



# City of Rialto

Council Chambers  
150 S. Palm Ave.  
Rialto, CA 92376

## Regular Meeting Planning Commission

*Jerry Gutierrez Chair*  
*John Peukert Vice Chair*  
*Pauline Tidler Commissioner*  
*Dale Estvander Commissioner*  
*Artist Gilbert Commissioner*  
*Al Twine Commissioner*  
*Frank Gonzalez Commissioner*  
*Pam Lee Asst. City Attorney*  
*Gina Gibson Planning Manager*  
*Angela Morales Commission Secretary*

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Wednesday, December 14, 2016

6:00 PM

CIVIC CENTER

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Members of the public are given an opportunity to speak on any listed agenda items. Please notify the Planning Division if you wish to do so. All agendas are posted in the City Hall Administration Building (150 South Palm Avenue, Rialto, California 92376) at least 72 hours in advance of the meeting. Copies of the staff reports relating to each item on the agenda are on file in the Planning Division, 150 South Palm Avenue, Rialto, California 92376 and are available for public inspection. Any person having a question concerning any agenda item may call the Planning Division (909) 820-2535 to inquire about any item described on the agenda.

*NOTICE TO PUBLIC: To speak on Public Hearing Items, fill out a form located at the front counter in the lobby and give it to Development Services Staff. Each person will be allowed three (3) minutes to address the Planning Commission.*

*Based upon the open meeting laws (the Brown Act), additional items may be added to the agenda and acted upon by the Planning Commission only if it is considered to be a "subsequent need" or "emergency item" and is added by a two-thirds vote. Matters raised under Oral Communications may not be acted upon at that meeting other than as provided above.*

*In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Director of Public Works at (909) 421-7279. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102-35.104 ADA Title II]*

*If you challenge in court any action taken concerning a Public Hearing item, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City at, or prior to, the Public Hearing. A decision by the Planning Commission may be appealed to the City Council. An appeal must be filed with the City Clerk.*

### **Call To Order**

### **Pledge of Allegiance**

### **Roll Call**

*Chair Jerry Gutierrez, Vice-Chair John Peukert, Artist Gilbert, Al Twine, Dale Estvander, Pauline Tidler, Frank Gonzalez*

### **Oral Communications from the Audience on items not on the Agenda**

## **Planning Commission Minutes**

The minutes from the November 30, 2016 Planning Commission meeting will be available at the January 10, 2017 meeting.

## **Public Hearings**

- 1      [16-875](#)      **Development Agreement No. 16-03:** Conduct Public Hearing and Consider Adoption of Resolution \_\_\_\_ Making Certain Findings and Recommendations to City Council to Approve Development Agreement No. 16-03 by and between the City of Rialto and Oakmont El Rivino, LLC.

- 2      [16-871](#)      **Determination of Use 16-01/Conditional Development Permit No. 827 and Conditional Development Permit No. 828:** A request to allow fire truck repair, maintenance and sales as a conditionally permitted land use in the Freeway Commercial (F-C) zone of the Gateway Specific Plan.

**Attachments:**      [Exhibit A Plotted Easements](#)  
[Exhibit B FAS Site of Plan Sycamore Property \(City of Rialto\) ver04](#)  
[Exhibit C DOU 16.01 CDP 827 Resolution](#)  
[Exhibit D CDP 828 Resolution](#)  
[Description of use & improvement plan for 1762 Sycamore ave. Rialto for Fire Apparatus](#)

## **Action Items**

## **Planning Division Comments**

The next Planning Commission meeting will be January 10, 2017.

## **Planning Commission Comments**

## **Adjournment**



Legislation Details (With Text)

**File #:** 16-875      **Version:** 1      **Name:**

**Type:** Resolution      **Status:** Agenda Ready

**File created:** 12/11/2016      **In control:** Planning Commission

**On agenda:** 12/14/2016      **Final action:**

**Title:** Development Agreement No. 16-03: Conduct Public Hearing and Consider Adoption of Resolution \_\_\_ Making Certain Findings and Recommendations to City Council to Approve Development Agreement No. 16-03 by and between the City of Rialto and Oakmont El Rivino, LLC.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
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For the Planning Commission Meeting of December 14, 2016

TO: Honorable Chairman and Planning Commissioners

APPROVAL: Robb Steel, Asst.CA/Development Services Director

REVIEWED BY: Gina M. Gibson, Planning Manager

FROM: Greg Lantz, Economic Development Manager

**Development Agreement No. 16-03:** Conduct Public Hearing and Consider Adoption of Resolution \_\_\_ Making Certain Findings and Recommendations to City Council to Approve Development Agreement No. 16-03 by and between the City of Rialto and Oakmont El Rivino, LLC.

**APPLICANT:**

The Applicant for the Development Agreement is Oakmont El Rivino, LLC, a Delaware limited liability company.

