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A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIALTO, CALIFORNIA APPROVING ADOPTION OF A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM (ENVIRONMENTAL ASSESSMENT REVIEW NO. 2018-0029) FOR A PROJECT CONSISTING OF THE DEVELOPMENT OF A 255,173 SQUARE FOOT INDUSTRIAL WAREHOUSE DISTRIBUTION FACILITY ON 11.48 NET ACRES OF LAND (APN: 0240-201-10, -12 THRU -15, -18, -38, -42, -44 THRU -47) LOCATED AT THE NORTHWEST CORNER OF BASELINE ROAD AND ALDER AVENUE WITHIN THE EMPLOYMENT (EMP) ZONE OF THE RENAISSANCE SPECIFIC PLAN.

WHEREAS, the applicant, Pacific Industrial, LLC, proposes to construct a 255,173 square foot industrial warehouse distribution facility (“Project”) on 11.48 net acres of land (APN: 0240-201-10, -12 thru -15, -18, -38, -42, -44 thru -47) located at the northwest corner of Baseline Road and Alder Avenue within the Employment (EMP) zone of the Renaissance Specific Plan (“Site”); and

WHEREAS, the Project within the Employment (EMP) zone requires the approval of a tentative parcel map, and the Applicant has agreed to apply for a TPM No. 2018-0003 (“TPM No. 19968”), in accordance with Government Code Sections 66473.5 and 66474; and

WHEREAS, the Project will consist of 9,000 square feet of office space and 246,173 square feet of warehouse space with 28 loading dock doors, which will be located on the west side of the building; and

WHEREAS, per Section 3 (Development Criteria), Table 3-5 of the Renaissance Specific Plan, the maximum allowable Floor Area Ratio (FAR) for an 11.48 net-acre Site within the EMP zone is 40.0%, but the proposed FAR for the proposed Project is 51.0%, which exceeds the maximum allowable by 11.0%; and

WHEREAS, the page 3-45 of the Renaissance Specific Plan contains provisions to allow for a specific percentage bonus in the allowable FAR through the implementation of desired development features listed in the Renaissance Specific Plan, and the applicant has agreed to apply

1 for Conditional Development Permit No. 2018-0006 (“CDP No. 2018-0006”) to incorporate four
2 (4) development incentives into the Project, which will provide up to an additional 12.0% in the
3 maximum FAR, in order to reach the desired FAR of 51.0%; and

4 WHEREAS, as part of the Project, the Applicant filed a Precise Plan of Design application
5 for the architectural design and site layout of the proposed Project; and

6 WHEREAS, pursuant to the provisions of the California Environmental Quality Act,
7 Public Resources Code Sections 21000 et. seq. ("CEQA"), the State's CEQA Guidelines,
8 California Code of Regulations, Title 14, Section 15000 et. seq., and Government Code Section
9 65962.5(f) (Hazardous Waste and Substances Statement), the City prepared an Initial Study and
10 Mitigated Negative Declaration (Environmental Assessment Review (“EAR”) No. 2018-0029)
11 (attached as Exhibit A hereto) and determined that there is no substantial evidence that supports a
12 fair argument that the approval of the Project would result in a significant adverse effect on the
13 environment, provided appropriate mitigation measures are imposed on the Project; thus, a
14 Mitigated Negative Declaration, which imposes feasible mitigation measures that ensure all of the
15 Project’s environmental impacts will be less than significant, was prepared and notice thereof was
16 given in the manner required by law; and

17 WHEREAS, a Notice of Intent to adopt the Mitigated Negative Declaration for the Project
18 was published in the San Bernardino Sun newspaper, and mailed to all property owners within 300
19 feet of the Project Site, and a twenty (20) day public comment period was held from October 15,
20 2018 to November 3, 2018; and

21 WHEREAS, the City mailed public hearing notices for the proposed Project to all property
22 owners within 300 feet of the Project site, and published the public hearing notice in the San
23 Bernardino Sun newspaper as required by State law; and

