

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

WHEREAS, the applicant, Madrona Real Estate, LLC, proposes to develop and use a 54,484 square foot industrial storage warehouse/distribution center building for the storage and distribution of fuel products and lubricants (“Project”) on 4.87 gross acres (4.77 net acres) of land (APN: 0258-121-08) located on the south side of Santa Ana Avenue approximately 300 feet west of Riverside Avenue within the Heavy Industrial (H-IND) zone of the Agua Mansa Specific Plan (“Site”); and

WHEREAS, the Project within the H-IND zone requires the approval of a Precise Plan of Design, and the applicant has agreed to apply for Precise Plan of Design No. 2019-0043 (“PPD No. 2019-0043”), in accordance with Chapter 18.65 (Precise Plan of Design) of the Rialto Municipal Code; and

-1-

65962.5(f) (Hazardous Waste and Substances Statement), the City reviewed an Initial Study (Environmental Assessment Review No. 2019-0053) prepared by Blodgett Baylosis Environmental Planning, Inc. 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 feet of the Project Site, and a thirty (30) day public comment period was held from March 1, 2021 to March 20, 2021; and

WHEREAS, The Planning Division received no public comment letters during the thirty (30) day public comment period; and

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

WHEREAS, on April 14, 2021, the Planning Commission of the City of Rialto conducted a duly noticed public hearing, as required by law, on the Mitigated Negative Declaration, CDP No. 2019-0020, and PPD No. 2019-0043, took testimony, at which time it received input from staff, the city attorney, and the Applicant; heard public testimony; discussed the proposed Mitigated Negative Declaration, CDP No. 2019-0020, and PPD No. 2019-0043; and continued the public hearing to the following meeting on April 28, 2021; and

WHEREAS, on April 28, 2021, the Planning Commission of the City of Rialto conducted a duly noticed public hearing, as required by law, on the Mitigated Negative Declaration, CDP No. 2019-0020, and PPD No. 2019-0043, took testimony, at which time it received input from staff, the city attorney, and the Applicant; heard public testimony; discussed the proposed Mitigated Negative Declaration, CDP No. 2019-0020, and PPD No. 2019-0043; and closed the public hearing; and

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

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

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

5 SECTION 2: The Planning Commission has independently reviewed and considered the
6 proposed Mitigated Negative Declaration, the public comments upon it, and other evidence and
7 finds that the Mitigated Negative Declaration was prepared in the manner required by law, and
8 there is no substantial evidence, provided appropriate mitigation measures are imposed, that the
9 Project would result in a significant adverse effect upon the environment.

10 SECTION 3: The Initial Study (Environmental Assessment Review No. 2019-0053)
11 prepared for the project identified that the Site did not have suitable habitat for any threatened or
12 endangered species, and therefore the proposed Project will have no individual or cumulative
13 adverse impacts upon resources, as defined in Section 711. 2 of the State Fish and Game Code.

14 SECTION 4: The attached proposed Initial Study and Mitigated Negative Declaration,
15 Exhibit “A” hereto, finds that there are no impacts or less than significant impacts to aesthetics,
16 agriculture and forestry resources, air quality, energy, geology and soils, greenhouse gas
17 emissions, hazards and hazardous materials, hydrology/water quality, land use/planning, mineral
18 resources, noise, population/housing, public services, recreation, utilities and service systems, and
19 wildfire.

20 SECTION 5: With the imposition of mitigation measures that address potential impacts
21 upon biological resources, cultural resources, traffic and transportation, tribal cultural resources,
22 and mandatory findings of significance in the community, and as set forth in the Mitigation
23 Monitoring & Reporting Program, Exhibit “B” hereto, which is attached hereto and incorporated
24 herein by this reference, the proposed Project’s potential significant impacts will be reduced below
25 a level of significance.

26 SECTION 6: For the foregoing reasons and based on the information and findings included
27 in the Initial Study and Mitigated Negative Declaration, technical reports, Mitigation Monitoring
28 and Reporting Program, Staff Report, public testimony, and all other documents and evidence in

1 the administrative record of proceedings, the Planning Commission has determined that the
2 Project, as conditioned and mitigated, will not have a significant adverse impact on the
3 environment and also finds that the preparation of the Initial Study and Mitigated Negative
4 Declaration attached hereto complies with CEQA. Therefore, the Planning Commission hereby
5 certifies the Initial Study, Mitigated Negative Declaration, and Mitigation Monitoring and
6 Reporting Program, making certain environmental findings to allow the Project.

7 SECTION 7: The Chairman of the Planning Commission shall sign the passage and
8 adoption of this resolution and thereupon the same shall take effect and be in force.

9 PASSED, APPROVED AND ADOPTED this 28th day of April, 2021.

10
11
12

FRANK GONZALEZ, CHAIR
13 CITY OF RIALTO PLANNING COMMISSION
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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 ____, 2021.

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 ____, 2021.
16
17
18

19 _____
20 ADRIANNA MARTINEZ, ADMINISTRATIVE ASSISTANT
21
22
23
24
25
26
27
28

Exhibit “A”

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Exhibit “B”

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28