



# City of Rialto

## Legislation Text

File #: CC-19-420, Version: 1

For City Council Meeting [May 28, 2019]

TO: Honorable Mayor and City Council

APPROVAL: Sean Grayson, Interim City Administrator

FROM: Robb Steel, Assistant CA/Director of Development Services

Request City Council to Set a Public Hearing for **June 11, 2019** to consider **General Plan Amendment No. 2018-0001**, which is a request to change the general plan land use designation of approximately 16.55 gross acres of land from Residential 6 (R6) to Light Industrial (LI) with a Specific Plan Overlay, **Specific Plan Amendment No. 2019-0002**, which is a request to change the boundary of the Rialto Airport Specific Plan to include approximately 16.55 gross acres of land and to change the pre-zoning designation of said 16.55 gross acres of land from Single-Family Residential (R-1A) to Planned Industrial Development (I-PID) within the Rialto Airport Specific Plan. This project includes a Mitigated Negative Declaration (**Environmental Assessment Review No. 2018-0081**) for consideration in conjunction with the project.

### **BACKGROUND:**

#### *Applicant*

Bridge Development Partners, LLC, 1600 E. Franklin Avenue, Suite D, El Segundo, CA 90245.

#### *Location*

The project site consists of four (4) parcels of land located on the west side of Maple Avenue approximately 660 feet north of Casmalia Street (APNs: 1133-201-04, 1133-221-02, 1133-221-06 & 1133-221-07) (Refer to the attached Location Map (**Exhibit A**)).

#### *Surrounding General Plan Land Use Designations*

<b>Location</b>	<b>General Plan Designation</b>
Site	Residential 6 (2.1 - 6.0 dwelling units per acre)
North	Residential 6 (2.1 - 6.0 dwelling units per acre)
East	Residential 6 (2.1 - 6.0 dwelling units per acre)
South	Specific Plan with a Specific Plan Overlay (Renaissance SP)
West	Light Industrial with a Specific Plan Overlay (Rialto Airport SP)

#### *Surrounding Zoning Designations*

<b>Location</b>	<b>Zoning</b>
Site	County of San Bernardino

North	County of San Bernardino
East	County of San Bernardino / Single-Family Residential (R-1C)
South	Employment (EMP)
West	Planned Industrial Development (I-PID)

### *Site Characteristics*

The project site is a rectangular-shaped piece of land comprised of four (4) parcels. Altogether, the project site is 16.55 gross acres in size with approximate dimensions of 660 feet (east-west) by 1,100 feet (north-south). The project site is mostly undeveloped, except for one (1) single-family residence and several accessory structures. Natural grasses and a sparse amount of trees cover the remainder of the project site. The project site is bound on the east by Maple Avenue, on the south by both existing and planned right-of-way for Carter Avenue, and bisected by both existing and planned right-of-way for Vineyard Avenue.

### *Surrounding Area*

To the north of the project site and to the east of the project site, across Maple Avenue, are numerous single-family residences. To the south is approximately 10.0 acres of vacant land, and to the west is a mini-storage facility, a 4.13 acre contractor's storage yard, and a 120,000 square foot industrial warehouse building currently under construction.

### *Annexation No. 171*

The project site is currently located within the jurisdiction of the County of San Bernardino, specifically North Rialto Island No. 4. However, at the time of the Lytle Creek annexation, the San Bernardino County Local Agency Formation Commission (LAFCO) placed a condition of approval within its approving resolution (LAFCO Resolution No. 3222) requiring the City of Rialto to initiate annexation of five unincorporated islands, including North Rialto Island No. 4. Subsequently, on November 22, 2016, the City Council adopted Resolution No. 7035 initiating the application process for annexation (Annexation No. 171). The City continues to coordinate with LAFCO to complete Annexation No. 171, and anticipates that will be complete by early 2020. Unless approved differently by both the Planning Commission and City Council, all land within the five islands that are a part of Annexation No. 171, including the project site, will enter the City of Rialto with a zoning designation of Single-Family Residential (R-1A) and maintain a general plan land use designation of Residential 6 (R6) upon completion of the annexation.

