

RESOLUTION NO. 17-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIALTO, CALIFORNIA APPROVING A TENTATIVE PARCEL MAP TO ALLOW THE CONSOLIDATION OF SIX (6) PARCELS INTO ONE (1) 49.95 NET ACRE PARCEL OF LAND TO FACILITATE THE DEVELOPMENT OF A 614,848 SQUARE FOOT FULFILLMENT CENTER (BUILDING 5) LOCATED APPROXIMATELY 0.26 MILES SOUTH OF RENAISSANCE PARKWAY BETWEEN LOCUST AVENUE AND LINDEN AVENUE (APN 0240-251-04,-10,-11, AND PORTIONS OF -09,-28,-38) WITHIN THE BUSINESS CENTER (B-C) ZONE OF THE RENAISSANCE SPECIFIC PLAN.

WHEREAS, the applicant, Rialto Building 5, LLC, proposes to consolidate six parcels of vacant land (APN: 0240-251-04,-10,-11, and portions of -09,-28,-38) into one 49.95 net acre parcel ("Project") located approximately 0.26 miles south of Renaissance Parkway between Locust Avenue and Linden Avenue within the Business Center (B-C) zone of the Renaissance Specific Plan ("Site"); and

WHEREAS, the Project will result in the creation of one (1) 49.95 net acre parcel to facilitate the development of a 614,848 square foot fulfillment center (Building 5), which approved through PPD No. 2503 and 2503R on January 18, 2017 and May 31, 2017; and

WHEREAS, the Project within the Business Center (B-C) zone requires the approval of a tentative parcel map, and the Applicant has agreed to apply for a ("TPM No. 19815"), in accordance with Government Code Sections 66473.5 and 66474; and

WHEREAS, on July 26, 2017, the Planning Commission of the City of Rialto conducted a duly noticed public hearing, as required by law, on Tentative Parcel Map No. 2017-0002 (TPM No. 19815), took testimony, at which time it received input from staff, the city attorney, and the applicant; heard public testimony; discussed the proposed Tentative Parcel Map No. 2017-0002 (TPM No. 19815); and closed the public hearing; and

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

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

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

3 SECTION 2. Based on substantial evidence presented to the Planning Commission during
4 the public hearing conducted with regard to TPM No. 19815, including written staff reports, verbal
5 testimony, site plan, other documents, and the conditions of approval stated herein, the Planning
6 Commission hereby determines that TPM No. 19815 satisfies the requirements of Government
7 Code Sections 66473.5 and 66474 pertaining to the findings which must be made precedent to
8 approving a tentative map. The findings are as follows:

- 9 1. That the proposed Tentative Parcel Map is consistent with the General Plan of the
10 City of Rialto and the B-C (Business Center) zone; and

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

12 The Site has a General Plan designation of Specific Plan, and a zoning designation of
13 Business Center (B-C) within the Renaissance Specific Plan. The Project will consolidate
14 the Site into one (1) 49.95 net acre parcel of land to facilitate the development of a 614,848
15 square foot fulfillment center (Building 5). Per Section 3 (Development Criteria), Table 3-5
16 of the Renaissance Specific Plan, the required minimum parcel size within the Business
Center (B-C) zone is one (1) acre or 43,560 square feet. The proposed parcel greatly
exceeds the required minimum size.

- 17 2. That the design and improvement of the proposed Tentative Parcel Map is consistent
18 with the Subdivision Ordinance, the General Plan of the City of Rialto and the
Business Center (B-C) zone of the Renaissance Specific Plan.

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

20 The Project will comply with all technical standards required by Subdivision Map Act, the
21 General Plan of the City of Rialto, and the B-C zone of the Renaissance Specific Plan. The
22 proposed parcel is consistent and meets the minimum lot area, lot width and lot depth as
required by the Business Center (B-C) zone of the Renaissance Specific Plan.

