnify, protect, defend, and hold the City harmless shall include, but  
11 not be limited to (i) damages, fees and/or costs awarded against the City, if any, and  
12 (ii) cost of suit, attorneys’ fees and other costs, liabilities and expenses incurred in  
13 connection with such proceeding whether incurred by applicant, Property owner, or  
14 the City and/or other parties initiating or bringing such proceeding (collectively,  
15 subparts (i) and (ii) are the “Damages”). Notwithstanding anything to the contrary  
16 contained herein, the Applicant shall not be liable to the City Parties under this  
17 indemnity to the extent the Damages incurred by any of the City Parties in such  
18 Action(s) are a result of the City Parties’ fraud, intentional misconduct or gross  
19 negligence in connection with issuing the Entitlements. The applicant shall execute  
20 an agreement to indemnify, protect, defend, and hold the City harmless as stated  
21 herein within five (5) days of approval of PPD No. 2022-0060.

- 22 8. In accordance with the provisions of Government Code Section 66020(d)(1), the  
23 imposition of fees, dedications, reservations, or exactions for this Project, if any, are  
24 subject to protest by the applicant at the time of approval or conditional approval of  
25 the Project or within 90 days after the date of the imposition of the fees, dedications,  
26 reservations, or exactions imposed on the Project.
- 27 9. Prior to the issuance of building permits, the applicant shall submit to the City, and  
28 subsequent to City approval, record with the San Bernardino County Recorder’s Office,  
a Lot Line Adjustment for the project site which currently consists of two parcels and  
the applicant is required to consolidate the two parcels into one parcel to facilitate the  
project.
10. The applicant shall install decorative pavement within each project driveway connected  
to Willow Avenue. The decorative pavement shall extend across the entire width of each  
driveway and shall have a minimum depth from the property line to the nearest  
intersecting drive aisle. Decorative pavement means decorative pavers and/or color  
concrete with patterns and color variety. The location of the decorative pavement shall  
be identified on the Precise Grading Plan prior to the issuance of a grading permit.  
Additionally, the location and type of decorative pavement shall be identified on the  
formal Landscape Plan submittal, and other on-site improvement plans, prior to the  
issuance of building permits.
11. In order to provide enhanced building design in accordance with Chapter 18.61 (Design  
Guidelines) of the Rialto Municipal Code, the applicant shall route all drainage

1 downspouts through the interior of the building, except those on the east side of the  
2 building. The internal downspouts shall be identified within the formal building plan  
3 check submittal prior to the issuance of building permits.

- 4 12. In order to provide enhanced building design in accordance with Chapter 18.61 (Design  
5 Guidelines) of the Rialto Municipal Code, the applicant shall construct parapet returns,  
6 at least three (3) feet in depth from the recessed wall planes, at all height variations on  
7 all four (4) sides of the building. The parapet returns shall be demonstrated on the roof  
8 plans within the formal building plan check submittal prior to the issuance of building  
9 permits.
- 10 13. In order to provide enhanced building design in accordance with Chapter 18.61 (Design  
11 Guidelines) of the Rialto Municipal Code, the applicant shall provide internal roof  
12 access only for the building. The internal roof access shall be identified within the  
13 formal building plan check submittal prior to the issuance of building permits.
- 14 14. Any new walls, including any retaining walls, shall be comprised of decorative masonry  
15 block or decorative concrete. Decorative masonry block means tan-colored slumpstone  
16 block, tan-colored split-face block, or precision block with a stucco, plaster, or cultured  
17 stone finish. Decorative concrete means painted concrete with patterns, reveals, and/or  
18 trim lines. Pilasters shall be incorporated within all new walls visible from the public  
19 right-of-way. The pilasters shall be spaced a maximum of fifty (50) feet on-center and  
20 shall be placed at all corners and ends of the wall. All pilasters shall protrude a minimum  
21 of six (6) inches above and to the side of the wall. All decorative masonry walls and  
22 pilasters, including retaining walls, shall include a decorative masonry cap. All walls  
23 and pilasters shall be identified on the site plan and Precise Grading Plan, and an  
24 elevation detail for the walls shall be included in the formal building plan check  
25 submittal prior to the issuance of building permits.
- 26 15. Any new fencing installed on site shall be comprised of tubular steel. All fencing shall  
27 be identified on the site plan, and an elevation detail for the fencing shall be included in  
28 the formal building plan check submittal prior to the issuance of building permits.
16. All light standards installed on site, shall have a maximum height of twenty-five (25)  
feet, as measured from the finished surface, including the base. Lighting shall be  
shielded and/or directed toward the site so as not to produce direct glare or "stray light"  
onto adjacent properties. All light standards shall be identified on the site plan and a  
note indicating the height restriction shall be included within the formal building plan  
check submittal prior to the issuance of building permits.
17. The applicant shall submit a formal On-Site Landscape Plan to the Planning Division  
prior to the issuance of building permits. The submittal shall include three (3) sets of  
planting and irrigation plans, a completed Landscape Plan Review application, and the  
applicable review fee.