**LOCATION:**

The Project is generally located north of El Rivino Road and west of Cactus Avenue (“Site”) and is designated as M-1 (Light Industrial) in the City’s General Plan. The Site consists of three parcels of land (APN’s 0259-181-38, 39 and 40), totaling 121.83 acres.

**BACKGROUND:**

A public hearing notice for this project was mailed and advertised in an adjudicated newspaper as required by State law for the November 30, 2016 public hearing by the Planning Commission. The item was continued from the Planning Commission meeting on November 30, 2016 pending settlement on the terms of the Development Agreement. Development Services staff recommends that the item be tabled indefinitely until such time as an agreement is negotiated.

**RECOMMENDTION:**

It is recommended that the Planning Commission close the public hearing and table the item indefinitely.



Legislation Details (With Text)

**File #:** 16-871      **Version:** 1      **Name:**

**Type:** Resolution      **Status:** Agenda Ready

**File created:** 12/7/2016      **In control:** Planning Commission

**On agenda:** 12/14/2016      **Final action:**

**Title:** Determination of Use 16-01/Conditional Development Permit No. 827 and Conditional Development Permit No. 828: A request to allow fire truck repair, maintenance and sales as a conditionally permitted land use in the Freeway Commercial (F-C) zone of the Gateway Specific Plan.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [Exhibit A Plotted Easements](#)  
[Exhibit B FAS Site of Plan Sycamore Property \(City of Rialto\) ver04](#)  
[Exhibit C DOU 16.01 CDP 827 Resolution](#)  
[Exhibit D CDP 828 Resolution](#)  
[Description of use & improvement plan for 1762 Sycamore ave, Rialto for Fire Apparatus Solutions 2](#)

Date	Ver.	Action By	Action	Result
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For the Planning Commission Meeting of December 14, 2016  
TO: Honorable Chairman and Planning Commissioners  
APPROVAL: Robb Steel, Asst.CA/Development Services Director  
FROM: Gina M. Gibson, Planning Manager

**Determination of Use 16-01/Conditional Development Permit No. 827 and Conditional Development Permit No. 828:** A request to allow fire truck repair, maintenance and sales as a conditionally permitted land use in the Freeway Commercial (F-C) zone of the Gateway Specific Plan.

**APPLICANT:**

Fire Apparatus Solutions is located at 2763 S. Vista Avenue, Bloomington California.



**LOCATION:**

The subject site is located at 1762 S. Sycamore Avenue, Rialto, California on a property comprised of two parcels (APN: 0132-21-11 and 0132-21-08) located just north of the I-10 freeway (See aerial).

**BACKGROUND:**

Fire Apparatus Solutions, is a fire apparatus dealer, engaged in the sale, repair, and maintenance of fire trucks. The business is currently operating in Rialto in the M-1 (Light Manufacturing) Zone at 2763 S. Vista Avenue. The business employs seven people and serves municipalities in Southern California with future plans to expand into Central and Northern California. The proposed location in Rialto will be the headquarters and main facility.

The site consists of two parcel is developed with three buildings and is used for outdoor storage and parking.

*Surrounding Land Uses*

The surrounding properties are industrial in nature. The site is surrounded by the following land uses:

<b>LOCATION</b>	<b>USE</b>
South	I-10 Freeway
West	Truck stop - parking for semi-trucks, wash racks and scale house
North	Clutch masters - rebuild clutches for automotive and heavy vehicles
East	Sycamore Avenue

*Determination of Use and Sales*

Fire Truck repair is not listed as permitted use in the F-C zone. According to Section 18.020.050 of the Rialto Municipal Code (RMC), the Planning Commission may review the request and make a determination of that the proposed use is compatible with adjacent land uses and will not have a negative impact according to the following:

*18.02.050 Determination of uses.*

A. A determination of whether a particular use is within the scope of permitted uses and allowable accessory uses in a particular zone shall constitute a "determination of use."

B. The Planning Commission shall have authority to act on a determination of use.

C. A person with an interest in real property located within a particular zone who intends to develop such real property with a use not expressly allowed in such zone shall apply to the planning commission for a determination of use provided that such use is not detrimental to the public health, safety and general welfare.

D. The determination of the planning commission shall become final and thereafter control development within the particular zone unless such determination of use is appealed to the City Council in accordance with Chapter 18.68 of the Rialto Municipal Code-Appeal.