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

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

27 The Site contains 51.55 gross acres, is rectangular in shape, fairly level, and adjacent to
28 secondary arterial streets (Locust Avenue and Linden Avenue) to the west and east, which

will be able to accommodate the proposed use. The site is compatible with the surrounding uses to the north, west and south, in which they have a zoning designation of Business Center (B-C) within the Renaissance Specific Plan. The development of the surrounding sites consist of existing industrial developments and upcoming industrial developments that will be implemented in the future. The east side of the property is zone Low Density Residential (LDR) which is currently vacant. The proposed development has been design to anticipate the future residential development by accommodating the truck parking on the opposite side, adjacent to Locust Avenue and creating an approximately 190-foot landscape setback by incorporating a detention basin adjacent to Linden Avenue.

4. That the site is physically suitable for the proposed density of development.

This finding is supported by the following facts:

The Project will consolidate the site into one (1) parcel of land to facilitate the development of a 614,848 square foot fulfillment center (Building 5). The project meets all criterial on Table 3-5 of Section 3 (Development Standards) of the Renaissance Specific Plan, as the development of the project has been approved by the Development Review Committee. Therefore, the site is sufficient in size and shape to accommodate the proposed density

5. That the design of the land division is not likely to cause substantial environmental damage or substantially injure fish or wildlife or their habitat.

This finding is supported by the following facts:

The City Council certified a Subsequent Environmental Impact Report (SEIR) (Environmental Assessment Review No. 16-55) for the Renaissance Specific Plan on December 13, 2016, in accordance with the California Environmental Quality Act (CEQA). The SEIR analyzed the development of the proposed fulfillment center (Building 5). No further review under CEQA is required for the project. Any additional document needed through the Subsequent Environmental Impact Report will be require prior to any building issuance.

6. That the design of the land division is not likely to cause serious public health problems.

This finding is supported by the following facts:

The Project is consistent with the General Plan, the Business Center (B-C) zone within the Renaissance Specific Plan and has been reviewed and approved by the Design Review Committee (DRC) to ensure that the design of the Project meets the City's Design Guidelines. The development project is consistent with the surrounding industrial developments. The project is not expected to negatively impact any uses since measures, such as landscape buffering and the installation of solid screen walls will be

1 implemented. Furthermore, construction impacts will be limited through the strict
2 enforcement of the allowable construction hours listed in Section 9.50.070 of the Rialto
3 Municipal Code, as well as enforcement of regular watering of the site to limit airborne
4 dust and other particulate matter. As a result, the Project is not likely to cause any public
5 health problems.

- 6 7. That the design of the land division or proposed improvements will not conflict with
7 easements, acquired by the public at large, for access through or use of, property
8 within the proposed land division.

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

10 Seven (7) easements exist on or near the project site. Upon completion of the Final Map
11 and street dedication. All easements provided will be remain.

12 SECTION 3. TPM No. 19815 is hereby approved to allow the consolidation of six (6)
13 parcels into one (1) 49.55 net acre parcel (APN 0240-251-04,-10,-11, AND PORTIONS OF -09,-
14 28,-37,-38) located approximately 0.26 miles south of Renaissance Parkway between Locust
15 Avenue and Linden Avenue within the Business Center (B-C) zone of the Renaissance Specific
16 Plan.

17 SECTION 4. The City Council certified a Subsequent Environmental Impact Report
18 (SEIR) (Environmental Assessment Review No. 16-55) for the Renaissance Specific Plan on
19 December 13, 2016, in accordance with the California Environmental Quality Act (CEQA). The
20 SEIR analyzed the development of the fulfillment center (Building 5). No further review under
21 CEQA is required for the project.

22 SECTION 5. TPM No. 19815 is approved, in accordance with the plans and application on
23 file with the Planning Division, subject to the following conditions:

- 24 1. TPM No. 19815 is approved allowing the consolidation of six (6) parcels into one (1)
25 49.95 net acre parcel of land to facilitate the development of a 614,848 square foot
26 fulfillment center (Building 5) located approximately 0.26 miles south of Renaissance
27 Parkway between Locust Avenue and Linden Avenue within the Business Center (B-C)
28 zone of the Renaissance Specific Plan (APN: 0240-251-04, -10, -11, and portions of -
09,-28,-37,-38), as shown on the tentative map submitted to the Planning Division on
June 21, 2017, and as approved by the Planning Commission, subject to all requirements

of the Business Center (B-C) zone of the Renaissance Specific Plan. If the Conditions of Approval specified herein are not satisfied or otherwise completed, the Project shall be subject to revocation.

