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A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIALTO, CALIFORNIA GRANTING B&B PLASTICS, INC. A CONDITIONAL DEVELOPMENT PERMIT TO ALLOW AN INCREASE IN THE MAXIMUM ALLOWABLE BUILDING FLOOR AREA RATIO THROUGH THE IMPLEMENTATION OF NON-RESIDENTIAL DEVELOPMENT INCENTIVES FOR THE DEVELOPMENT OF A 151,705 SQUARE FOOT WAREHOUSE BUILDING ON A 6.64 ACRE SITE LOCATED AT THE NORTHEAST CORNER OF LOCUST AVENUE AND CASMALIA STREET WITHIN THE EMP (EMPLOYMENT) ZONE OF THE RENAISSANCE SPECIFIC PLAN AND ADOPTING A MITIGATED NEGATIVE DECLARATION (ENVIRONMENTAL ASSESSMENT NO. 13-44).

WHEREAS, the applicant, B&B Plastics, Inc., proposes to merge the two (2) parcels of land (APN: 1133-241-04 & -05) located on the northeast corner of Locust Avenue and Casmalia Street within the EMP (Employment) zone of the Renaissance Specific Plan into one (1) 6.64-acre parcel ("Site"), and then construct a 151,705 square foot warehouse building for storage and distribution of recycled materials ("Project"); and

WHEREAS, the Project will consist of 9,160 square feet of office space and 142,545 square feet of warehouse space and 27 loading dock doors, which will be located on the north side of the building; and

WHEREAS, the development standards for the EMP Zone within the Renaissance Specific Plan limit the allowable Floor Area Ratio (FAR) to a maximum of 40 percent; and

WHEREAS, the applicant proposes to develop the Project with a 52.47 percent FAR, which is 12.47 percent higher than the maximum allowed in the EMP zone; and

WHEREAS, the Renaissance Specific Plan contains provisions to allow for a bonus in the allowable FAR through the implementation of "non-residential incentives," and each development incentive listed in the Renaissance Specific Plan provides a certain percentage bonus in the allowable FAR; and

WHEREAS, although the Renaissance Specific Plan limits the number of development incentives allowed to be used to two (2) per project, the Director of Development Services has

1 determined that an applicant may incorporate additional development incentives beyond two (2)
2 through a conditional development permit; and

3 WHEREAS, the applicant has agreed to apply for a conditional development permit
4 ("CDP No. 740") to incorporate seven (7) development incentives into the Project, which will
5 provide an additional 13 percent in the maximum FAR, in order to reach the desired FAR of
6 52.47 percent; and

7 WHEREAS, on March 12, 2014, the Planning Commission of the City of Rialto
8 conducted a duly noticed public hearing, as required by law, on CDP No. 740, took testimony, at
9 which time it received input from staff, the city attorney, and the applicant; heard public
10 testimony; discussed the proposed CDP No. 740; and closed the public hearing; and

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

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

14 SECTION 1. Based on substantial evidence presented to the Planning Commission during
15 the public hearing conducted with regard to CDP No. 740, including written staff reports, verbal
16 testimony, site plans, other documents, and the conditions of approval stated herein, the Planning
17 Commission hereby determines that CDP No. 740 satisfies the requirements of Section 16.66.020
18 of the Rialto Municipal Code pertaining to the findings which must be made precedent to granting a
19 conditional development permit, which findings are as follows:

- 20 1. The proposed use is deemed essential or desirable to provide a service or facility
21 which will contribute to the convenience or general well-being of the neighborhood
22 or community; and

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

24 The Site is a rectangular piece of land comprised of two (2) parcels, both of which are
25 vacant and covered with shrubs and grasses. The Project will provide development on
26 and be the highest and best use for the Site, which is in accordance with the Renaissance
27 Specific Plan. The facility will be for the storage and distribution of recycled materials
28 already being processed at the applicant's other facility located at 3040 N. Locust
Avenue. The Project will provide employment within the City and reduce blight by
implementing a use on vacant, unimproved land. Furthermore, the applicant has
outgrown its current location, but chose a site in City of Rialto to expand its operations,

1 and therefore, retained employment and productivity for the City, which is a benefit to
2 the community.

- 3 2. The proposed use will not be detrimental or injurious to health, safety, or general
4 welfare of persons residing or working in the vicinity; and

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

6 The use of storage and distribution of recycled materials is consistent with the
7 Renaissance Specific Plan, which permits light industrial, warehousing, and related
8 storage uses by right within the EMP zone. To the north is a roofing contractor's yard; to
9 the east and across the street to the south are vacant land; and across the street to the west
10 is a pipe storage yard. Such surrounding uses, which are permitted within the
11 Renaissance Specific Plan, are similar in intensity of use. Also, there are no sensitive
receptors, schools, or residences residing or working within the near vicinity.
Furthermore, the building is oriented such that none of the dock doors will be visible
from the public right-of-way, nor will obtrusive screen walls be necessary for screening.