## **ANALYSIS/DISCUSSION:**

### *Project Proposal*

Bridge Development Partners, LLC, the applicant, proposes to vacate portions of Vineyard Avenue and Carter Avenue, consolidate four (4) parcels of land into one (1) 15.95 net acre parcel of land, and then develop a 382,018 square foot warehouse building on the project site. There is no proposed tenant for the new building at this time, but the building's design will accommodate a wide-range of warehouse uses.

### *Site Design*

According to the site plan (**Exhibit B**), the applicant will construct the building towards the east end of the project site. The proposed layout will place the truck court on the west side of the building and employee/customer parking areas on the north and south sides of the building. Two (2) new

driveways connected directly to a new cul-de-sac at the terminus of Vineyard Avenue on the west end of the project site will provide full access to both trucks and passenger vehicles, while two (2) new driveways connected directly to Maple Avenue at the north and south ends of the project site will provide access only to passenger vehicles and emergency vehicles. Other proposed on-site improvements include landscape planters throughout the site, screen walls around the truck court, and an underground infiltration basin for water quality treatment.

### *Architectural Design*

The proposed building will feature significant vertical and horizontal wall plane articulation in the form of projected masses and panel height variations on all four (4) sides of the building. As shown on the elevations (**Exhibit C**), the building height ranges from forty (40) feet to forty-six (46) feet from the finished floor level, with the highest points being the four (4) corners of the building. The exterior of the building will be of concrete tilt-up wall construction painted with a palette of three (3) different colors - white, gray, and light blue. Other architectural features of the building include panel reveals, steel canopies, vertical metal accents, and generous amounts of glazing.

### *Parking*

The development will have 234 auto-parking spaces, including nine (9) disabled parking spaces. This quantity exceeds the minimum parking requirement as shown in the parking calculation chart below and as required by Section 18.58.050 (Office, Commercial, and Industrial Parking Requirements) of the Rialto Municipal Code, which requires one (1) parking space for every 250 square feet of office space gross floor area, one (1) parking space for every 1,000 square feet of warehouse space gross floor area up to 10,000 square feet, and one (1) parking space for every 2,000 square feet of warehouse space gross floor area beyond 10,000 square feet:

<b>Type of Use</b>	<b>Floor Area (square feet)</b>	<b>Parking Ratio</b>	<b>Number of spaces required</b>
<u>Office</u>	10,000	1 / 250	40
<u>Warehouse</u>			
Floor area up to 10,000 square feet	10,000	1 / 1,000	10
Floor area 10,001 square feet or more	362,018	1 / 2,000	182
<b>Total Required/Total Provided</b>			<b>232/234</b>

### *Landscaping*

The landscape coverage for the project is 25.5 percent, which exceeds the minimum required amount of 10.0 percent. This includes a minimum 25 foot landscape setback along Maple Avenue, as well as planters around the perimeter of the building and the project site. All of the landscape planters will feature a variety of trees spaced every 30 feet and an abundant amount of shrubs and groundcover vegetation (**Exhibit D**).

### *General Plan Amendment & Specific Plan Amendment*

As mentioned previously, the project site already has a general plan land use designation of Residential 6 (R6) and is scheduled to have a zoning designation of Single-Family Residential (R-1A) upon the future completion of Annexation No. 171. The R6 land use designation and the R-1A zone do not permit the development and operation of industrial uses. In order to construct the project, as proposed, the applicant filed a Specific Plan Amendment application to change boundary of the Rialto Airport Specific Plan to include the project site and to change the pre-zoning designation of the site from R-1A to Planned Industrial Development (I-PID) within the Rialto Airport Specific Plan, and a General Plan Amendment application to change the land use designation of the site from R6 to Light Industrial (LI) with a Specific Plan Overlay. Both the I-PID zone and the LI land use designation will accommodate the applicant's proposed development.