2. City inspectors shall have access to the Site to reasonably inspect the Site during normal working hours to assure compliance with these conditions and other codes.
3. The applicant shall defend, indemnify and hold harmless the City of Rialto, its agents, officers, or employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void, or annul any approval of the City, its advisory agencies, appeal boards, or legislative body concerning TPM No. 19815. The City will promptly notify the applicant of any such claim, action, or proceeding against the City and will cooperate fully in the defense.
4. 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.
5. All conditions of approval for TPM No. 19815 shall be completed to the satisfaction of the City Engineer prior to the issuance of a Certificate of Occupancy.
6. The Applicant shall pay all applicable development impact fees in accordance with the City of Rialto fee ordinance in effect at the time the fees are due, prior to the issuance of any building permits related to the Project.
7. A Precise Grading Plan shall be approved for the project by the City Engineer prior to the issuance of any building permits.
8. The Applicant shall submit street improvement plans prepared by a registered California civil engineer to the Engineering Division for review. The plans shall be approved by the City Engineer prior to the issuance of any building permits.
9. The Applicant shall landscape and irrigation system improvement plans for review and approval by the City Engineer. The median irrigation system shall be separately metered from the parkway landscaping to be maintained by the developer, for future use by the City upon acceptance of the median landscaping by the City. The plans shall be approved concurrently with the street improvement plans for the median and prior to issuance of a building permit, unless otherwise allowed by the City Engineer.
10. All median and/or parkway landscaping shall be guaranteed for a period of one year from the date of acceptance by the City Engineer. Any landscaping that fails during the one year landscape maintenance period shall be replaced with similar plant material to

the satisfaction of the City Engineer, and shall be subject to a subsequent one year landscape maintenance period.

11. All new street lights shall be installed on an independently metered, City-owned underground electrical system. The developer shall be responsible for applying with Southern California Edison ("SCE") for all appropriate service points and electrical meters. New meter pedestals shall be installed and electrical service paid by the developer, until such time as the improvements have been accepted and the underlying property is annexed into LLMD 2.
12. Any improvements within the public right-of-way require a City of Rialto Encroachment Permit.
13. The Applicant shall submit street improvement plans prepared by a registered California civil engineer to the Engineering Division for review. The plans shall be approved by the City Engineer prior to the issuance of any building permits.
14. The development of the Site is subject to the requirements of the National Pollution Discharge Elimination System (NPDES) Permit for the City of Rialto, issued by the Santa Ana Regional Water Quality Control Board, Board Order No. R8-2010-0036. Pursuant to the NPDES Permit, the Applicant shall ensure development of the site incorporates post-construction Best Management Practices ("BMPs") in accordance with the Model Water Quality Management Plan ("WQMP") approved for use for the Santa Ana River Watershed. The Applicant is advised that applicable Site Design BMPs will be required to be incorporated into the final site design, pursuant to a site specific WQMP submitted to the City Engineer for review and approval.
15. The minimum pavement section for all on-site pavements shall be 2½ inches asphalt concrete pavement over 4 inches crushed aggregate base with a minimum subgrade of 24 inches at 95% relative compaction, or equal. If an alternative pavement section is proposed, the proposed pavement section shall be designed by a California registered Geotechnical Engineer using "R" values from the project site and submitted to the City Engineer for approval.
16. An accessible pedestrian path of travel shall be provided throughout the site, as required by applicable state and federal laws.
17. The Applicant shall connect the development to the City of Rialto sewer system and apply for a sewer connection account with Rialto Water Services.
18. The Applicant shall submit sewer improvement plans prepared by a California registered civil engineer to the Engineering Division. The plans shall be approved by the City Engineer prior to issuance of any building permits.