- 1 18. The applicant shall plant one (1) tree every three (3) parking spaces. All parking lot trees  
2 shall be a minimum of fifteen (15) gallons in size, upon initial planting. Thereafter, the  
3 parking lot trees shall be permanently irrigated and maintained. All parking lot tree  
4 species shall consist of evergreen broadleaf trees. The trees shall be identified on the  
5 formal Landscape Plan submittal prior to the issuance of a landscape permit.
- 6 19. The applicant shall plant shrubs that surround all ground mounted equipment and utility  
7 boxes, including transformers, fire-department connections, backflow devices, etc. for  
8 the purpose of providing screening of said equipment and utility boxes. All equipment  
9 and utility box screen shrubs shall be a minimum of five (5) gallons in size upon initial  
10 planting, and the shrubs shall be spaced no more than three (3) feet on-center.  
11 Thereafter, the equipment and utility box screen shrubs shall be permanently irrigated  
12 and maintained into a continuous box-shape with a height of no less than three and one-  
13 half (3.5) feet above the finished grade. The shrubs shall be identified on the formal  
14 Landscape Plan submittal prior to the issuance of a landscape permit.
- 15 20. The applicant shall plant trees, shrubs, and groundcover throughout all land on-site and  
16 off-site (adjacent to the project site) that is not covered by structures, walkways, parking  
17 areas, and driveways, as approved by the Planning Division. Trees shall be planted a  
18 minimum of thirty (30) feet on-center, and all shrubs and groundcover shall be planted  
19 an average of three (3) feet on-center or less, or as approved by the Planning Division.  
20 All trees shall be minimum of fifteen (15) gallons in size upon initial planting, unless  
21 otherwise specified herein. At least fifty (50) percent of the trees shall consist of  
22 evergreen broadleaf trees, while the remaining percentage may consist of broadleaf  
23 deciduous trees and/or palm trees. All shrubs shall be a minimum of one (1) gallon in  
24 size, unless otherwise specified herein. All planter areas shall receive a minimum two  
25 (2) inch thick layer of brown bark, organic mulch, and/or decorative rock upon initial  
26 planting. Pea gravel and decomposed granite are not acceptable materials to use within  
27 planter areas. All planter areas on-site shall be permanently irrigated and maintained.  
28 The planting and irrigation shall be identified on the formal Landscape Plan submittal  
prior to the issuance of a landscape permit.
21. All planting and irrigation shall be installed on-site in accordance with the approved  
landscape plans and permit prior to the issuance of a Certificate of Occupancy. The  
installation of the planting and irrigation shall be certified in writing by the landscape  
architect responsible for preparing the landscape plans prior to the issuance of a  
Certificate of Occupancy.
22. Any tubular steel fencing and/or sliding gates shall be painted black prior to the issuance  
of a Certificate of Occupancy, unless specified otherwise herein.
23. All non-glass doors shall be painted to match the color of the adjacent wall prior to the  
issuance of a Certificate of Occupancy.
24. The easterly truck court screen gate visible from Lilac Avenue shall be louvered style  
design to provide adequate screening from the public right-of-way. Perforated sheet

1 metal does not provide adequate screening. The louvered style screen gate shall be  
2 identified on the formal Building Permit submittal prior to the issuance of building  
3 permits.

- 4 25. The applicant shall complete and abide by all during-construction mitigation measures  
5 contained within the Mitigation Monitoring and Reporting Program associated with  
6 Environmental Assessment Review No. 2022-0060, prior to the conducting of a final  
7 inspection by the Building Division.
- 8 26. The applicant shall secure the services of a tribal cultural monitor to be present during  
9 all ground disturbance activities associated with the construction of this project.  
10 documentation of coordination between the applicant and tribe(s) on this matter shall be  
11 provided to the Planning Division prior to the issuance of a grading permit.
- 12 27. The applicant shall pay all applicable development impact fees in accordance with the  
13 current City of Rialto fee ordinance, prior to the issuance of any building permit related  
14 to the Project.
- 15 28. Remove all graffiti within 24 hours pre-construction, during construction, and after a  
16 Certificate of Occupancy is issued.
- 17 29. The project shall submit civil engineering design plans, reports and/or documents,  
18 prepared by a registered/licensed civil engineer, for review and approval by the City  
19 Engineer per the current submittal requirements, prior to the indicated threshold or as  
20 required by the City Engineer.

21 The first submittal shall consist of, but is not limited to the following:

- 22 a) PRECISE GRADE W/ EROSION CONTROL PLAN (prior to grading permit  
23 issuance)
- 24 b) PUBLIC IMPROVEMENT PLAN – plans include: Street, Signing & Striping,  
25 Landscape & Irrigation, Sewer, Water, Streetlight, SCE undergrounding plans, etc.  
26 (prior off-site construction permit issuance or building permit issuance, whichever  
27 occurs first)
- 28 c) FINAL DRAINAGE STUDY (prior to grading plan approval)
- d) FINAL WQMP (prior to grading plan approval)
- e) LEGAL DOCUMENTS (e.g. EASEMENT(S), DEDICATION(S), LOT LINE  
ADJUSTMENT, VACATION, etc.) (prior to Building Permit Issuance) – *Lot Line  
Adjustment No. 2023-0007*
- f) AS-BUILT/RECORD DRAWINGS for all plans (prior to occupancy approval)
30. The developer is responsible for requesting address assignment from the Planning  
Division for any new building, irrigation water meter and electrical pedestal. Addresses  
for irrigation meters must be based upon approved civil plans. Addresses for electrical  
pedestals must be based upon approved SCE plans. The main building address shall be  
included on Precise Grading Plans and Building Plan set along with the PPD number.