The I-PID zoning designation and the LI land use designation are consistent with the surrounding area. Specifically, the properties immediately adjacent to the west of the project site have the same designations and contain existing industrial developments. Additionally, the vacant land immediately adjacent to the south of the project site contains a similar industrial zoning designation within the Renaissance Specific Plan, and will likely develop into a similar warehouse development in the future. Maple Avenue and the required 25 foot landscape setback along the entire frontage will serve to provide a buffer between the project site and the existing single-family residences to the west. Meanwhile, a proposed landscape slope and an employee parking lot will provide a 90 foot buffer between the proposed warehouse building and the rear yards of the existing single-family residences to the north. The 120,000 square foot warehouse under construction to the west of the project site maintains a similar configuration whereby it is adjacent to the rear of existing single-family residences to the north.

Exhibits demonstrating the existing and proposed general plan land use designations and the zoning designations for the project site are included to the staff report as **Exhibits E & F**.

Assuming the Planning Commission and City Council approve the Specific Plan Amendment and the General Plan Amendment, the applicant will next file a Tentative Parcel Map application to consolidate the four (4) parcels of the project site into one (1) 15.95 acre parcel and a Precise Plan of Design application for the development of the 382,018 square foot warehouse building on the project site. No action will be taken on either the Tentative Parcel Map or the Precise Plan of Design until after the completion of Annexation No. 171.

#### *Community Meeting*

On October 22, 2018, the Planning Division held a community meeting to introduce the project to the public and provide an update regarding the processing of Annexation No. 171. Approximately ten (10) groups of residents attended the meeting. Concerns centered mainly on the annexation of the North Rialto Islands into the City of Rialto and the impacts, in terms of services, taxes, etc., that may affect residents living in those islands. No one in attendance expressed opposition or objected to the applicant's project itself.

#### *Economic Development Committee*

The Economic Development Committee (EDC) reviewed the project on October 24, 2018. The EDC expressed support for the project and the industrial designations.

#### *Transportation Commission*

Kimley-Horn and Associates, Inc. prepared a traffic study for the project, dated October 2018, to

assess the projects potential impacts to local streets and intersections. The Transportation Commission reviewed and approved the traffic study on December 17, 2018. The traffic study anticipates that the project will generate a total of 1,360 vehicle trips daily, with 115 trips in the AM peak hour and 123 trips in the PM peak hour. Analyzed further, the traffic study anticipates that truck trips will constitute 544 of the 1,360 vehicle trips, while the rest will consist of passenger cars. The Transportation Commission determined that the project is responsible for “fair-share” payment of approximately \$191,360 toward improvements at the intersection of Locust Avenue and Casmalia Street and the SR-210 Freeway and Alder Avenue interchange.

The project will construct half-width street improvements along the entire project frontage of Maple Avenue, and will also construct two (2) new cul-de-sac bulbs - one (1) at the terminus of Vineyard on the west end of the project site and one (1) at the terminus of Maple Avenue at the south end of the project site. Additionally, the applicant will pay development impact fees related to traffic. All street improvements, “fair-share” payments, and development impact fee payments, must be paid and/or completed prior to occupancy.

#### *Planning Commission - April 10, 2019*

On April 10, 2019, the Planning Commission held a public hearing and considered oral and written testimony for General Plan Amendment No. 2018-0001, Specific Plan Amendment No. 2019-0002, and the associated Mitigated Negative Declaration (Environmental Assessment Review No. 2018-0081). During the public hearing, several residents from around the project site spoke in opposition to the project. The residents cited concerns with changing the land use and zoning designations from residential to industrial, and also concerns regarding truck traffic generated by the project. After consideration, the Planning Commission continued the public hearing and directed the staff to conduct a neighborhood meeting to provide more detailed information about the project to the public and to facilitate a questions and answers forum.