### **ANALYSIS/DISCUSSION:**

Fire Apparatus Solutions is in escrow contingent upon city approval for the use. If approved, the applicant will finalize acquisition of property and perform the necessary improvements, as required. The composition of the uses is as follows:

- Retail - Sale of fire trucks, parts, and related apparatus
- Light Industrial - Repair and maintenance of fire trucks and apparatus

Fire Apparatus solutions intends to purchase two lots (APN 0132-211-11 and 08) and merge them as one parcel (Exhibit A). The Edison easement cannot be occupied by permanent structures. It will be paved and utilized as parking. The eastern parcel adjacent to Sycamore Avenue is paved and is developed with three structures. The western parcel is unpaved and will be improved as a part of this development request. The applicant filed a Lot Line Adjustment application to merge the parcels and create one lot. The Planning and the Engineering Divisions will review it for compliance with the minimum lot specifications for the FC zone. Prior to occupancy a Certificate of Compliance certifying the final lot configuration will be prepared and recorded.

Fire Apparatus Solutions will utilize the three existing buildings currently located on the eastern lot (**Exhibit A**).

Building #1 is approximately 4,200 square feet in size. It will consist of offices, a conference room, a lunchroom and bathrooms (approximately 1,900 square feet). Repair and inspections of trucks will take place in the remaining 2,300 square feet of the building.

Building #2 is tangent to Building #1. It will consist of a warehouse totaling 5,100 square feet and will be used for truck repair and maintenance.

Building # 3 is 1,625 square feet in size and will be used to store parts, equipment and tools.

#### *Fire Truck Storage*

Fire Apparatus vehicles will stored inside Buildings #1 and #2 and outside between Buildings #2 and #3 under the proposed awning (**Exhibit B**).

### *Parking*

Parking for employees and customers shown on the northern side of Building # 1 will block vehicular access to the site as shown. The parking must be relocated to accommodate ingress and egress to the site from Sycamore Avenue. The Parcel Merger will provide more than sufficient space to accommodate these spaces and any overflow parking when needed.

### *Property Improvements*

Fire Apparatus Solutions intends to perform improvements to the property and facility in 3 Phases:

1. Fencing (along north and west property lines) and block wall (along south property line) for security and privacy. Paving of dirt lot for overflow parking.
2. Awning for customer interaction.
3. Office rehabilitation.

Phase I of the project consists of fencing (along north and west property lines) and block wall (along south property line) for security and privacy and paving of dirt lot for overflow parking.

Phase II of the project is construction of a steel awning to allow interaction with customers away from summer sun and winter rain and keep fire trucks on display clean. The awning will be approximately 20' high X 145' long X 50' wide. The Development Review Committee will condition the project to provide a separation between the awning and Building #2 or provide a sprinkler system if the awning is connected to Building #2.

Phase III of the project consists of office rehabilitation and renovation. The offices and bathrooms are "dated" in appearance. Hallways, conference room, lunchroom and offices are in need of some flooring, painting and lighting improvements. Buildings facing Sycamore Avenue are substandard, with the appearance of an old, abandoned house. This front entry will be closed off with a wall and planted with vegetation to improve the aesthetic appearance from the street.

### *Truck Repair*

Auto repair is listed as conditionally permitted uses in the F-C zone. Although the Planning Commission made a determination for truck repair under Determination of Use 15-03 (2012), fire trucks were not specifically listed.

Based on the business operations described in the application, fire truck repair is no more intense than truck repair. Likewise, truck sales is no more intense than auto sales. Staff recommends that the Planning Commission approve fire truck repair as a conditionally permitted land use in the FC zone. The Planning Commission reviews Conditional Development Permit applications and may impose restrictions to ensure the public health, safety, and welfare of the City and that business operations are consistent with City codes.

### *Sales*

Retail sales of automobiles is listed as conditionally permitted use in the FC zone. The Code is silent on the sale of trucks. According to the applicant, the sale of fire trucks is a transaction with municipal agencies and is not open to the public. Therefore, fire truck sales to agencies are comparatively less intense than automobile sales to the public. Based on the business operations described in the application, fire truck sales is less intense than auto sales. Staff recommends that the Planning Commission approve fire truck sales as a conditionally permitted land use in the FC zone. The Planning Commission reviews Conditional Development Permit applications and may impose

restrictions to ensure that the public health, safety, and welfare of the City is protected, and the business operates consistent with city codes.

**GENERAL PLAN CONSISTENCY:**

The action does not amend the General Plan and is consistent with the Gateway Specific Plan. The recommended action is consistent with the following specific goals and policies of Rialto General Plan:

Valley Boulevard Corridor

Goal 2-3: Enhance and improve Valley Boulevard.

Policy 2-3.2: Attract new development and revitalize established commercial and industrial uses through economic development and redevelopment strategies. The first priority for development shall be areas within the City borders. Areas within the Sphere of Influence are a secondary priority.

Economic Development:

Goal 3-1: Strengthen and diversify the economic base and employment opportunities, and maintain a positive business climate.

Policy 3-1.3: Support established businesses in the City, and work to retain the small, independent businesses while accommodating national/regional chain stores.

Redevelopment:

Goal 3-3: Attract, expand, and retain commercial and industrial businesses to reduce blighted conditions and encourage job growth.