- 1 19. All sewer mains constructed by the applicant and to become part of the public sewer
2 system shall be pressure tested and digitally video recorded by the City's wastewater
3 system operator (Veolia) prior to acceptance of the sewer system for maintenance by the
4 City. The developer shall be responsible for all costs associated with testing and
5 inspection services. Any defects of the sewer main shall be removed, replaced, or
6 repaired to the satisfaction of the City Engineer prior to acceptance.
- 7 20. The Applicant shall provide certification from Rialto Water Services demonstrating that
8 all water and/or wastewater service accounts have been documented, prior to the
9 issuance of a Certificate of Occupancy.
- 10 21. The Applicant shall submit a Precise Grading Plan prepared by a California registered
11 civil engineer to the Engineering Division for review and approval. The Precise
12 Grading Plan shall be approved by the City Engineer prior to issuance of a building
13 permit.
- 14 22. The Applicant shall submit a Water Quality Management Plan identifying site specific
15 Best Management Practices ("BMPs") in accordance with the Model Water Quality
16 Management Plan ("WQMP") approved for use for the Santa Ana River Watershed.
17 The site specific WQMP shall be submitted to the City Engineer for review and
18 approval with the Precise Grading Plan. A WQMP Maintenance Agreement shall be
19 required, obligating the property owner(s) to appropriate operation and maintenance
20 obligations of on-site BMPs constructed pursuant to the approved WQMP. The WQMP
21 and Maintenance Agreement shall be approved prior to issuance of a building permit,
22 unless otherwise allowed by the City Engineer.
- 23 23. A Notice of Intent (NOI) to comply with the California General Construction
24 Stormwater Permit (Water Quality Order 2009-0009-DWQ as modified September 2,
25 2009) is required via the California Regional Water Quality Control Board online
26 SMARTS system. A copy of the executed letter issuing a Waste Discharge
27 Identification (WDID) number shall be provided to the City Engineer prior to issuance
28 of a grading or building permit. The Applicant'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.
24. A Geotechnical/Soils Report prepared by a California registered Geotechnical Engineer
shall be required for and incorporated as an integral part of the grading plan for the
proposed development. A copy of the Geotechnical/Soils Report shall be submitted to
the Engineering Division with the first submittal of the Precise Grading Plan.
25. The Applicant shall provide pad elevation certifications for all building pads in
conformance with the approved Precise Grading Plan, to the Engineering Division prior
to construction of any building foundation.

- 1 26. Prior to issuance of a certificate of occupancy or final City approvals, the Applicant shall
2 demonstrate that all structural BMP's have been constructed and installed in
3 conformance with approved plans and specifications, and as identified in the approved
4 WQMP.
- 5 27. All stormwater runoff passing through the Site shall be accepted and conveyed across
6 the property in a manner acceptable to the City Engineer. For all stormwater runoff
7 falling on the site, on-site detention or other facilities approved by the City Engineer
8 shall be required to contain the increased stormwater runoff generated by the
9 development of the property. Provide a hydrology study to determine the volume of
10 increased stormwater runoff due to development of the site, and to determine required
11 stormwater runoff mitigation measures for the proposed development. Final detention
12 basin sizing and other stormwater runoff mitigation measures shall be determined upon
13 review and approval of the hydrology study by the City Engineer and may require
14 redesign or changes to site configuration or layout consistent with the findings of the
15 final hydrology study. The volume of increased stormwater runoff to retain on-site shall
16 be determined by comparing the existing "pre-developed" condition and proposed
17 "developed" condition, using the 100-year frequency storm.
- 18 28. Direct release of on-site nuisance water or storm-water runoff shall not be permitted to
19 the adjacent public streets. Provisions for the interception of nuisance water from
20 entering adjacent public streets from the Project Site shall be provided through the use of
21 a minor storm drain system that collects and conveys nuisance water to landscape or
22 parkway areas, and in only a storm-water runoff condition, pass runoff directly to the
23 streets through parkway or under sidewalk drains.
- 24 29. Any utility trenches or other excavations within existing asphalt concrete pavement of
25 off-site streets required by the proposed development shall be backfilled and repaired in
26 accordance with City of Rialto Standard Drawings. The Applicant shall be responsible
27 for removing, grinding, paving and/or overlaying existing asphalt concrete pavement of
28 off-site streets as required by and at the discretion of the City Engineer, including
additional pavement repairs to pavement repairs made by utility companies for utilities
installed for the benefit of the proposed development (i.e. Fontana Water Company,
Southern California Edison, Southern California Gas Company, Time Warner, Verizon,
etc.). Multiple excavations, trenches, and other street cuts within existing asphalt
concrete pavement of off-site streets required by the proposed development may require
complete 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 existed prior to construction of the
proposed development.
30. In accordance with Chapter 15.32 of the City of Rialto Municipal Code, all existing
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