#### *Neighborhood Meeting*

On April 29, 2019, the Planning Division held a neighborhood meeting regarding the project, as directed by the Planning Commission. The meeting took place at the Frances E. Brook Conference Center located at 214 N. Palm Avenue in. Staff mailed flyers (**Exhibit G**) to all one-hundred sixteen (116) property owners within 600 feet of the project site. Eleven (11) groups of residents attended the meeting. The attendance sheet and comment cards received are included as **Exhibits H & I**. The attendees generally reacted negatively to the project. The main issues of concern centered on traffic, air pollution, noise, light pollution, and safety at the intersection of Maple Avenue and Bohnert Avenue. Staff discussed each issue with the attendees referencing the analysis within the environmental studies prepared for the project.

Ultimately, the outcome of the neighborhood meeting resulted in the incorporation of three (3) new conditions of approval for the project - 1) The applicant shall construct the full width of Maple Avenue from the south terminus of the project site up to and including the intersection of Maple Avenue and Bohnert Avenue, 2) the applicant shall implement measures, such as shielding of the street light fixtures, focusing of the light fixtures away from the nearest residences, and/or an adjustment of the intensity of the lighting, and 3) trucks shall not enter or exit the site via Maple Avenue, and the property owner and the tenant(s) shall inform the truck drivers of the restricted access and shall install signage for the truck drivers to visually reference on-site.

#### *Planning Commission - May 8, 2019*

On May 8, 2019, the Planning Commission reopened the public hearing and considered oral and written testimony for the project. During the public hearing, three (3) residents spoke in opposition to the project, each citing the same concerns discussed at the neighborhood meeting. After consideration, the Planning Commission voted 3-3 (1 absence), resulting in no decision regarding a formal recommendation from the Planning Commission to the City Council.

### **ENVIRONMENTAL IMPACT:**

The applicant engaged Kimley-Horn and Associates, Inc. to prepare an Initial Study (Environmental Assessment Review No. 2018-0081) for the project in accordance with the requirements of the California Environmental Quality Act (CEQA). The Initial Study is attached to the agenda report (**Exhibit J**). Based on the findings and recommended mitigation within the Initial Study, staff determined that the project will not have an adverse impact on the environment and prepared a Mitigated Negative Declaration. The Planning Division published a Notice of Intent to adopt the Mitigated Negative Declaration for the project in the San Bernardino Sun newspaper, and mailed notices to all property owners within 300 feet of the project site. A twenty (20) day public comment period for the Mitigated Negative Declaration began on March 20, 2019 and ended on April 8, 2019. The Planning Division received two (2) comment letters prior to the completion of this staff report.

On March 29, 2019, the Planning Division received a letter from George Palma, Facilities Planner, with the Rialto Unified School District (**Exhibit K**). Mr. Palma's letter sought clarification on the distribution of truck traffic generated by the project, and what, if any, impact it may have on existing school bus routes that service Carter High School located at 2630 N. Linden Avenue. In the letter, Mr. Palma explained that the school bus routes for Carter High School currently run on Linden Avenue, Bohnert Avenue, and Maple Avenue. The applicant submitted a response letter to the Planning Division on April 2, 2019 (**Exhibit L**), which indicated that all of the truck movements generated by the project will access the site from Vineyard Avenue, and that access to Vineyard Avenue is only available via Locust Avenue to the west, which is an existing truck route. Therefore, the project's truck traffic will not conflict with any existing school bus route on Linden Avenue, Bohnert Avenue, or Maple Avenue. The Planning Division forwarded a copy of the response letter to the Rialto Unified School District on April 2, 2019. The Rialto Unified School District did not provide any further comment upon receiving the response.

On April 3, 2019 the Planning Division received a letter from Lijin Sun, J.D., Program Supervisor, with the South Coast Air Quality Management District (SCAQMD) (**Exhibit M**). Ms. Sun's letter noted that the air emissions estimated in the Initial Study and the Air Quality Assessment are below the SCAQMD's threshold of significance, but provided suggestions to further reduce nitrous-oxide (NOx) and particulate matter (PM<sup>2.5</sup>) emissions. Additionally, Ms. Sun's letter identified an inconsistency between the Initial Study and the Air Quality Assessment in regards to estimates pertaining to carcinogenic risk generated by the project. The applicant submitted a response letter to the Planning Division on April 4, 2019 (**Exhibit N**), which acknowledged the SCAQMD's comment letter, indicated that the applicant will make best faith efforts to implement additional measures, as feasible, to further reduce NOx and PM<sup>2.5</sup> emissions generated by the Project, and explained that the inconsistency between the Initial Study and the Air Quality Assessment had been corrected in the final versions of each document. The Planning Division forwarded a copy of the response letter to the SCAQMD on April 4, 2019. The SCAQMD did not provide any further comment upon receiving the response.