24 WHEREAS, on January 30, 2019, the Planning Commission of the City of Rialto
25 conducted a duly-noticed public hearing, as required by law, on the Initial Study and Mitigated
26 Negative Declaration (EAR No. 2018-0029), TPM No. 2018-0003, and CDP No. 2018-0006; took
27 testimony, at which time it received input from staff, the city attorney, and the Applicant; heard
28

1 public testimony; discussed the proposed EAR No. 2018-0029, TPM No. 2018-0003, and CDP
2 No. 2018-0006; and closed the public hearing; and

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

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

6 SECTION 1: The Planning Commission hereby finds all of the above recitals to be true
7 and correct.

8 SECTION 2: The Initial Study and Mitigated Negative Declaration (EAR No. 2018-0029)
9 concluded that even without mitigation, the Project's impacts on aesthetics, agricultural and
10 forestry resources, biological resources, geology and soils, greenhouse gas emissions, hazards and
11 hazardous materials, hydrology and water quality, land use and planning, mineral resources,
12 population and housing, public services, recreation, and utilities and service systems would be less
13 than significant. The Initial Study and Mitigated Negative Declaration (EAR No. 2018-0029)
14 further concluded that, after incorporation of the recommended mitigation measures, the Project's
15 impacts on air quality, cultural resources, noise, transportation/traffic, and tribal cultural resources
16 would also be less than significant.

17 SECTION 3: The Planning Commission has independently reviewed and considered the
18 Initial Study and Mitigated Negative Declaration, related technical studies, the public comments,
19 the Staff Report and oral report at the public hearing and other evidence and finds that the
20 Mitigated Negative Declaration was prepared in the manner required by law, and there is no
21 substantial evidence in the record supporting a fair argument that the Project would result in a
22 significant adverse effect upon the environment, after the imposition of the mitigation measures
23 recommended by the Initial Study and Mitigated Negative Declaration.

24 SECTION 4: The Planning Commission hereby recommends imposing all mitigation
25 measures recommended in the Initial Study and Mitigated Negative Declaration, as set forth in,
26 and fully enforced by, the Mitigation Monitoring and Reporting Program, attached hereto as
27 Exhibit B and incorporated herein by this reference, which will ensure that the proposed Project's
28 impacts will be less than significant.

SECTION 5: For the foregoing reasons and based on the information and findings included in the Initial Study and Mitigated Negative Declaration, technical reports, Mitigation Monitoring and Reporting Program, Staff Report, public testimony, and all other documents and evidence in the administrative record of proceedings, the Planning Commission has determined that, based on the foregoing substantial evidence in the administrative record of proceedings, the Project, as conditioned and mitigated, will not have a significant adverse impact on the environment, and also finds that the preparation of the Mitigated Negative Declaration attached hereto complies with CEQA. Therefore, the Planning Commission hereby adopts the Mitigated Negative Declaration, which is incorporated herein by this reference, and the Mitigation Monitoring and Reporting Program.

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

PASSED, APPROVED, AND ADOPTED this 30th day of January 2019.

JOHN PEUKERT, CHAIR
CITY OF RIALTO PLANNING COMMISSION

1 STATE OF CALIFORNIA)
2 COUNTY OF SAN BERNARDINO) ss
3 CITY OF RIALTO)
4

5 I, _____, Administrative Assistant of the City of Rialto, do hereby certify that
6 the foregoing Resolution No. _ was duly passed and adopted at a regular meeting of the Planning
7 Commission of the City of Rialto held on the 30th day of January, 2019.
8

9 Upon motion of Planning Commissioner _____, seconded by Planning Commissioner _____,
10 the foregoing Resolution No. _ was duly passed and adopted.

11 Vote on the motion:

12 AYES:

13 NOES:

14 ABSENT:

15 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of
16 Rialto this 30th day of January, 2019.

17 _____
18 _____, ADMINISTRATIVE ASSISTANT
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