**ENVIRONMENTAL IMPACT:**

A land use determination is not a project as defined by Section 15378 of the California Environmental Quality Act (CEQA). A "Project" means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and that is any of the following: organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

Construction of the awning, fire truck repair and maintenance is exempt from CEQA based on Section 15303, Existing Facilities.

**PUBLIC NOTICE:**

A public notice was prepared, published in an adjudicated newspaper of general circulation and mailed to property owners with 300 feet as required by law for Determination of Use 16-01 and Conditional Development Permit Nos. 827 and 828. The public hearing for Determination of Use 16-01 and Conditional Development Permit No. 827 was continued from the November 30, 2016 Planning Commission meeting to the December 14, 2016 Planning Commission meeting.

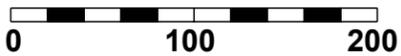
**RECOMMENDATION:**

Staff recommends that the Planning Commission:

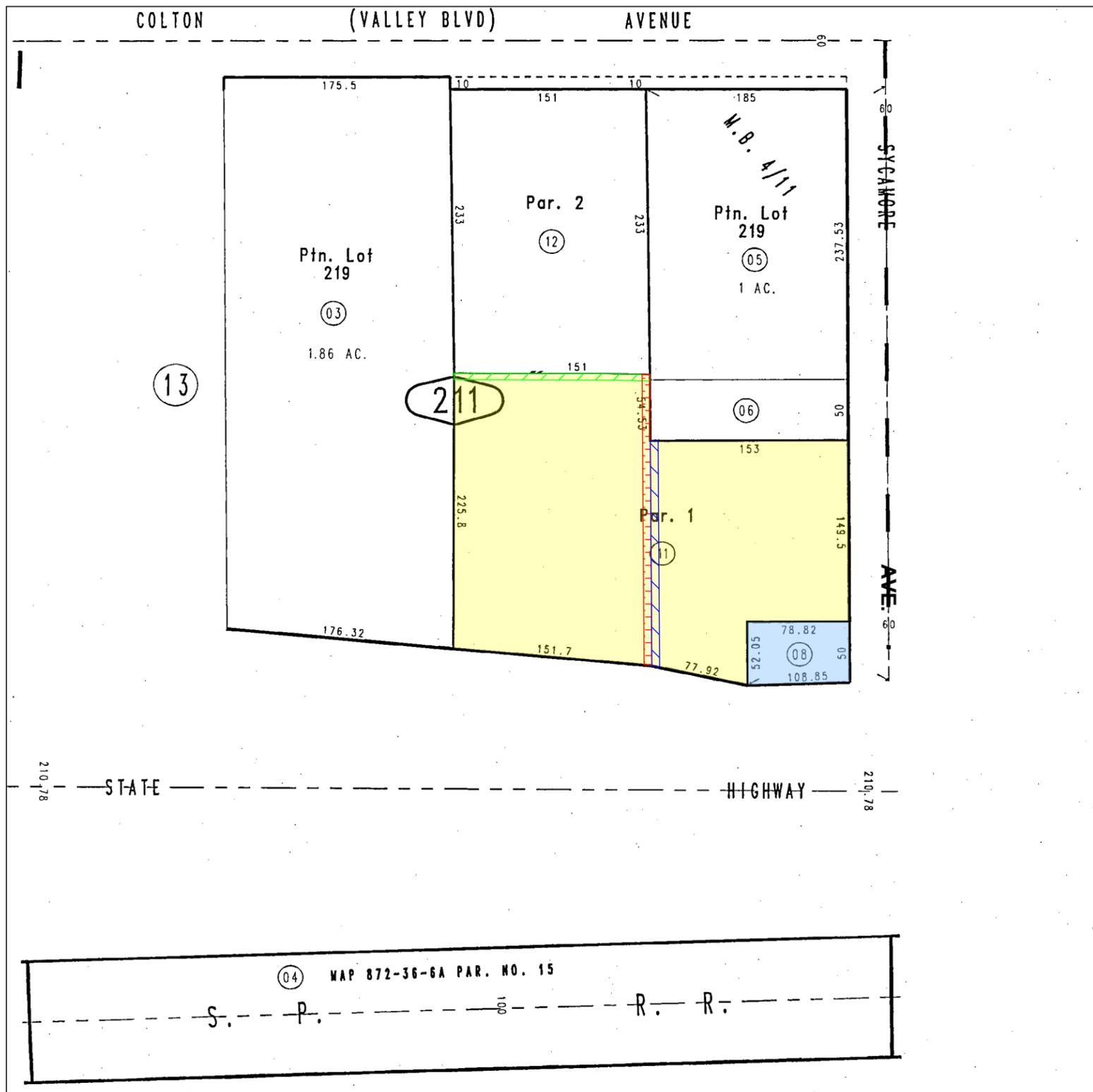
1. Approve Determination of Use No. 16-01/Conditional Development Permit No. 827 to establish fire truck repair as a conditionally permitted land use in the Freeway Commercial zone subject to the conditions in the attached Resolution (**Exhibit C**); and

2. Approve Conditional Development Permit No. 828 to establish fire truck sales as a conditionally permitted land use in the Freeway Commercial zone subject to the conditions in the attached Resolution (**Exhibit D**).