1           The electrical meter pedestal addresses (single or dual) shall be included in the public  
2           improvement plans.

- 3           31. Upon approval of any improvement plan by the City Engineer, the improvement plan shall  
4           be provided to the City in digital format, consisting of a DWG (AutoCAD drawing file),  
5           DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat) formats.  
6           Variation of the type and format of the digital data to be submitted to the City may be  
7           authorized, upon prior approval by the City Engineer.
- 8           32. All street cuts for utilities shall be repaired in accordance with City Standard SC-231  
9           within 72 hours of completion of the utility work; and any interim trench repairs shall  
10          consist of compacted backfill to the bottom of the pavement structural section followed  
11          by placement of standard base course material in accordance with the Standard  
12          Specifications for Public Work Construction (“Greenbook”). The base course material  
13          shall be placed the full height of the structural section to be flush with the existing  
14          pavement surface and provide a smooth pavement surface until permanent cap paving  
15          occurs using an acceptable surface course material.
- 16          33. A single master Off-site Construction Permit is required for any street, wet utility (RWS  
17          only), landscape and irrigation, and traffic signal improvements within the public right-  
18          of-way. To expedite and facilitate improvements in the public right-of-way, the applicant  
19          is responsible for submitting a multi-phase master plan traffic control plan which includes  
20          all phases of construction in the public right-of-way i.e., sewer, water, overhead,  
21          underground, etc. prior to the issuance of Off-site Construction Permit. Note, to simplify  
22          the permitting process, a single master Off-Site Construction Permit shall replace  
23          individual Encroachment Permits to be pulled by the developer's contactor.
- 24          34. All applicable landscape easement, and parkway landscaping shall be guaranteed for a  
25          period of one year from the date of acceptance by the City Engineer acceptance. Any  
26          landscaping that fails during the one-year landscape maintenance period shall be replaced  
27          with similar plant material to the satisfaction of the City Engineer and shall be subject to  
28          a subsequent one-year landscape maintenance period. The applicant must contact the City  
            of Rialto Landscape Contract Specialist at (909) 820-2602 to confirm a full twelve (12)  
            months’ time of non-interrupted ongoing maintenance.
35. All proposed trees within the public right-of-way and within 10 feet of the public sidewalk  
            and/or curb shall have City approved deep root barriers installed, as required by the City  
            Engineer.
36. In accordance with Chapter 15.32 of the City of Rialto Municipal Code, all existing and  
            new electrical distribution lines of sixteen thousand volts or less and overhead service  
            drop conductors, and all telephone, television cable service, and similar service wires or  
            lines, which are on-site, abutting, and/or transecting, shall be installed underground.  
            Utility undergrounding shall extend to the nearest off-site power pole. This may require  
            undergrounding beyond the project limits to prevent any existing poles to remain or new  
            poles to be placed for guy wire purposes along the project frontage. New power poles

1 shall not be installed unless otherwise approved by the City Engineer. A letter from the  
2 owners of the affected utilities shall be submitted to the City Engineer prior to approval  
3 of the Grading Plan, informing the City that they have been notified of the City's utility  
4 undergrounding requirement and their intent to commence design of utility  
5 undergrounding plans. When available, the utility undergrounding plan shall be submitted  
6 to the City Engineer identifying all above ground facilities in the area of the project to be  
7 undergrounded.

8 37. In accordance with City Ordinance No. 1589, adopted to preserve newly paved streets, all  
9 street and/or trench cuts in street newly paved or slurry will be subject to moratorium  
10 street repair standards as referenced in Section 11.04.145 of the Rialto Municipal Code.  
11 Contact the Public Works Department for a list of streets subject to the moratorium.

12 38. The minimum pavement section for all on-site pavements shall be 2 inches asphalt  
13 concrete pavement over 4 inches crushed aggregate base with a minimum subgrade of 24  
14 inches at 95% relative compaction, or equal. If an alternative pavement section is  
15 proposed, the proposed pavement section shall be designed by a California registered  
16 Geotechnical Engineer using "R" values from the project site and submitted to the City  
17 Engineer for approval.

18 39. Any utility trenches or other excavations within existing asphalt concrete pavement of off-  
19 site streets required by the proposed development shall be backfilled and repaired in  
20 accordance with City of Rialto Standard Drawings. The developer shall be responsible  
21 for removing, grinding, paving and/or overlaying existing asphalt concrete pavement of  
22 off-site streets as required by and at the discretion of the City Engineer, including  
23 pavement repairs in addition to pavement repairs made by utility companies for utilities  
24 installed for the benefit of the proposed development (i.e., Fontana Water Company,  
25 Southern California Edison, Southern California Gas Company, Time Warner, Verizon,  
26 etc.). Multiple excavations, trenches, and other street cuts within existing asphalt concrete  
27 pavement of off-site streets required by the proposed development may require complete  
28 grinding and asphalt concrete overlay of the affected off-site streets, at the discretion of  
the City Engineer. The pavement condition of the existing off-site streets shall be returned  
to a condition equal to or better than what existed prior to construction of the proposed  
development.

40. All damaged, destroyed, or modified pavement legends, traffic control devices, signing,  
striping, and streetlights, associated with the proposed development shall be replaced as  
required by the City Engineer prior to issuance of a Certificate of Occupancy.

