



Days Inn Fontana/Rialto 475 W Valley Blvd, Rialto, CA 92376  
Tel: 909-877-0690 | Fax: 909-877-0841

To: Daniel Casey, Associate Planner, Rialto, CA

October 12<sup>th</sup>, 2018

REFERENCE : Project Title (Valley and Lilac Warehouse)

Rialto Investment Company, DBA Days Inn, Rialto has taken consideration and is strongly opposed on the issue of proposed increase of the maximum building height requirement from thirty-five(35) feet to forty-four (44) feet.

Our building and other surrounding buildings are at about a 35 feet height max and this increase will be to the detriment of the surrounding, neighboring buildings.

Days Inn's business drives on being visible by street and highway traffic.

Please note this strong consideration and opposition to this height increase.

Juan C. Gonzalez

General Manager

Days Inn, Rialto,CA

October 23, 2018

Mr. Daniel Casey  
City of Rialto  
Planning Division  
150 S. Palm Avenue  
Rialto, CA 92376

**SUBJECT: Precise Plan of Design No. 2018-0047 & Variance No. 2018-0002 (Valley and Lilac Warehouse)**

Dear Daniel:

We are in receipt of the letter received from Days Inn dated October 12, 2018. Although not a comment on the CEQA document, we have reviewed the concerns expressed regarding the proposed building height, and offer the following facts related to the building height of the proposed warehouse as compared to existing surrounding buildings:

- 1) The proposed warehouse building height with an allowed variance will not exceed 42'. The Days Inn motel is three (3) stories with a roof height of 33.5' and includes a tower element with signage that reaches 58.8' in height.

The current building elevations for the proposed warehouse show that the structure will have a maximum height of 42', and it should be noted that this height is at the corner elements only. The remainder of the building will range in height between 38' to 40' from finish floor. The attached renderings are a representation of views from both Valley Blvd. and Interstate 10 freeway of the Days Inn motel after the proposed warehouse is constructed:

- The attached Exhibit 1 provided by the design engineer depicts the view of the motel from a vehicle that is traveling westbound on Valley Blvd. As shown, the motel and related monument sign has the same visibility to passing motorists, along Valley Blvd., regardless if the proposed building is constructed to a height of 35' or 42'. As the motorist approaches the signalized intersection of Valley and Lilac, they have the opportunity to make a left turn into two (2) separate driveways along Valley Blvd. to access the motel. Should they miss both of these driveways, they have a third opportunity to turn left onto Lilac from Valley and access the motel property from the driveways along Lilac.
- Attached Exhibit 2 depicts the view of the motel from a vehicle that is traveling westbound on Interstate 10. As shown, the motel has the same

visibility to passing motorists, along Interstate 10, regardless if the proposed building is constructed to a height of 35' or 42'. Motorists have the opportunity to exit at Cedar Avenue to make their way over to Valley Blvd. and arrive at the motel property.

- Attached Exhibit 3 depicts the view of the motel from a vehicle that is traveling eastbound on Interstate 10.
- 2) Days Inn states that an allowed increase in building height will be “to the detriment of the surrounding neighboring buildings.” It should be noted that earlier this year, the City granted a similar variance to a neighboring industrial project within the same zone of this Specific Plan, to increase the maximum building height from 35 feet to 47 feet (City Case Nos. CDP 2017-0040 / VAR 2017-0011). In the Staff Report that was prepared for said case, Staff stated that the Gateway Specific Plan was adopted over two decades ago and acknowledged that “some of the development standards may now be obsolete.” Staff identified that “the Gateway Specific Plan restrictions prevent development of a facility that can be sold or leased competitively in the marketplace,” and cited multiple industrial developments recently completed within Rialto and the surrounding communities that were constructed with maximum building heights ranging from 46'-49'. Granting the proposed height variance will not constitute a special privilege and will facilitate the applicant's need to provide a desirable product in a competitive market.

If you should have any questions or require additional information, please do not hesitate to give us a call.

Sincerely,



Cheryl Tubbs  
Vice President

**EXHIBIT 1**  
**TRAVELING WESTBOUND ON VALLEY BLVD.**



**EXHIBIT 2**  
**TRAVELING WESTBOUND ON INTERSTATE 10**



**EXHIBIT 3**  
**TRAVELING EASTBOUND ON INTERSTATE 10**



## Daniel Casey

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**From:** OWEN CHANG <owen\_chang@cjud.net>  
**Sent:** Tuesday, October 23, 2018 12:36 PM  
**To:** Daniel Casey; Gina Gibson  
**Subject:** Mitigated NEgative Declaration

Mr. Casey,

Please find below District's review comments on the NOI to issue MND for the Valley and Lilac Warehouse

This project should be made available on-line for public review instead of only being available during business hours at city offices. Making the project and its environmental documents easily available is especially important given the fact that the public is unable to obtain copies of the documents from city offices over weekends or in the evenings, which effectively truncates the already shortened 20-day review period. Comment letters, notices of public hearings, and all other documents related to this project should also be posted on-line for public review.