1 undergrounding shall extend to the nearest off-site power pole; no new power poles shall
2 be installed unless otherwise approved by the City Engineer. A letter from the owners
3 of the affected utilities shall be submitted to the City Engineer prior to approval of the
4 Grading Plan, informing the City that they have been notified of the City's utility
5 undergrounding requirement and their intent to commence design of utility
6 undergrounding plans. When available, the utility undergrounding plan shall be
7 submitted to the City Engineer identifying all above ground facilities in the area of the
8 project to be undergrounded.

- 9 31. Upon approval of any improvement plan by the City Engineer, the improvement plan
10 shall be provided to the City in digital format, consisting of a DWG (AutoCAD drawing
11 file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat)
12 formats. Variation of the type and format of the digital data to be submitted to the City
13 may be authorized, upon prior approval by the City Engineer.
- 14 32. The original improvement plans prepared for the proposed development and approved
15 by the City Engineer (if required) shall be documented with record drawing "as-built"
16 information and returned to the Engineering Division prior to issuance of a final
17 certificate of occupancy. Any modifications or changes to approved improvement plans
18 shall be submitted to the City Engineer for approval prior to construction.
- 19 33. Nothing shall be constructed or planted in the corner cut-off area of any (intersection or)
20 driveway which does or will exceed 30 inches in height required to maintain an
21 appropriate sight distance, as required by the City Engineer.
- 22 34. All proposed trees within the public right-of-way and within 10 feet of the public
23 sidewalk and/or curb shall have City approved deep root barriers installed, as required
24 by the City Engineer.
- 25 35. A Tentative Parcel Map shall be prepared by a California registered Land Surveyor or
26 qualified Civil Engineer and submitted to the Engineering Division for review and
27 approval. A Title Report prepared for subdivision guarantee for the subject property, the
28 traverse closures for the existing parcel and all lots created therefrom, and copies of
record documents shall be submitted with the Parcel Map to the Engineering Division as
part of the review of the Map. The Tentative Parcel Map shall be approved by the City
Council prior to issuance of any building permits.
36. A minimum of 48 inches of clearance for disabled access shall be provided on all public
sidewalks.
37. All damaged, destroyed, or modified pavement legends, traffic control devices, signing,
striping, and street lights, associated with the proposed development shall be replaced as
required by the City Engineer prior to issuance of a Certificate of Occupancy.

1 38. The Applicant shall submit traffic striping and signage plans prepared by a California
2 registered civil engineer, for review and approval by the City Engineer. All required
3 traffic striping and signage improvements shall be completed concurrently with required
4 street improvements, to the satisfaction of the City Engineer, and prior to issuance of a
5 building permit.

6 39. Construction signing, lighting and barricading shall be provided during all phases of
7 construction as required by City Standards or as directed by the City Engineer. As a
8 minimum, all construction signing, lighting and barricading shall be in accordance with
9 Part 6 "Temporary Traffic Control" of the 2012 California Manual on Uniform Traffic
10 Control Devices, or subsequent editions in force at the time of construction.

11 40. Approval of TPM No. 19815 shall be granted for a period of twenty-four (24) months
12 from the effective date of this resolution. An extension of time for TPM No. 19815
13 may be granted by the Planning Commission for a period or periods not to exceed a
14 total of thirty-six (36) months. An application for extension together with the
15 required fee shall be filed with the Planning Division prior to the expiration date of
16 TPM No. 19815.

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18 SECTION 6. The Chairman of the Planning Commission shall sign the passage and
19 adoption of this resolution and thereupon the same shall take effect and be in force.

20 PASSED, APPROVED AND ADOPTED this 26th day of July, 2017.

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JOHN PEUKERT, CHAIR
CITY OF RIALTO PLANNING COMMISSION