41. Construction signing, lighting, and barricading shall be provided during all phases of  
construction as required by City Standards or as directed by the City Engineer. As a  
minimum, all construction signing, lighting and barricading shall be in accordance with  
Part 6 Temporary Traffic Control of the 2014 California Manual on Uniform Traffic  
Control Devices, or subsequent editions in force at the time of construction.

- 1 42. The public street improvements outlined in these conditions of approval are intended to  
2 convey to the developer an accurate scope of required improvements, however, the City  
3 Engineer reserves the right to require reasonable additional improvements as may be  
4 determined during the review and approval of street improvement plans required by these  
5 conditions.
- 6 43. OMNITRANS: The developer shall be responsible for coordinating with Omnitrans  
7 regarding the location of existing, proposed, and future bus stops along the property  
8 frontage of all public streets. The developer shall design street and sidewalk  
9 improvements in accordance with the latest Omnitrans bus stop guidelines and in  
10 compliance with current accessibility standards pursuant to the Americans with  
11 Disabilities Act (ADA) requirements. The developer shall design all bus stops to  
12 accommodate the Omnitrans Premium Shelters. Prior to Certificate of Occupancy, the  
13 developer shall submit to Public Works verification from Omnitrans acknowledging  
14 concurrence with the existing, proposed, and future bus stop improvements in  
15 conformance with the Premium Shelter design guidelines. Additionally, bus turnouts are  
16 required to accommodate proposed bus stops in accordance with the City Standards and  
17 as approved by the City Engineer.
- 18 44. Development of the site is subject to the requirements of the National Pollution Discharge  
19 Elimination System (NPDES) Permit for the City of Rialto, issued by the Santa Ana  
20 Regional Water Quality Control Board, Board Order No. R8-2010-0036. Pursuant to the  
21 NPDES Permit, the developer shall ensure development of the site incorporates post-  
22 construction Best Management Practices (BMPs) in accordance with the Model Water  
23 Quality Management Plan (WQMP) approved for use for the Santa Ana River Watershed.  
24 The developer is advised that applicable Site Design BMPs will be required to be  
25 incorporated into the final site design, pursuant to a site specific WQMP submitted to the  
26 City Engineer for review and approval.
- 27 45. Prior to grading plan approval, submit a final hydrology study to determine the volume of  
28 increased stormwater runoff due to development of the site, and to determine required  
stormwater runoff mitigation measures for the proposed development. All stormwater  
runoff passing through the site shall be accepted and conveyed across the property in a  
manner acceptable to the City Engineer. For all stormwater runoff falling on the site, on-  
site retention or other facilities approved by the City Engineer shall be required to contain  
the increased stormwater runoff generated by the development of the property. Hydrology  
studies shall be prepared in accordance with the San Bernardino County Hydrology  
Manual and Rialto drainage criteria. Final retention basin sizing and other stormwater  
runoff mitigation measures shall be determined upon review and approval of the  
hydrology study by the City Engineer and may require redesign or changes to site  
configuration or layout consistent with the findings of the final hydrology study. The  
volume of increased stormwater runoff to retain on-site shall be determined by comparing  
the existing pre-developed condition and proposed developed condition, using the 100-  
year frequency storm.

- 1 46. Prior to grading plan approval, direct release of on-site nuisance water or stormwater  
2 runoff shall not be permitted to the adjacent public streets. Provisions for the interception  
3 of nuisance water from entering adjacent public streets from the project site shall be  
4 provided through the use of a minor storm drain system that collects and conveys nuisance  
5 water to landscape or parkway areas, and in only a stormwater runoff condition, pass  
6 runoff directly to the streets through parkway or under sidewalk drains.
- 7 47. Prior to grading plan approval, a geotechnical/soils report prepared by a California  
8 registered Geotechnical Engineer shall be required for and incorporated as an integral  
9 part of the grading plan for the proposed development. The geotechnical report shall  
10 include a section on infiltration testing. A digital copy (PDF) of the Geotechnical/Soils  
11 Report shall be submitted to the Engineering Division with the first submittal of the  
12 precise grading plan.
- 13 48. Prior to grading plan approval, submit a Final Water Quality Management Plan  
14 identifying site-specific Best Management Practices (BMPs) in accordance with the  
15 Model Water Quality Management Plan (WQMP) approved for use for the Santa Ana  
16 River Watershed. The site specific WQMP shall be submitted to the City Engineer for  
17 review and approval with the precise grading plan. The Applicant acknowledges that  
18 more area than currently shown on the plans may be required to treat site runoff as required  
19 by the WQMP guidance document and FWQMP.
- 20 49. Prior to grading plan approval, a WQMP Maintenance Agreement shall be required,  
21 obligating the property owner(s) to appropriate operation and maintenance obligations of  
22 on-site BMPs constructed pursuant to the approved WQMP.
- 23 50. Prior to grading plan approval, a Notice of Intent (NOI) to comply with the California  
24 General Construction Stormwater Permit (Water Quality Order 2009-0009-DWQ as  
25 modified September 2, 2009) is required via the California Regional Water Quality  
26 Control Board online SMARTS system. A copy of the executed letter issuing a Waste  
27 Discharge Identification (WDID) number shall be provided to the City Engineer. The  
28 developer's contractor shall prepare and maintain a Storm Water Pollution Prevention  
Plan (SWPPP) as required by the General Construction Permit. All appropriate measures  
to prevent erosion and water pollution during construction shall be implemented as  
required by the SWPPP.
51. Prior to issuance of grading permit or on-site construction permit, submit a precise grading  
plan prepared by a California registered civil engineer to the Engineering Division for  
review and approval by the City Engineer. The plan shall conform to the requirements of  
the California Building Code for review and approval.
52. Prior to issuance of grading permit or on-site construction permit, the developer shall  
apply for annexation of the underlying property into City of Rialto Landscape and  
Lighting Maintenance District No. 2 ("LLMD 2"). An application fee of \$5,000 shall be  
paid at the time of application. Annexation into LLMD 2 is a condition of acceptance of  
any new median, landscape easement, and/or parkway landscaping in the public right-of-

1 way, or any new public street lighting improvements conditioned on the project and to be  
2 maintained by the City of Rialto post construction.