Page 33. It is unknown whether the project's end user will store and/or transmit hazardous materials; therefore, because this project is only 0.1 mile from a middle school, the lead agency should give the District written notification of the project no less than 30 days prior to the proposed approval of the IS/MND. (CEQA Statutes Section 21151 and CEQA Guidelines Section 15186). Additionally, because the end-user is unknown, it is speculative to conclude that impacts from potential hazardous substances are less than significant.

Page 48. The IS concludes that the project will not result in any substantial population growth and that employment generated by the project will be filled locally without any supporting evidence or statistics to demonstrate the assumed availability of employees in the project area. There is no discussion regarding the type of employee needed to work at the project, the saturation that may occur due to other similar projects recently approved in the area, or the availability of existing potential employees in the immediate area. The 4.4% unemployment figure cited in the the IS is for the larger San Bernardino/Riverside area and does not support the conclusion that there is a sufficient local workforce in the City or near the project site. The IS/MND should be revised to include evidence to support the conclusion that this project be adequately served by the existing workforce. Further, because the IS relies extensively on the assumption that the the project will be served by a local workforce to conclude that impacts to schools are less than significant, this conclusion is not supported by the available facts and should be revised.

Page 51. There is no analysis or discussion presented in the IS/MND regarding potentially significant traffic impacts during construction of the proposed project. Since construction is planned during the school year and may impact school operations, construction related traffic impacts must be discussed and disclosed to evaluate any potential impacts on nearby schools and student safety. The IS/MND should revised and recirculated to address potential construction traffic impacts. District requests that a coordination meeting take place to discuss the mitigation measure with the potential construction traffic issues.

Page 59. Similarly, there is no analysis or discussion regarding potential cumulative impacts that may result from this project in conjunction with other past, present or reasonably foreseeable future projects. At a minimum, the IS/MN must consider potential cumulative air quality, noise, and traffic impacts that may occur from the concurrent construction activities related to the Valley and Spruce Project located 0.5 miles from the proposed project. Traffic from approved/pending projects should be analyzed in conjunction with the proposed project to determine possible cumulative impacts. The IS/MND must be revised and recirculated to address potential cumulative impacts to air quality, noise, and traffic. (State CEQA Guidelines section 15073.5.).

Regards,

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*Owen Chang*  
Facilities Planning and Construction  
p 909.580.6642



# City of Rialto California

October 31, 2018

Owen Chang  
Colton Joint Unified School District  
1212 Valencia Drive  
Colton, CA 92334

Re: Valley and Lilac Warehouse Project (File No. Environmental Assessment Review No. 2018-0046)

Mr. Chang:

Thank you for submitting comments on behalf of the Colton Joint Unified School District (CJUSD) in regards to the Valley and Lilac Warehouse Project proposed by CDRE Holdings 12, LLC. The public review period for this project's Mitigated Negative Declaration began on October 3, 2018 and ended on October 22, 2018. Despite the fact that the CJUSD submitted its comments on October 23, 2018, the City of Rialto, in coordination with the environmental consultant for the project – Lilburn Corporation, offers the following responses to the comments:

Comment No. 1: This project should be made available on-line for public review instead of only being available during business hours at city offices. Making the project and its environmental documents easily available is especially important given the fact that the public is unable to obtain copies of the documents from city offices over weekends or in the evenings, which effectively truncates the already shortened 20-day review period. Comment letters, notices of public hearings, and all other documents related to this project should also be posted on-line for public review.

Response: The City of Rialto notes and appreciates this comment. The City will strive to make environmental documents more easily available in the future.

With that said, California Environmental Quality Act (CEQA) Guidelines Section 15072 states that the lead agency shall mail a notice of intent to adopt a negative declaration or mitigated negative declaration to the last known name and address of all organizations and individuals who have previously requested such notice in writing and shall also give notice of intent to adopt a negative declaration or mitigated negative declaration by at least one of the following procedures to allow the public the review period provided under Section 15105:

(1) Publication at least one time by the lead agency in a newspaper of general circulation in the area affected by the proposed project. If more than one area is affected, the notice shall be published in the newspaper of largest circulation from among the newspapers of general circulation in those areas.

(2) Posting of notice by the lead agency on and off site in the area where the project is to be located.

(3) Direct mailing to the owners and occupants of property contiguous to the project. Owners of such property shall be identified as shown on the latest equalized assessment roll.

Furthermore, CEQA Guidelines Section 15150 states that the public review period for a proposed negative declaration or mitigated negative declaration shall be not less than 20 days. When a proposed negative declaration or mitigated negative declaration is submitted to the State Clearinghouse for review by state agencies, the public review period shall not be less than 30 days, unless a shorter period, not less than 20 days, is approved by the State Clearinghouse.