Scale 1 inch = 100 Feet



# APN : 0132-211-11 & 08



## LEGEND

-  Parcel A (Fee, Property in Question)
-  Parcel B (Fee, Property in Question)
-  Item No. 5 - Easement for sewer purposes  
Affects as shown on the map of said tract
-  Item No. 5 - Easement for driveway and utilities  
Affects as shown on the map of said tract  
Said Easement is not specifically delineated and is un-locatable
-  Item No. 6 - Easement for pipe lines  
12/24/1890, Book 122, Page 331, of Deeds  
Affects said land  
Said Easement is not specifically delineated and is un-locatable
-  Item No. 8 - Easement for public utilities  
05/13/1957, Book 4229, Page 226, of Official Records  
Affects as described therein
-  Item No. 9 - Easement for public utilities  
06/03/1957, Book 4246, Page 132, of Official Records  
Affects as described therein

©2016  
**Fidelity National Title Company**  
 5000 Van Nuys Blvd., Suite 500  
 Sherman Oaks, CA 91403  
 (818) 881-7800 FAX (818) 776-8528

Title Order No. 00150650, Preliminary Report Dated as of October 11, 2016

Drawing Date: October 31, 2016 - FT

Reference : 4866

Assessor's Parcel No. : 0132-211-11 & 0132-211-08

Property: 1762-1785 Sycamore Avenue, Rialto, State Of California

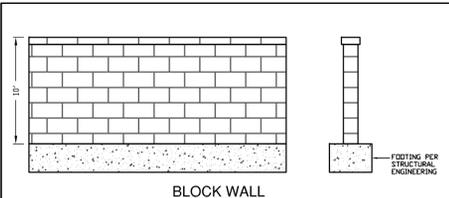
Data :

*This map/plat is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.*

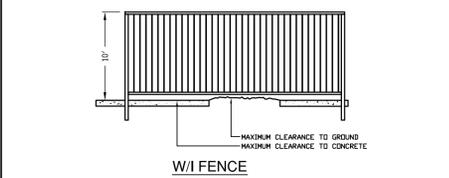
Plat Showing,  
 Parcel A: Parcel 1 of Parcel Map No. 9249, in the City of Rialto, County of San Bernardino, State of California, as per Plat Recorded in Book 102 Page 1, of Parcel Maps, Records of said County.  
 Parcel B: that Portion of Lot 219, according to Map of the Town of Rialto, and adjoining Subdivisions, in the City of Rialto, County of San Bernardino, State of California, as per Map Recorded in Book 4, Page 11 of Maps, in the Office of the County Recorder of said County.

