



City of Rialto

Legislation Details (With Text)

File #: 21-0618 **Version:** 1 **Name:**
Type: Agenda Item **Status:** Agenda Ready
File created: 9/9/2021 **In control:** City Council
On agenda: 9/28/2021 **Final action:**

Title: Request City Council to Set a Public Hearing for October 12, 2021 to consider an appeal of the Planning Commission’s decision to deny Conditional Development Permit No. 2020-0020 and Precise Plan of Design No. 2020-0026, a request to allow the development and operation of a 47,609 square foot truck terminal and storage warehouse/distribution center, and associated paving, landscaping, fencing, lighting, and drainage improvements on 12.72 gross acres (11.80 net acres) of land (APNs: 0258-011-01, -09, & -10) located between Cactus Avenue and Lilac Avenue approximately 625 feet south of Slover Avenue within the Light Industrial (M-1) zone and the Heavy Industrial (H-IND) zone of the Agua Mansa Specific Plan.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit A - Location Map, 2. Exhibit B - Planning Commission Resolution No. 2021-38, 3. Exhibit C - Applicant’s Appeal Form, 4. Exhibit D - Public Hearing Notice

Date	Ver.	Action By	Action	Result
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For City Council Meeting [September 28, 2021]

TO: Honorable Mayor and City Council

APPROVAL: Marcus Fuller, City Manager

FROM: Daniel Casey, Acting Community Development Manager

Request City Council to Set a Public Hearing for October 12, 2021 to consider an appeal of the Planning Commission’s decision to deny Conditional Development Permit No. 2020-0020 and Precise Plan of Design No. 2020-0026, a request to allow the development and operation of a 47,609 square foot truck terminal and storage warehouse/distribution center, and associated paving, landscaping, fencing, lighting, and drainage improvements on 12.72 gross acres (11.80 net acres) of land (APNs: 0258-011-01, -09, & -10) located between Cactus Avenue and Lilac Avenue approximately 625 feet south of Slover Avenue within the Light Industrial (M-1) zone and the Heavy Industrial (H-IND) zone of the Agua Mansa Specific Plan.

APPLICANT:

Dedeaux Properties, LLC, 100 Wilshire Boulevard, Suite 250, Santa Monica, CA 90401.

LOCATION:

The project site consists of three (3) parcels of land (APNs: 0258-011-01, -09, & -10) located between Cactus Avenue and Lilac Avenue approximately 625 feet south of Slover Avenue (Refer to the attached Location Map (**Exhibit A**)).

BACKGROUND:

Conditional Development Permit No. 2020-0020, Precise Plan of Design No. 2020-0026, and Environmental Assessment Review No. 2020-0024 shall hereinafter be referred to as “Project” or “project”.

Planning Commission Action

On July 28, 2021, the Planning Commission considered the project during a regularly scheduled public meeting. After closing the public hearing, the Planning Commission voted to deny the project by a 4-2 vote (one absent), and directed staff to prepare a denial resolution for adoption.

On August 11, 2021, the Planning Commission voted 4-2 (1 abstention) to adopt Planning Commission Resolution No. 2021-38 formally denying Conditional Development Permit No. 2020-0020, Precise Plan of Design No. 2020-0026, and the associated Mitigated Negative Declaration. A copy of Planning Commission Resolution No. 2021-38 is attached as **Exhibit B**.

Appeal

On August 18, 2021, the applicant filed an Appeal with the City Clerk’s office, in accordance with Chapter 18.68 (Appeals) of the Rialto Municipal Code. A copy of the applicant’s Appeal form is attached as **Exhibit C**. The applicant’s appeal seeks to have the City Council consider the project and overturn the Planning Commission’s decision.

ANALYSIS/DISCUSSION:

In accordance with Section 18.68.050 of the Rialto Municipal Code, upon receipt of an appeal, the City Council is to set the matter for public hearing. A more comprehensive staff report will follow once the hearing has been set.

ENVIRONMENTAL IMPACT:

A Mitigated Negative Declaration (**Environmental Assessment Review No. 2020-0024**) has been prepared for consideration in conjunction with the project.

LEGAL REVIEW:

The City Attorney has reviewed and approved the staff report and the attached Notice of Public Hearing (**Exhibit D**).

RECOMMENDATION:

In accordance with the Appeal process provided in Section 18.68.050 of the Rialto Municipal Code, Staff recommends that the City Council set a Public Hearing for October 12, 2021, to consider an appeal of the Planning Commission’s decision to deny Conditional Development Permit No. 2020-0020 and Precise Plan of Design No. 2020-0026, a request to allow the development and operation of a 47,609 square foot truck terminal and storage warehouse/distribution center, and associated paving, landscaping, fencing, lighting, and drainage improvements on 12.72 gross acres (11.80 net acres) of land (APNs: 0258-011-01, -09, & -10) located between Cactus Avenue and Lilac Avenue approximately 625 feet south of Slover Avenue within the Light Industrial (M-1) zone and the Heavy Industrial (H-IND) zone of the Agua Mansa Specific Plan.