



CITY OF RIALTO PLANNING COMMISSION APPEAL FORM

CITY CLERK'S DATE STAMP

1. A filing fee of \$1,291.30 must accompany this Appeal Form. Check made payable to the City of Rialto.
2. Appeal Form and Filing Fee must be submitted to the City Clerk's Office within 15 days after the decision.

RETURN TO: **Rialto City Clerk's Office** Mail: 150 S. Palm Ave., Rialto, CA 92376 Address: 290 W. Rialto Ave., Rialto, CA 92376

APPELLANT INFORMATION:

CDRE Holdings 11, LLC Attn: Mark Bachli

FULL NAME

c/o Thatcher Engineering & Assoc., Inc.

1461 Ford Street, Suite 105

ADDRESS

(909) 748-7777 x.30

TELEPHONE NO.

Redlands, CA 92373

CITY, STATE & ZIP

()

ALTERNATE TELEPHONE NO.

☒ APPLICANT ☐ BONAFIDE AGENT ☐ CITY DEPARTMENT ☐ PROPERTY OWNER WITHIN 300 FEET

DEVELOPMENT REVIEW COMMITTEE

1. DATE OF PLANNING COMMISSION ACTION: January 23, 2019

PROJECT LOCATION/ADDRESS:

North side of Base Line, approximately 315 LF east of Palmetto Ave. -

APN 0240-181-32 & 33.

2. PLEASE INDICATE WHY YOU ARE APPEALING THIS DECISION:

Please see attached.

DO NOT WRITE IN THIS SPACE

Received by: _____

Set Public Hearing Date: _____

Public Hearing Date: _____


SIGNATURE OF APPELLANT OR AGENT

1/23/19
DATE



Rialto City Clerk's Office
290 W. Rialto Avenue
Rialto, CA 92376

January 23, 2019
Job No.162005

ATTN: Rialto Planning Commission: Chairman John A. Peukert, Vice-Chair Frank Gonzalez, Commissioner Artist Gilbert, Commissioner Al H. Twine, Commissioner Dale Estvander, Commissioner Pauline Tidler, and Commissioner Jerry Gutierrez

RE: Appeal of Development Review Committee Decision on January 23, 2019 – Precise Plan of Design No. 2018-0021; Proposed Warehouse/Distribution/Manufacturing facility located on north side of Base Line Road, approximately 315 LF east of Palmetto Ave.

Dear Planning Commission:

On behalf of CDRE Holdings 11 LLC, please allow this letter to act as a formal appeal of the Development Review Committee's decision on January 23, 2019 with regards to Precise Plan of Design No. 2018-0021 (CDRE Holdings 11, LLC). The proposed development consists of the construction of a 99,999 SF warehouse building on 5.1 gross acres (4.63 AC net), located approximately 315 LF east of Palmetto Avenue. We are appealing Public Works sewer conditions 131 thru 133 that require the project to extend from the nearest sewer main to the project site and connect directly to that new sewer main extension. We respectfully request that the requirement to extend the nearest sewer main to the project be removed, and allow the proposed development to be served by a subsurface sewage disposal system (onsite septic).

To support this request, we note the following:

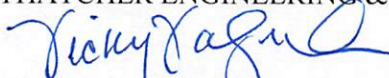
- 1.) Sewer service is not available within the project vicinity. Based on Chapter 12.08, Section 12.08.050 of the City of Rialto Municipal Code, connection to public sewer is required when the public sewer is located *within two hundred feet* of the proposed building. The closest sewer line is located at the intersection of Base Line Road and Tamarind Avenue, approximately 680 LF east of the project site. The total length of a new sewer line extension required to serve the proposed development is 885 LF.
- 2.) Other similar industrial development projects within the City have been approved with the use of a subsurface sewage disposal system in lieu of extending the public sewer for the same reasons stated above. As one example, a 65,359 SF industrial building on a 4.8 acre parcel located at 2323 S. Cactus Avenue (PPD 2396) was approved by the City with the use of a subsurface sewage disposal system because the closest sewer was located more than 200 LF from the proposed site.
- 3.) Based on Figure 3-23 entitled 'Conceptual Sewer Plan' of the Renaissance Specific Plan document, there are no sewer lines planned for this portion of Base Line Road. Properties located on the south side of Base Line Road are within the City of Fontana and are currently

served by the City of Fontana. Five of the six properties located east of the project site that front onto Base Line Road are comprised of the recently approved Oakmont Warehouse project (TPM 2018-0007). The Oakmont project was not required to extend the sewer main. The only other parcel that fronts onto Base Line Road is occupied by an existing church. It is unreasonable to place the burden of a significant sewer extension on the applicant when there is no foreseeable opportunity for fair share reimbursement of this improvement, if the same requirement is not applied to other new developments that have frontage along Base Line Road.

If the City has decided to impose sewer requirements beyond the limits of the Municipal Code, and has decided that this expansion to the City's sewer infrastructure is indeed warranted, then this should be considered a master improvement and should be applied fairly and equitably to all parcels that front this portion of Base Line Road. Otherwise, we respectfully request that the City remove the requirement for this project to extend the sewer main and allow it to be served by a subsurface sewage disposal system, as allowed by the City's Municipal Code.

Thank you for your considerations in this regard. If you should have any questions, or require additional information, please do not hesitate to contact the undersigned at 909.748.7777, ext. 30.

Respectfully Submitted,
THATCHER ENGINEERING & ASSOC., INC.