Sheet  
 1  
 of  
 1  
 Archive #

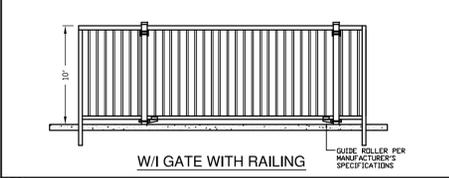




**A SECTION AND ELEVATION** NTS

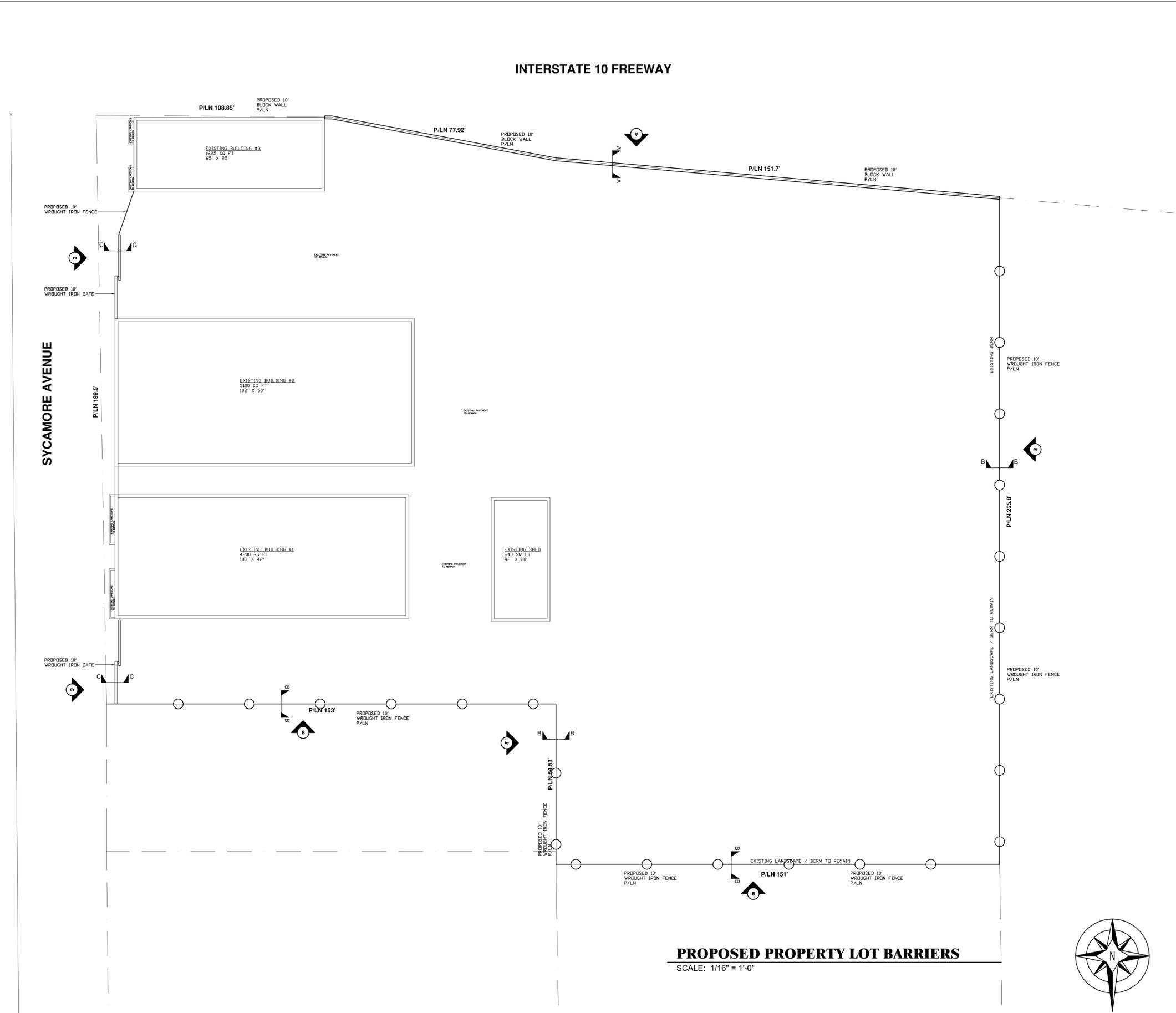


**B SECTION AND ELEVATION** NTS



**B SECTION AND ELEVATION** NTS

- NOTES:**
1. SECTIONS AND ELEVATIONS ARE REPRESENTATIONS ONLY.
  2. ACTUAL SIZES AND SPECIFICATIONS ARE PER MANUFACTURER'S AND/OR STRUCTURAL ENGINEER.
  3. FOOTINGS PER STRUCTURAL ENGINEER.



