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WHEREAS, the applicant, CDRE Holdings 13, LLC, proposes to construct a 78,680 square foot warehouse building (“Project”) on 4.44 gross acres (4.10 net acres) of land (APNs: 0240-201-08 & -41) located on the west side of Alder Avenue approximately 170 feet south of Miro Way within the Employment (EMP) zone of the Renaissance Specific Plan (“Site”); and

WHEREAS, as part of the Project, the applicant has also submitted Conditional Development Permit No. 2018-0029 to allow up to a four (4) percent increase in the maximum floor area ratio through the implementation of non-residential development incentives, as it relates to the Project (“CDP No. 2018-0029”); and

WHEREAS, pursuant to the provisions of the California Environmental Quality Act, Public Resources Code Sections 21000 et. seq. (" CEQA"), the State's CEQA Guidelines, California Code of Regulations, Title 14, Section 15000 et. seq., and Government Code Section 65962.5(f) (Hazardous Waste and Substances Statement), the City prepared an Initial Study (Environmental Assessment Review No. 2018-0072) and determined that there is no substantial evidence that the approval of the Project would result in a significant adverse effect on the environment, provided appropriate mitigation measures are imposed on the Project; thus, a Mitigated Negative Declaration was prepared and notice thereof was given in the manner required by law; and

WHEREAS, a Notice of Intent to adopt the Mitigated Negative Declaration for the Project was published in the San Bernardino Sun newspaper, and mailed to all property owners within 300

1 feet of the Project Site, and a twenty (20) day public comment period was held from December 22,
2 2018 to January 10, 2019; and

3 WHEREAS, one (1) comment letter was received from the South Coast Air Quality
4 Management District (SCAQMD), which was submitted on January 8, 2019; and

5 WHEREAS, the comment letter from SCAQMD expressed a concern with the analysis of
6 cumulative air quality impacts as it relates to other proposed projects in the area; and

7 WHEREAS, January 24, 2019, the Planning Division, in coordination with Lilburn
8 Corporation, provided SCAQMD a response letter that indicated that the analysis was conducted
9 in accordance with a report published by the SCAQMD on conducting proper analysis of
10 cumulative air quality impacts, and that the analysis conducted for this project determined that the
11 project will not create a significant cumulative air quality impact; and

12 WHEREAS, the Planning Division did not receive any further comment from SCAQMD
13 upon providing the response letter; and

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

17 WHEREAS, on February 13, 2019, the Planning Commission of the City of Rialto
18 conducted a duly noticed public hearing, as required by law, on the Mitigated Negative Declaration
19 and CDP No. 2018-0029, took testimony, at which time it received input from staff, the city
20 attorney, and the Applicant; heard public testimony; discussed the proposed Mitigated Negative
21 Declaration and CDP No. 2018-0029; and closed the public hearing; and

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

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

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

27 SECTION 2: The Initial Study and Mitigated Negative Declaration (Environmental
28 Assessment Review No. 2018-0072) prepared for the project concluded that even without

1 mitigation, the Project's impacts on aesthetics, agricultural and forestry resources, air quality,
2 geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and
3 water quality, land use and planning, mineral resources, population and housing, public services,
4 recreation, and utilities and service systems would be less than significant. The Initial Study and
5 Mitigated Negative Declaration (EAR No. 2018-0072) also identified that the Site did not have
6 suitable habitat for any threatened or endangered species, and therefore the proposed Project will
7 have no individual or cumulative adverse impacts upon resources, as defined in Section 711. 2 of
8 the State Fish and Game Code. The Initial Study and Mitigated Negative Declaration (EAR No.
9 2018-0024) further concluded that, after incorporation of the recommended mitigation measures,
10 the Project's impacts on cultural resources, noise, transportation and traffic, and tribal resources
11 would also be less than significant.

12 SECTION 3: The Planning Commission has independently reviewed and considered the
13 Initial Study proposed Mitigated Negative Declaration, related studies, the public comments upon
14 it, and other evidence and finds that the Mitigated Negative Declaration was prepared in the
15 manner required by law, and there is no substantial evidence supporting a fair argument that the
16 Project would result in a significant adverse effect upon the environment, provided appropriate
17 mitigation measures are imposed.

18 SECTION 4: With the imposition of mitigation measures that address potential impacts
19 upon biological resources and cultural resources in the community and as set forth in the Mitigation
20 Monitoring Program, Exhibit "B" hereto, which is attached hereto and incorporated herein by this
21 reference, the proposed project's potential significant impacts will be reduced below a level of
22 significance.

23 SECTION 5: For the foregoing reasons and based on the information and findings included
24 in the Initial Study and Staff Report, the Planning Commission has determined that the Project, as
25 conditioned and mitigated, will not have a significant adverse impact on the environment and also
26 finds that the preparation of the Mitigated Negative Declaration attached hereto complies with
27 CEQA. Therefore, the Planning Commission hereby adopts and certifies the Mitigated Negative
28 Declaration, which is attached hereto as Exhibit "A" and incorporated herein by this reference,

1 making certain environmental findings to allow the Project, as well as the Mitigation Monitoring
2 and Reporting Program attached as Exhibit “B”.

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

5 PASSED, APPROVED AND ADOPTED this 13th day of February, 2019.

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JOHN PEUKERT, CHAIR
9 CITY OF RIALTO PLANNING COMMISSION
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1 STATE OF CALIFORNIA)
2 COUNTY OF SAN BERNARDINO) ss
3 CITY OF RIALTO)
4

5 I, Adrianna Martinez, 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 ____th day of ____, 2019.

8 Upon motion of Planning Commissioner_____, seconded by Planning Commissioner
9 ____, the foregoing Resolution No. ____ was duly passed and adopted.

10 Vote on the motion:

11 AYES:

12 NOES:

13 ABSENT:

14 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of
15 Rialto this ____th day of ____, 2019.
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19 _____
20 ADRIANNA MARTINEZ, ADMINISTRATIVE ASSISTANT
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