- 3 53. Prior to commencing with any grading, the required erosion and dust control measures  
4 shall be in place. In addition, the following shall be included if not already identified:
- 5 a. Tan-colored perimeter screened fencing
  - 6 b. Contractor information signage including contact information along Willow Avenue
  - 7 c. Post dust control signage with the following verbiage: Project Name, WDID No., IF  
8 YOU SEE DUST COMING FROM THIS PROJECT CALL: NAME (XXX) XXX-  
9 XXX, If you do not receive a response, Please call the AQMD at 1-800-CUT-SMOG
- 10 54. Prior to street improvement plan approval or building permit issuance, whichever occurs  
11 first, dedicate additional right-of-way as may be required across driveway aprons to  
12 provide for ADA compliant public access, traffic signal equipment, and signing &  
13 striping.
- 14 55. Prior to street improvement plan approval, show a 4-inch conduit and pullboxes within  
15 the parkway area along the entire frontage of the property for future traffic signal  
16 interconnect use.
- 17 56. Prior to issuance of an encroachment permit or off-site construction permit, submit SCE  
18 Preliminary Design plans for the undergrounding of overhead utilities.
- 19 57. Prior to issuance of encroachment permit or off-site construction permit, all public  
20 improvement plans must be submitted and approved by the City Engineer.
- 21 58. Prior to issuance of a building permit, submit street improvement plans prepared by a  
22 registered California civil engineer to the Engineering Division for review. The street  
23 improvement plans shall be approved concurrently with any streetlight, landscape and  
24 irrigation, and traffic signal plans unless otherwise approved by the City Engineer.
- 25 59. Prior to issuance of a building permit, submit storm drain improvement plans for that  
26 portion of Master Plan of Drainage Line "W5", from the project northerly boundary to the  
27 existing Line "W5" located approximately 1,100 feet south of the project site. The plans  
28 shall be prepared by a registered California civil engineer to the Engineering Division for  
review. The storm drain plans shall be approved concurrently with any streetlight,  
landscape and irrigation, and traffic signal plans unless otherwise approved by the City  
Engineer.
60. Prior to the payment of the Development Impact Fee (DIF) at building permit issuance or  
construction of improvements, whichever occurs first, the developer and the City may  
enter into a Construction Fee Credit and Reimbursement Agreement to secure credit and

1 reimbursement for the construction of applicable storm drain improvements. If the  
2 developer fails to complete this agreement prior to the timing specified above, credit or  
3 reimbursement will not be given and the developer shall pay the current DIF fees, adopted  
4 by the City Council, at the time of building permit issuance.

4 61. Prior to issuance of building permit, submit traffic striping and signage plans prepared by  
5 a California registered civil engineer or traffic engineer, for review and approval by the  
6 City Engineer. All required traffic striping and signage improvements shall be completed  
7 concurrently with required street improvements to the satisfaction of the City Engineer.

7 62. Prior to issuance of encroachment permit or off-site construction permit, submit street  
8 light improvement plans, for Willow Avenue, prepared by a California registered civil  
9 engineer to the Engineering Division. The plans shall be approved by the City Engineer  
10 prior to issuance of any building permits.

10 63. Prior to issuance of encroachment permit or off-site construction permit, submit sewer  
11 improvement plans prepared by a California registered civil engineer to the Engineering  
12 Division. The plans shall be approved by the City Engineer prior to issuance of any  
13 building permits.

13 64. Prior to issuance of encroachment permit or off-site construction permit, submit a water  
14 improvement plan approved by the local water purveyor. The developer shall be  
15 responsible for coordinating with water purveyor and complying with all requirements for  
16 establishing domestic water service to the property.

16 65. Prior to issuance of building permit, submit off-site landscaping and irrigation system  
17 improvement plans for review and approval concurrently with street improvement plan  
18 submittal to the Public Works Department. The median irrigation system, parkway  
19 irrigation system, and applicable Specific Plan required landscape easement irrigation  
20 system shall be separately metered from the on-site private irrigation to facilitate separate  
21 utility bill payment by the City after the required one-year maintenance period via the  
22 Landscape and Lighting Maintenance District No. 2. The off-site landscape and irrigation  
23 plans must show separate electrical meter, water meter, and separate irrigation lateral to  
24 be annexed into LLMD2 via a City Council public hearing process. Use of an existing  
25 LLMD2 water meter and electrical pedestal is encouraged. The Landscape and Irrigation  
26 plans shall be approved concurrently with the Street Improvement plans, including any  
27 median portion, applicable easement portion, and/or parkway portion. The landscaping  
28 architect must contact the City of Rialto Landscape Contract Specialist at (909) 820-2602  
to ensure all landscape and irrigation guidelines are met prior to plan approval. Electrical  
and water irrigation meter pedestals must not be designed to be installed at or near street  
intersections or within a raised median to avoid burdensome traffic control set-up during  
ongoing maintenance. The off-site Landscape and Irrigation plans shall be designed in  
accordance with the Public Works Landscape Maintenance District Guidelines.