**PROPOSED PROPERTY LOT BARRIERS**

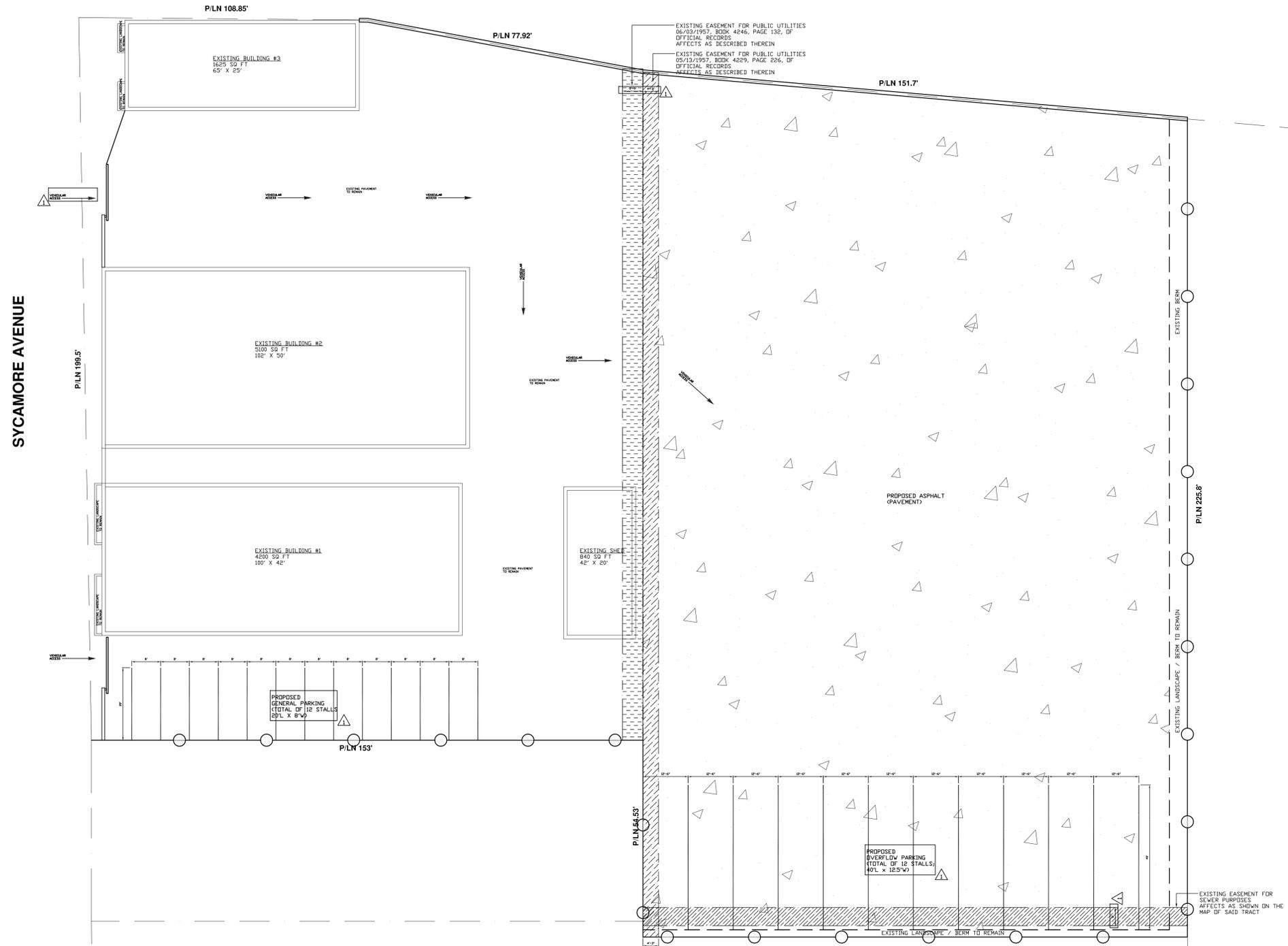
SCALE: 1/16" = 1'-0"



APN: 0132-211-11 / 0132-211-08

PROJECT NAME:		<b>Fire Apparatus Solutions (FAS)</b>	
CLIENT:	FIRE APPARATUS SOLUTIONS	DRAWN BY:	C.S.
ADDRESS:	1762 SYCAMORE AVENUE	CITY:	RIALTO, CA 92376
PHONE:	(714) 357-9706	CHECKED BY:	
EMAIL:	fasfire@gmail.com		
DATE:	11/15/2016		
SCALE:	1/16" = 1'-0"		
SHEET #:	<b>S-2</b>		
REV	DATE	NOTES	
1	11/17/2016	ADDITIONAL NOTES AND INFORMATION ON PLAN PER CITY REQUIREMENTS	