The subject project does not require the issuance of permits by any State agency and therefore, the City followed CEQA Guidelines noted above by providing for a 20-day review period and posting notice in the San Bernardino Sun newspaper 20 days prior to the public hearing. The NOI was also sent to surrounding property owners within 300 feet and responsible/interested agencies including the Colton Joint Unified School District. Although not stated in the Guidelines, review periods since CEQA was adopted in 1980 have been counted as calendar days.

Comment No. 2: Page 33. It is unknown whether the project's end user will store and/or transmit hazardous materials: therefore, because this project is only 0.1 mile from a middle school, the lead agency should give the District written notification of the project no less than 30 days prior to the proposed approval of the IS/MND. (CEQA Statutes Section 21151 and CEQA Guidelines Section 15186). Additionally, because the end-user is unknown, it is speculative to conclude that impacts from potential hazardous substances are less than significant.

Response: This Project is not scheduled to be considered until a Public Hearing to be tentatively held in November 2018. In accordance with CEQA, the City will send out notification of the Public Hearing no less than 10 days prior to the meeting. Additionally, the City of Rialto mailed an NOI for this project to CJUSD on September 27, 2018, which is more than 30 days from the date of this letter, and the City has not yet approved the IS/MND for this project.

As stated on page 33 of the Initial Study, “The specific business or tenant that will occupy the proposed industrial warehouse/distribution/manufacturing facility is not known at this time. Potential hazardous materials used by the future tenant of the Project Site could include chemical reagents, solvents, fuels, paints, and cleansers. Potential on-site uses also could generate hazardous byproducts that eventually must be handled and disposed of as hazardous materials. If businesses that use or store hazardous materials occupy the Project Site, the business owner and operator would be required to comply with all applicable federal, state, and local regulations including cooperation with the Certified Unified Program Agency (CUPA) with Hazardous Materials Division of the San Bernardino County Fire Department. Hazardous or toxic materials transported in association with construction of the Proposed Project may include items such as oils, paints, and fuels. All materials required during construction will be kept in compliance with State and local regulations. With implementation of Best Management Practices (BMPs) and compliance with all applicable regulations, potential impacts from the use of hazardous materials during construction is considered to be less than significant. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.”

The statement above that was provided in the Draft Initial Study will be supplemented in a Final Initial Study to be provided to the Planning Commission and made part of the administrative record. The Final Initial Study will include the following additional information for facilities that plan to conduct activities that involve hazardous materials (new text provided in double underline). Since no new impacts are identified and no additional mitigation is warranted, the impacts identified in the Draft Initial Study will remain less than significant.

The specific business or tenant that will occupy the proposed industrial warehouse/distribution/manufacturing facility is not known at this time. Potential hazardous materials used by the future tenant of the Project Site could include chemical reagents, solvents, fuels, paints, and cleansers. Businesses that handle one or more regulated substances in a process in excess of the threshold quantities at listed in California Code of Regulations (CCR) Title 19, Division 2, Chapter 4.5, Section 2770.5, must register activities in accordance with CCR Title 19, Division 2, Chapter 4.5, Sections 2735.1 through 2785.1. Potential on-site uses also could generate hazardous byproducts that eventually must be handled and disposed of as hazardous materials. If businesses that use or store hazardous materials occupy the Project Site, the business owner and operator would be required to comply with all applicable federal, state, and local regulations including cooperation with the Certified Unified Program Agency (CUPA) with Hazardous Materials Division of the San Bernardino County Fire Department. As part of the CUPA process, in accordance with CCR, Title 19, Public Safety, Division 2 California Governor’s Office of Emergency Services, Chapter 4.5 California Accidental Release Prevention Program Detailed

Analysis, Article 4, Hazard Assessment, Section 2750.5 Defining Offsite Impacts to the Population, the owner or operator would be required to identify the presence of institutions (schools, hospitals, long-term health care facilities, child day care facilities, prisons) parks and recreation areas, and major commercial, office and industrial buildings in the Environmental Protection Agency (EPA) Risk Management Plan (RMP). In addition, future tenant of the warehouse would be required to submit a California Accidental Release Prevention Program (CALARP) Stationary Source Registration Form. Also, the San Bernardino County Fire Department – Hazardous Materials Division requires businesses involved in hazardous materials activity to submit business information electronically into the California Environmental Reporting System (CERS).