28 66. Prior to issuance of building permit, submit a rough grade certification, engineered fill  
certification and compaction report pad elevation certifications for all building pads in

1 conformance with the approved precise grading plan, to the Engineering Division.  
2 Trenching for footings or construction of any building foundation is not allowed until the  
3 certifications have been submitted for review and approval by the City Engineer.

- 4 67. Prior to occupancy approval, all public improvements shall be constructed to City  
5 standards subject to the satisfaction of the City Engineer.
- 6 68. Prior to occupancy approval, provide certification from Rialto Water Services to  
7 demonstrate that all water and/or wastewater service accounts have been documented.
- 8 69. Prior to occupancy approval, the developer shall connect to the City of Rialto sewer  
9 system and apply for a sewer connection account with Rialto Water services.
- 10 70. Prior to occupancy approval, submit a WQMP Certification that demonstrates that all  
11 structural BMPs have been constructed and installed in conformance with approved plans  
12 and specifications, and as identified in the approved WQMP.
- 13 71. Prior to occupancy approval, the developer must complete the LLMD2 annexation  
14 process. Due to the required City Council Public Hearing action, the annexation process  
15 takes months and as such the developer is advised to apply for Special District annexation  
16 as early-on in the in the process to avoid any delays with permit issuance.
- 17 72. Prior to occupancy approval, install CAMUTCD approved “No Stopping” signage along  
18 the entire project frontage.
- 19 73. Prior to occupancy approval, replace any existing non-compliant, damaged, or  
20 unsatisfactory sidewalk, curb & gutter, pavement, and landscaping along the project  
21 frontage to the satisfaction of the City Engineer.
- 22 74. Prior to occupancy approval, construct a commercial driveway approach in accordance  
23 with City of Rialto Standard Drawing No. SC-213 or 214. The driveway approach shall  
24 be constructed so the top of “X” is at least 5 feet from the property line, or as otherwise  
25 approved by the City Engineer. Nothing shall be constructed or planted in the corner cut-  
26 off area which does or will exceed 30 inches in height required to maintain an appropriate  
27 corner sight distance. If necessary, additional right of way shall be dedicated on-site to  
28 construct a path of travel meeting ADA guidelines.
75. Prior to occupancy – Willow Avenue is designated a Collector with a 64-foot street right  
of way and 40-foot street width. For the full width of the street (northbound and  
southbound lanes), remove existing pavement section and construct new pavement with  
a minimum pavement section of 4 inches asphalt concrete pavement over 6 inches crushed  
aggregate base with a minimum subgrade of 24 inches at 95% relative compaction, or  
equal, along the entire street frontage in accordance with City of Rialto Standard  
Drawings. The pavement section shall be determined using a Traffic Index (“TI”) of 10.  
The pavement section shall be designed by a California registered Geotechnical Engineer  
using "R" values from pavement core samples and submitted to the City Engineer for  
approval. Alternatively, depending on the existing street condition and geotechnical

1 report, a street 2” grind and overlay, or other repair may be performed to preserve existing  
2 pavement improvements as approved by the City Engineer.

3 76. Prior to occupancy approval, submit as-built plans of all Engineering plans. The as-built  
4 plans shall be reviewed and approved by the City Engineer.

5 77. The applicant shall submit full architectural and structural plans with all mechanical,  
6 electrical, and plumbing plans, structural calculations, truss calculations and layout, rough  
7 grading plans approved by Public Works Engineering, Water Quality Management Plan,  
8 Erosion Control Plan, Stormwater Pollution Prevention Plan, and Title 24 Energy  
Calculations to the Building Division for plan check and review, prior to the issuance of  
building permits.

9 78. The applicant shall provide a Scope of Work on the title page of the architectural plan  
10 set. The Scope of Work shall call out all work to be permitted (ex. Main structure,  
perimeter walls, trash enclosure, etc.).

11 79. The applicant shall design the structures in accordance with the latest California  
12 Building Code, California Mechanical Code, California Plumbing Code, and the  
13 California Electrical Code, Residential Code and the California Green Buildings  
Standards adopted by the State of California.

14 80. The applicant shall comply with all applicable City of Rialto Municipal Codes and  
15 Ordinances.

16 81. The applicant shall comply with the requirements of the Department of Environmental  
17 Health Services and the Air Quality Management District prior to the issuance of any  
18 permit if hazardous materials are stored and/or used.

19 82. All perimeter / boundary walls shall be designed and constructed so that the  
20 outer/exterior face of the wall is as close as possible to the lot line. In any case, the  
21 outer/exterior face of the wall shall be within two (2) inches of the lot line. Distances  
greater than two (2) inches may be approved prior to construction by the Chief Building  
Official on a case-by-case basis for extenuating circumstances.

22 83. All lot lines, easement lines, etc. shall be located and/or relocated in such a manner as  
23 to not cause any existing structure to become non-conforming with the requirements of  
24 the latest adopted edition of the Building Code, or any other applicable law, ordinance,  
or code.