Vicky Valenzuela, Project Manager

cc: Mark Bachli, CDRE Holdings 11, LLC
Robert Eisenbeisz, Public Works Director/City Engineer
Robb Steel, Assistant City Administrator/Director of Development Services
John Dutrey, Project Manager
Daniel Casey, Senior Planner
Gina Gibson-Williams, Planning Manager



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ALTERNATE TELEPHONE NO.

☐ APPLICANT ☐ BONAFIDE AGENT ☐ CITY DEPARTMENT ☒ PROPERTY OWNER WITHIN 300 FEET

1. DATE OF PLANNING COMMISSION ACTION: January 9, 2019

PROJECT LOCATION/ADDRESS:

Northwest corner of Base Line and Tamarind Avenue - APNs: 0240-181-22, 26, 27, 30, 34 and 35

2. PLEASE INDICATE WHY YOU ARE APPEALING THIS DECISION:

Please see attached.

DO NOT WRITE IN THIS SPACE

Received by: _____

Set Public Hearing Date: _____

Public Hearing Date: _____

[Signature]
SIGNATURE OF APPELLANT OR AGENT

1/23/19
DATE



- land planning
- civil engineering
- landscape architecture

phone 909.748.7777
fax 909.748.7776

thatcher engineering & associates, inc.

1461 ford street, suite 105, redlands, ca 92373

Rialto City Clerk's Office
290 W. Rialto Avenue
Rialto, CA 92376

January 23, 2019
Job No.162005

ATTN: Rialto City Council: Mayor Deborah Robertson, Mayor Pro Tem Ed Scott, Council Member Joe Baca, Jr., Council Member Rafael Trujillo, and Council Member Andy Carrizales

Re: Appeal of Planning Commission Decision on January 9, 2019 – Tentative Parcel Map No. 2018-0007 (TPM 19981)

Dear City Council:

On behalf of CDRE Holdings 11 LLC, please allow this letter to act as a formal appeal of Planning Commission's Action on January 9, 2019 with regards to Tentative Parcel Map No. 2018-0007 (Oakmont Industrial Group). Specifically, we are appealing Condition No. 38 that was included in the Resolution for the subject case, and reads as follows:

38. The applicant shall connect the development to the City of Rialto sewer main line in Tamarind Avenue and apply for a sewer connection account with Rialto Water Services. An extension of the existing sewer main in Base Line Road is not required unless necessary to provide sewer service to this specific project.

This condition puts an undue hardship and burden on properties to the west along Baseline Road. If properties to the west of the Oakmont project are conditioned to connect to sewer, a sewer main extension will be required to be installed along the base Line Road frontage of the Oakmont project. CDRE Holdings 11 LLC is the project proponent for an industrial warehouse project located approximately 70 LF west of the Oakmont project. Based on Development Review Committee comments received and subsequent meetings with City Staff, our project has been conditioned to extend from the nearest sewer main to the project site and connect directly to that new sewer main extension. The closest sewer main to the project site is located at the intersection of Tamarind and Base Line Road, approximately 680 LF east of the project site. The total length of the new sewer line extension required to serve the proposed development is 885 LF. This 885 LF of extension consists of 205 LF along our project frontage and a 680 LF extension east of our site. For your reference, we attach Exhibit 'A' identifying the location of our project in relation to the Oakmont project.

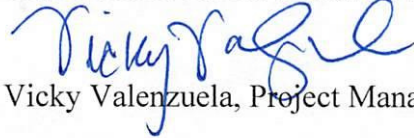
We respectfully request that if a sewer extension is going to be mandated for our project then this requirement to extend the sewer main in Base Line Road be applied fairly and equitably to all new development projects. It should be noted that five of the six properties located east of our project site that front onto Base Line Road are comprised of the Oakmont Warehouse project. The Oakmont project has 543 LF of frontage across Base Line Road. The only other parcel that fronts onto Base Line Road, east of our project site, is occupied by a 70-foot wide parcel currently developed as an existing church. It is unreasonable to place the burden of a significant sewer extension on the applicant when there is no

foreseeable opportunity for fair share reimbursement of this improvement, if other developments along Base Line Road are not conditioned similarly, or required to pay for their pro rata share of the work.

It should be noted that the Conceptual Sewer Plan (Figure 3-23) within the Renaissance Specific Plan does not plan for the extension of a sewer main along Base Line, west of Tamarind, however, the City's Development Review Committee has conditioned our project (PPD 2018-0021) to extend that main. Based on Chapter 12.08, Section 12.08.050 of the City of Rialto Municipal Code, connection to public sewer is required when the public sewer is located *within two hundred feet* of the proposed building. As previously stated, the closest sewer line is located at the intersection of Base Line Road and Tamarind Avenue, approximately 680 LF east of the project site. If the City has decided to impose sewer requirements beyond the limits of the Municipal Code, and has decided that this expansion to the City's sewer infrastructure is indeed warranted, then this should be considered a master improvement and should be applied fairly and equitably to all parcels that front this portion of Baseline Road.

Thank you for your considerations in this regard. If you should have any questions, or require additional information, please do not hesitate to contact the undersigned at 909.748.7777, ext. 30.

Respectfully Submitted,
THATCHER ENGINEERING & ASSOC., INC.

A handwritten signature in blue ink, appearing to read "Vicky Valenzuela", is written over the printed name.

Vicky Valenzuela, Project Manager

cc: Mark Bachli, CDRE Holdings 11, LLC
Robert Eisenbeisz, Public Works Director/City Engineer
Robb Steel, Assistant City Administrator/Director of Development Services
John Dutrey, Project Manager
Daniel Casey, Senior Planner
Gina Gibson-Williams, Planning Manager

EXHIBIT 'A'

PROJECT LOCATIONS