Hazardous or toxic materials transported in association with construction of the Proposed Project may include items such as oils, paints, and fuels. All materials required during construction will be kept in compliance with State and local regulations. With implementation of Best Management Practices (BMPs) and compliance with all applicable regulations, potential impacts from the use of hazardous materials during construction is considered to be less than significant. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Comment No. 3: Page 48. The IS concludes that the project will not result in any substantial population growth and that employment generated by the project will be filled locally without any supporting evidence or statistics to demonstrate the assumed availability of employees in the project area. There is no discussion regarding the type of employee needed to work at the project, the saturation that may occur due to other similar projects recently approved in the area, or the availability of existing potential employees in the immediate area. The 4.4% unemployment figure cited in the IS is for the larger San Bernardino/Riverside area and does not support the conclusion that there is a sufficient local workforce in the City or near the project site. The IS/MND should be revised to include evidence to support the conclusion that this project be adequately served by the existing workforce. Further, because the IS relies extensively on the assumption that the project will be served by a local workforce to conclude that impacts to schools are less than significant, this conclusion is not supported by the available facts and should be revised.

Response: The unemployment figure of 4.4% is indeed for the San Bernardino/Riverside area and is considered the local workforce for the project site. Beacon Economics prepared a study for UC Riverside's School of Business Administration and found that 40 percent of workers leave the Inland Empire to go to work; this means 60% have local jobs (meaning a shorter commute time). The 2018 commuting data from the Inland Empire Annual Survey shows that 57 percent of working respondents have a relatively short round trip

commute time of less than one hour; not significantly different than the 2017 results of 56 percent. Given the size of the proposed warehouse, the Proposed Project is anticipated to require not more than 69 employees per industry standards. With an unemployment rate of 4.4%, sufficient local employees will be available. Further the developer will pay development impact fees and the property owner will pay property taxes, both of which are the means to fund school construction. The City therefore determined impacts to schools would be less than significant.

Comment No. 4: Page 51. There is no analysis or discussion presented in the IS/MND regarding potentially significant traffic impacts during construction of the proposed project. Since construction is planned during the school year and may impact school operations, construction related traffic impacts must be discussed and disclosed to evaluate any potential impacts on nearby schools and student safety. The IS/MND should be revised and recirculated to address potential construction traffic impacts. District requests that a coordination meeting take place to discuss the mitigation measure with the potential construction traffic issues.

Response: Valley Boulevard, located immediately north of the Project Site, is the only roadway with direct access to the site. As demonstrated by Exhibit 4.5, Truck Routes, of the City of Rialto General Plan, Valley Boulevard is designated as an arterial truck route. The City of Rialto has designated Valley Boulevard as an arterial truck route to accommodate the large volumes of truck traffic associated with goods movement, ensure appropriate road construction and maintenance, and to protect residential neighborhoods. As such, the General Plan anticipates that Valley Boulevard will experience an increased level of traffic impacts in comparison to roadways which are not designated as an arterial truck route.

Furthermore, construction of the Proposed Project would generate a small temporary number of new trips involving construction workers (a peak of approximately 30 workers was assumed) travelling to and from the site and the transport of construction vehicles and equipment. The limited number of trips associated with construction during the approximately one-year period would not exceed the capacity of the existing circulation system. Additionally, as a Condition of Approval, the City will require that a Construction Traffic Detour Plan be prepared to identify and recommend haul routes that do not pass sensitive land uses including schools and residential dwellings.

Comment No. 5: Page 59. Similarly, there is no analysis or discussion regarding potential cumulative impacts that may result from this project in conjunction with other past, present or reasonably foreseeable future projects. At a minimum, the IS/MND must consider potential cumulative air quality, noise, and traffic impacts that may occur from the concurrent construction activities related to the Valley and Spruce Project located 0.5 miles from the proposed project. Traffic from approved/pending projects should be

analyzed in conjunction with the proposed project to determine possible cumulative impacts. The IS/MND must be revised and recirculated to address potential cumulative impacts to air quality, noise, and traffic. (State CEQA Guidelines section 15073.5.).

Response: As with the current project, the proposed warehouse at Valley and Spruce does not require an amendment to the General Plan or require a Zone Change, and the land use designation for the site(s) and any associated air quality, noise and traffic impacts were reviewed at the time of the General Plan Update conducted by the City of Rialto in December 2010. Cumulative impacts were addressed as part of the update to the General Plan and included a review of vacant land and its associated land use designation for the vacant areas to determine worst-case scenario (maximum building size and use) for the areas. Since the proposed project is a permitted use for the site, it is consistent with the General Plan and all cumulative impacts were previously reviewed and addressed as part of the General Plan Update. Additional analysis with the Initial Study is not warranted.

Additionally, the trip generation for this project (22 AM Peak Hour trips and 22 PM Peak Hour trips) is well below the threshold necessary to warrant the preparation of a detailed traffic impact analysis.

Should you have any further questions or comments please contact me at (909) 820-2525 ext. 2075 or at [dcasey@rialto.ca.gov](mailto:dcasey@rialto.ca.gov).

Sincerely,



Daniel Casey  
Associate Planner

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