- 12 3. The site for the proposed use is adequate in size, shape, topography, accessibility
13 and other physical characteristics to accommodate the proposed use in a manner
14 compatible with existing land uses; and

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

16 The Site contains 6.64 acres, is rectangular, fairly level, and adjacent to two (2) streets, all of
17 which will be able to accommodate the proposed use. The Project will have three (3)
18 points of access – two (2) via Locust Avenue and one (1) via Casmalia Street. The
southerly driveway on Locust Avenue will serve passenger vehicles using the offices.
19 The northerly driveway on Locust Avenue and the driveway on Casmalia Street will
primarily serve truck traffic accessing the loading dock area. The Casmalia Street
20 driveway will also serve as a shared driveway for any future development to the east. A
reciprocal driveway easement will be recorded to guarantee the shared access point. In
21 addition, the building will have 129 parking stalls, which exceeds the 103 required
parking stalls required under Table 3-6 of the Renaissance Specific Plan.

- 22 4. The site has adequate access to those utilities and other services required for the
23 proposed use; and

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

25 The Site will have adequate access to all utilities and services required through main water,
26 electric, sewer, and other utility lines that will be hooked up to the Site.

- 27 5. The proposed use will be arranged, designed, constructed, and maintained so as it
28 will not be injurious to property or improvements in the vicinity or otherwise be

1 inharmonious with the General Plan and its objectives, the Renaissance Specific
2 Plan, or any zoning ordinances, and

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

4 As previously stated, the use is consistent with the Renaissance Specific Plan. The
5 building will be oriented such that none of the dock doors will be visible from the public
6 right-of-way and will have 129 parking stalls. An average thirty (30) foot wide
7 landscaped setback has been provided along both Locust Avenue and Casmalia Street.
8 Landscaping has been abundantly incorporated into the Site, and landscape coverage for
9 is 12.4 percent, which exceeds the minimum required amount of 10 percent. To achieve
10 the desired 52.47 FAR, the applicant proposed a building location that orients the main
11 entrance towards the public sidewalk at the street intersection, will install a decorative
12 colonnade at the southwest corner of the project site, near the intersection of Locust
13 Avenue and Casmalia Street, will construct an outdoor employee plaza consisting
14 decorative overhead wood trellises, modest landscaping, and durable outdoor furniture to
15 serve as break/lunch/meeting area for employees,

- 16
17 6. Any potential adverse effects upon the surrounding properties will be minimized to
18 every extent practical and any remaining adverse effects shall be outweighed by the
19 benefits conferred upon the community or neighborhood as a whole.

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

21 Although an initial study indicates that Project could have a significant effect on air
22 quality, cultural resources, geology and soils, and traffic, any potential impacts will be
23 mitigated to a level of insignificance through the conditions of approval. Therefore the
24 adverse effects are outweighed by the benefits conferred upon the community and
25 neighborhood as a whole.

26 SECTION 2. B&B Plastics, Inc. is hereby granted CDP No. 740 to allow an increase in the
27 allowable building floor area ratio through the implementation of non-residential development
28 incentives for the development of a 151,705 square foot warehouse building on a 6.64 acre site
located at the northeast corner of Locust Avenue and Casmalia Street within the EMP
(Employment) zone of the Renaissance Specific Plan.

29 SECTION 3. An Initial Study has been prepared for the proposed project in accordance
30 with the California Environmental Quality Act (CEQA) and it has been determined that any impacts
will be reduced to a level of insignificance and a Mitigated Negative Declaration has been prepared

1 in accordance with CEQA. The Planning Commission directs the Planning Division to file the
2 necessary documentation with the Clerk of the Board of Supervisors for San Bernardino County.

