



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:

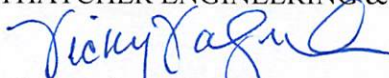
- 1.) Sewer service is not available within the project vicinity. Based on Chapter 12.08, Section 12.08.050 of the City of Rialto Municipal Code, connection to public sewer is required when the public sewer is located *within two hundred feet* of the proposed building. The closest sewer line is located 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