25 84. The Developer/Owner is responsible for the coordination of the final occupancy. The  
26 Developer/Owner shall obtain clearances from each department and division prior to  
27 requesting a final building inspection from Building and Safety. Each department shall  
sign the bottom of the Building and Safety Job Card.

28 85. All signs shall be Underwriters Laboratories, or equal, approved.

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- 2 86. Permits are required prior to the removal and/or demolition of structures.
- 3 87. All exterior lighting shall be orientated, directed, and/or shielded as much as possible so
- 4 that direct illumination does not infringe onto adjoining properties.
- 5 88. Site facilities such as parking open or covered, recreation facilities, and trash dumpster
- 6 areas, and common use areas shall be accessible per the CBC, Chapter 11.
- 7 89. The applicant/developer shall include the conditions of approval of this resolution on
- 8 the construction plans.
- 9 90. The applicant shall design and construct accessible paths of travel from the building's
- 10 accessible entrances to the public right-of-way, accessible parking, and the trash
- 11 enclosure. Paths of travel shall incorporate (but not limited to) exterior stairs, landings,
- 12 walks and sidewalks, pedestrian ramps, curb ramps, warning curbs, detectable warning,
- 13 signage, gates, lifts and walking surface materials, as necessary. The accessible route(s)
- 14 of travel shall be the most practical direct route between accessible building entrances,
- 15 site facilities, accessible parking, public sidewalks, and the accessible entrance(s) to the
- 16 site, California Building Code, (CBC) Chapter 11, Sec, 11A and 11B.
- 17 91. If hazardous substances are used and/or stored, a technical opinion and report,
- 18 identifying and developing methods of protection from the hazards presented by the
- 19 hazardous materials may be required. This report shall be prepared by a qualified
- 20 person, firm, or corporation and submitted to Building & Safety. This report shall also
- 21 explain the proposed facility's intended methods of operation and list all of the proposed
- 22 materials, their quantities, classifications, and the effects of any chemical (material)
- 23 intermixing in the event of an accident or spill.
- 24 92. All construction sites must be protected by a security fence and screening. The fencing
- 25 and screening shall always maintained to protect pedestrians.
- 26 93. The applicant shall provide temporary toilet facilities for the construction workers. The
- 27 toilet facilities shall always be maintained in a sanitary condition. The construction
- 28 toilet facilities of the non-sewer type shall conform to ANSI ZA.3
94. Construction projects which require temporary electrical power shall obtain an
- Electrical Permit from Building and Safety. No temporary electrical power will be
- granted to a project unless one of the following items is in place and approved by
- Building and Safety and the Planning Department.
- a. Installation of a construction trailer, or
  - b. Security fenced area where the electrical power will be located
95. Installation of construction/sales trailers must be located on private property. No trailers
- can be in the public street right of way.

- 1 96. Any temporary building, trailer, commercial coach, etc. installed and/or used in  
2 connection with a construction project shall comply with City Code.
- 3 97. Prior to issuance of a Building Permit all of the following must be in place: portable  
4 toilet with hand wash station, all BMP's, fencing and signage on each adjacent street  
5 saying "If there is any dust or debris coming from this site please contact (superintendent  
6 number here) or the AQMD if the problem is not being resolved" or something similar  
7 to this.
- 8 98. Permitted hours for construction work from October 1st through April 30th are Monday  
9 Friday, 7:00 a.m. to 5:30 p.m. and Saturday 8:00 a.m. to 5:00 p.m. From May 1st  
10 through September 30th permitted hours for construction is Monday- Friday, 6:00 a.m.  
11 to 7:00 p.m. and Saturday 8:00 a.m. to 5:00 p.m. Construction is prohibited on Sundays  
12 and State holidays.
- 13 99. The following grading items shall be completed and/or submitted – as applicable – prior  
14 to the issuance of building permits for this project:  
15 a. Precise grading plans shall be approved by Engineering Department  
16 b. Rough grading completed  
17 c. Compaction certification completed  
18 d. Pad elevation certification completed  
19 e. Rough grade inspection signed off by a City's Engineering Inspector
- 20 100. Prior to the issuance of a Building Permit, the applicant shall pay all Development  
21 Improvement Fees to the City. Copies of receipts shall be provided to Building and  
22 Safety prior to permit issuance.
- 23 101. The Tract or Parcel map shall record prior to the issuance of any permits.
- 24 102. The existing parcels shall be combined into a single parcel, or a lot line adjustment shall  
25 be done so that the proposed structure(s) does not cross any lot line and complies with  
26 all requirements of the California Building Code, prior to any building permits being  
27 issued.
- 28 103. Fire sprinklers, fire alarm systems and fire hydrant plans shall be submitted for plan  
review concurrently with building plans and shall be approved prior to permit issuance.
104. The applicant shall provide proof of payment to the Rialto Unified School District for  
all required school fees, prior to the issuance of a building permit.
105. The applicant shall design the structures to withstand ultimate wind speed of 130 miles  
per hour, exposure C and seismic zone D.
106. The applicant shall underground all on site utilities to the new proposed structures, prior  
to the issuance of a Certificate of Occupancy, unless prior approval has been obtained  
by the utility company or the City.