### ***Native American Tribal Consultation (Assembly Bill 52 and Senate Bill 18)***

In accordance with California Assembly Bill 52 and Senate Bill 18, the Planning Division mailed notices to fourteen (14) Native American tribes informing them of the project and allowing them to request consultation on the project. The fourteen (14) tribes were given ninety (90) days to request consultation on the proposed project. Two (2) tribes, the Gabrieleño Band of Mission Indians-Kizh Nation (Kizh Nation) and the San Manuel Band of Mission Indians, initially requested formal consultation during the period. However, both tribes agreed to forego consultation subject to the incorporation of mitigation measures into the Initial Study that require tribal monitoring and procedures for unanticipated discoveries during construction.

### **GENERAL PLAN CONSISTENCY:**

The project is consistent with the following goals of the Land Use Element of the Rialto General Plan:

**Goal 2-22:** Promote commercial and/or industrial development that is well designed, people-oriented, environmentally sustainable, sensitive to the needs of the visitor or resident, and functionally efficient for its purpose.

### **LEGAL REVIEW:**

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

### **FINANCIAL IMPACT:**

#### **Operating Budget Impact**

The project will result in the development of a 382,018 square foot warehouse building, which will generate approximately \$136,500 in annual recurring revenues to the City General Fund upon occupancy. The annual revenue generated by the project will derive from increased property taxes, business license taxes, and utility taxes.

<b><i>Revenue Source</i></b>	<b><i>Estimated First Year Revenue</i></b>
Property Taxes	\$71,000
Utility Taxes	\$36,500
Business License Taxes	\$29,000
<b>Total Annual Revenues</b>	<b>\$136,500</b>

#### **Capital Improvement Budget Impact**

The applicant will bear the full capital cost of construction of the project and the required infrastructure improvements. No City funds will be used to construct the project. Prior to completion of the project, the applicant will be required to pay plan check, permit, and development impact fees to the City. The applicant will pay approximately \$2,685,700 for those one-time fees, as shown in the chart below:

<b><i>Fee</i></b>	<b><i>Capital</i></b>	<b><i>Operating</i></b>	<b><i>Total</i></b>
Development Impact Fees	\$2,250,000	-	\$2,250,000
Building Plan Check / Permit Fees	-	\$114,000	\$114,000

Planning Fees	-	\$16,700	\$16,700
Engineering Plan Check / Permit Fees	-	\$305,000	\$305,000
<b>One Time Fee Revenues</b>	\$2,250,000	\$435,700	\$2,685,700

#### Business License

Prior to construction, the applicant will submit a contractors list to the Business License Division, and each contractor listed will obtain a business license. Subsequently, the owner and tenant(s) will obtain separate business licenses for the leasing and use of the building.

#### **RECOMMENDATION:**

Staff recommends that the City Council Set a Public Hearing for June 11, 2019, to consider:

- Adoption of the Mitigated Negative Declaration (Environmental Assessment Review No. 2018-0081) prepared for the proposed project; and
- General Plan Amendment No. 2018-0001 to change the general plan land use designation of approximately 16.55 gross acres of land, described in the legal description attached as **Exhibit P**, from Residential 6 (R6) to Light Industrial (LI) with a Specific Plan Overlay; and
- Specific Plan Amendment No. 2019-0002 to change the boundary of the Rialto Airport Specific Plan to include approximately 16.55 gross acres of land, described in the legal description attached as **Exhibit P**, and change the pre-zoning designation of said 16.55 gross acres of land from Single-Family Residential (R-1A) to Planned Industrial Development (I-PID).