3 SECTION 4. CDP No. 740 is granted to B&B Plastics, Inc. in accordance with the plans
4 and application on file with the Planning Division, subject to the following conditions:

- 5 1. The approval is granted allowing a thirteen (13) percent increase in the allowable floor
6 area ratio (FAR) through the implementation of the following development features:
 - 7 a. Lot Consolidation
 - 8 b. Reciprocal Driveway Access
 - 9 c. Pedestrian Building Orientation
 - 10 d. Public Art
 - 11 e. Employee Plaza
 - 12 f. Landmark Intersection Feature
 - 13 g. Business Retention
- 14 2. The approval is granted allowing the development of a 151,705 square foot warehouse
15 building on a 6.64-acre site located at the northeast corner of Locust Avenue and
16 Casmalia Street, as shown on the plans submitted to the Planning Division on February
17 25, 2014, and as approved by the Planning Commission. If the Conditions of Approval
18 specified herein are not satisfied or otherwise completed, the project shall be subject to
19 revocation.
- 20 3. Prior to the issuance of building or grading permits for the proposed development, a
21 Precise Plan of Design shall be approved by the City's Development Review Committee
22 (DRC).
- 23 4. City inspectors shall have access to the site to reasonably inspect the site during
24 normal working hours to assure compliance with these conditions and other codes.
- 25 5. The applicant shall defend, indemnify and hold harmless the City of Rialto, its agents,
26 officers, or employees from any claims, damages, action, or proceeding against the
27 City or its agents, officers, or employees to attack, set aside, void or annul, and
28 approval of the City, its advisory agencies, appeal boards, or legislative body
concerning CDP No. 740. The City will promptly notify the applicant of any such
claim, action, or proceeding against the City and will cooperate fully in the defense.
6. In accordance with the provisions of Government Code Section 66020(d)(1), the
imposition of fees, dedications, reservations, or exactions for this Project, if any, are
subject to protest by the applicant at the time of approval or conditional approval of
the Project or within 90 days after the date of the imposition of the fees, dedications,
reservations, or exactions imposed on the Project.

- 1 7. The final public art design shall be subject to the review and approval of the City's
2 Economic Development Committee.
- 3 8. Tower elements/height variations shall be included at the northwest corner, the southeast
4 corner of the building, the center of the west side of the building, and the center of the
5 south side of the building.
- 6 9. The applicant shall provide pop-out articulation and/or wall plane recesses to the
7 northwest, southwest, and southeast corners of the building. The areas should be visibly
8 offset from the rest of the building. Section 18.61.080C requires building facades
9 greater than 100 feet in length to incorporate wall plane projects and/or recesses with a
10 depth of at least three (3) feet. Wall plane projections may encroach into the thirty (30)
11 foot average setback.
- 12 10. The applicant shall provide additional glazing at the northwest corner and the southeast
13 corner of the building. The additional glazing will balance it with the southwest corner
14 of the building and aesthetically enhance these readily visible corners as seen from
15 Locust Avenue and Casmalia Street. The east side of the southeast corner of the
16 building shall be duplicated to match the south side of the southeast corner of the
17 building. A glossy dark blue paint, that matches the color of the glazing, may be used to
18 substitute glazing on the north and east sides of the building. Elevation enhancements
19 on the east side of the building shall extend all the way back to the entry gate at the
20 southeast driveway.
- 21 11. The applicant shall incorporate undulating berms within the landscape setback and
22 landscape areas along Locust Avenue. The highest part of the berms should be at least 3
23 feet in height.
- 24 12. Decorative paving shall be provided at all vehicular access points to the site.
- 25 13. All downspouts on the east, south, and west elevations of the building shall be routed
26 through the building. No exterior downspouts allowed on these elevations visible from
27 public right-of-way.
- 28 14. The exterior of the trash enclosure shall match the material and base color of the
building.
15. All doors shall be painted to match the color of the adjacent wall.
16. The applicant shall obtain all necessary approvals and operating permits from all
Federal, State and local agencies prior to the issuance of a Certificate of Occupancy.
17. The privileges granted by the Planning Commission pursuant to approval of this
Conditional Development Permit are valid for one (1) year from the effective date of
approval. If the applicant fails to commence the project within one year of said
effective date, this conditional development permit shall be null and void and any

1 privileges granted hereunder shall terminate automatically. If the applicant or his or
2 her successor in interest commence the project within one year of the effective date of
3 approval, the privileges granted hereunder will continue inured to the property as long
4 as the property is used for the purpose for which the conditional development permit
5 was granted, and such use remains compatible with adjacent property uses.

- 6 18. If the applicant fails to comply with any of the conditions of approval placed upon
7 Conditional Development Permit No. 740 or any conditions placed upon the approval
8 of the Precise Plan of Design required by Condition No. 3 above, the Planning
9 Commission may initiate proceedings to revoke the conditional development permit
10 in accordance with the provisions of Sections 18.66.070 through 18.66.090, inclusive,
11 of the Rialto Municipal Code.

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

14 PASSED, APPROVED AND ADOPTED this 12th day of March, 2014.

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16 JERRY GUTIERREZ, CHAIR
17 CITY OF RIALTO PLANNING COMMISSION
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