- 1
- 2 107. Prior to issuance of Building Permits, site grading final and pad certifications shall be
- 3 submitted to the Building Division and Engineering Division, which include elevation,
- 4 orientation, and compaction. The certifications are required to be signed by the engineer
- 5 of record.
- 6 108. The applicant shall place a copy of the Conditions of Approval herein on within the
- 7 building plan check submittal set and include the PPD number on the right bottom
- 8 corner cover page in 20 point bold, prior to the issuance of a building permit.
- 9 109. Prior to issuance of Building Permits, on site water service shall be installed and
- 10 approved by the responsible agency. On site fire hydrants shall be approved by the Fire
- 11 Department. No flammable materials will be allowed on the site until the fire hydrants
- 12 are established and approved.
- 13 110. The applicant shall comply with all applicable requirements of the California Fire Code
- 14 and Chapter 15.28 (Fire Code) of the Rialto Municipal Code.
- 15 111. The applicant shall illuminate all walkways, passageways, and locations where
- 16 pedestrians are likely to travel with a minimum of 1.5-foot candles (at surface level) of
- 17 light during the hours of darkness. Lighting shall be designed/constructed in such a
- 18 manner as to automatically turn on at dusk and turn off at dawn.
- 19 112. The applicant shall illuminate all alleyways, driveways, and uncovered parking areas
- 20 with a minimum of 1.5-foot candles (at surface level) of light during the hours of
- 21 darkness. Lighting shall be designed/constructed in such a manner as to automatically
- 22 turn on at dusk and turn off at dawn.
- 23 113. The applicant shall illuminate all loading dock areas, truck well areas, and delivery areas
- 24 with a minimum of 2.0 foot-candles (at surface level) of light during the hours of
- 25 darkness. Lighting shall be designed/constructed in such a manner as to automatically
- 26 turn on at dusk and turn off at dawn.
- 27 114. The applicant shall design/construct all lighting fixtures and luminaries, including
- 28 supports, poles and brackets, in such a manner as to resist vandalism and/or destruction
- by hand.
115. The applicant shall provide an illuminated channel letter address prominently placed on
- the building to be visible to the front of the location and if applicable, visible from the
- main street to which they are located (e.g. commercial building facing the interior of the
- property would require two address signs if located adjacent to a roadway), prior to the
- issuance of a Certificate of Occupancy.
116. At the discretion of the Rialto Police Department, the applicant shall install exterior
- security cameras at the location that cover the entire Site, prior to the issuance of a

1 Certificate of Occupancy. The security cameras shall be accessible to the Rialto Police  
2 Department via FusionONE web application.

3 117. The applicant shall install Knox boxes immediately adjacent to the main entrance of the  
4 building and at least one (1) rear entrance on the building to facilitate the entry of safety  
5 personnel. The Knox boxes shall be installed in such a manner as to be alarmed, resist  
6 vandalism, removal, or destruction by hand, and be fully recessed into the building. The  
7 Knox boxes shall be equipped with the appropriate keys, for each required location,  
8 prior to the first day of business. The Knox-Box placement shall be shown on the formal  
9 building plan review submittal prior to the issuance of a building permit.

10 118. The applicant shall prominently display the address on the building rooftop to be visible  
11 to aerial law enforcement or fire aircraft. Specifications to be followed for alphanumeric  
12 characters are as follows: Three (3) foot tall and six (6) inches thick alphanumeric  
13 characters. The alphanumeric characters shall be constructed in such a way that they are  
14 in stark contrast to the background to which they are attached (e.g. white numbers and  
15 letters on a black background), and resistant weathering that would cause a degradation  
16 of the contrast.

17 119. The applicant shall provide an audible alarm within the building, prior to the issuance  
18 of a Certificate of Occupancy. The building shall be alarmed in such a way as to emit a  
19 continuous audible notification until reset by responsible personnel (e.g. alarmed exit  
20 device / crash bar).

21 120. The applicant or General Contractor shall identify each contractor and subcontractor  
22 hired to work at the job site on a Contractor Sublist form and return it to the Business  
23 License Division with a Business License application and the Business License tax fee  
24 based on the Contractors tax rate for each contractor.

25 121. Prior to issuance of a Certificate of Occupancy, the Lessor of the property shall pay a  
26 business license tax based on the Rental Income Property tax rate.

27 SECTION 5. The Chairman of the Planning Commission shall sign the passage and  
28 adoption of this resolution and thereupon the same shall take effect and be in force.

PASSED, APPROVED AND ADOPTED this 2nd day of October, 2024.

\_\_\_\_\_  
JERRY GUTIERREZ, CHAIR  
CITY OF RIALTO PLANNING COMMISSION

1 STATE OF CALIFORNIA )  
2 COUNTY OF SAN BERNARDINO ) ss  
3 CITY OF RIALTO )  
4

5 I, Kimberly Dame, Administrative Analyst of the City of Rialto, do hereby certify that the  
6 foregoing Resolution No. \_\_\_\_ was duly passed and adopted at a regular meeting of the Planning  
7 Commission of the City of Rialto held on the \_\_\_\_nd day of \_\_\_\_, 2024.

8 Upon motion of Planning Commissioner\_\_\_\_\_, seconded by Planning Commissioner  
9 \_\_\_\_\_, the foregoing Resolution No. \_\_\_\_ was duly passed and adopted.

10 Vote on the motion:

11 AYES:

12 NOES:

13 ABSENT:

14 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of  
15 Rialto this \_\_\_\_nd day of \_\_\_\_, 2024.

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KIMBERLY DAME, ADMINISTRATIVE ANALYST

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Exhibit "A"  
Project Plans

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