INTERSTATE 10 FREEWAY



**PROPOSED PAVING AND PARKING STALLS**  
SCALE: 1/16" = 1'-0"



APN: 0132-211-11 / 0132-211-08

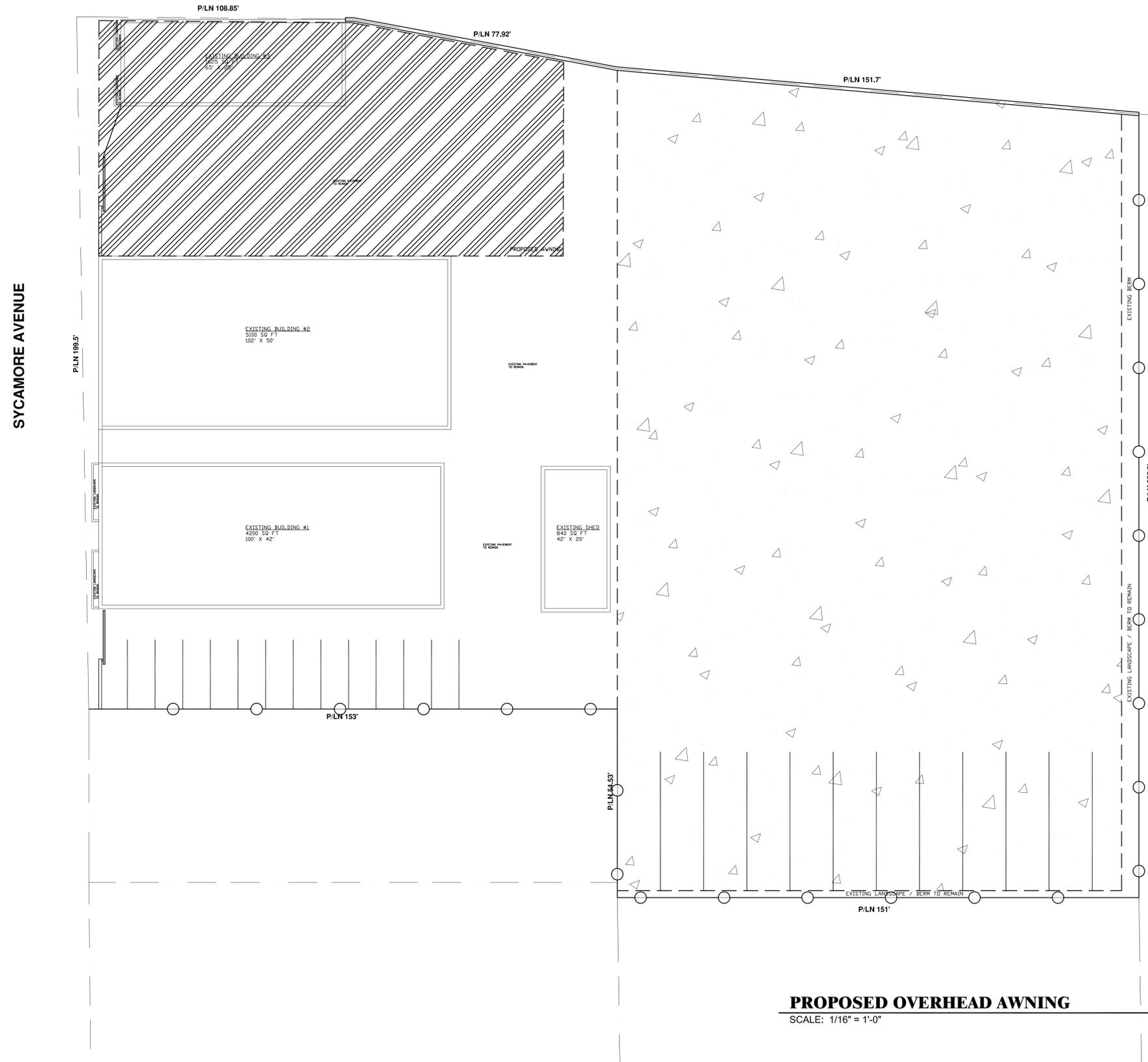
PROJECT NAME:		<b>Fire Apparatus Solutions (FAS)</b>	
CLIENT:	FIRE APPARATUS SOLUTIONS	DRAWN BY:	C.S.
ADDRESS:	1762 SYCAMORE AVENUE	CITY:	RIALTO, CA 92376
PHONE:	(714) 357-9706	CHECKED BY:	
EMAIL:	fasfire@gmail.com		
DATE:	11/15/2016		
SCALE:	1/16" = 1'-0"		
SHEET #:	<b>S-3</b>		
REV	DATE	NOTES	
△	11/17/2016	ADDITIONAL NOTES AND INFORMATION ON PLAN PER CITY REQUIREMENTS	



**OVERHEAD AWNING NOTES:**

1. OVERHEAD AWNING TO BE AT THE SAME ELEVATION AS EXISTING BUILDING.
2. OVERHEAD AWNING TO BE AS BUILT PER MANUFACTURE AND/OR STRUCTURAL ENGINEERING.
3. ALL SPECIFICATIONS PER MANUFACTURE AND/OR STRUCTURAL ENGINEERING.
4. ACTUAL SIZE TO BE DETERMINED ON SITE.

**INTERSTATE 10 FREEWAY**



**PROPOSED OVERHEAD AWNING**  
SCALE: 1/16" = 1'-0"



APN: 0132-211-11 / 0132-211-08

PROJECT NAME:		DATE:		NOTES:	
Fire Apparatus Solutions (FAS)		11/17/2016		ADDITIONAL NOTES AND INFORMATION ON PLAN PER CITY REQUIREMENTS	
FIRE APPARATUS SOLUTIONS		REV		REV	
CLIENT:		DATE		DATE	
ADDRESS: 1762 SYCAMORE AVENUE		11/17/2016		11/17/2016	
CITY: RIALTO, CA 92376		REV		REV	
PHONE: (714) 357-9706		DATE		DATE	
EMAIL: fasfire@gmail.com		11/17/2016		11/17/2016	
DRAWN BY: C.S.		REV		REV	
CHECKED BY:		DATE		DATE	
		11/17/2016		11/17/2016	
DATE: 11/15/2016		REV		REV	
SCALE: 1/16" = 1'-0"		DATE		DATE	
SHEET #:		11/17/2016		11/17/2016	
S-5		REV		REV	
		DATE		DATE	
		11/17/2016		11/17/2016	

1 **RESOLUTION NO. 16-**

2 A RESOLUTION OF THE PLANNING COMMISSION OF THE  
3 CITY OF RIALTO, STATE OF CALIFORNIA, PURSUANT TO  
4 SECTION 18.020.050 OF THE RIALTO MUNICIPAL CODE  
5 ALLOWING THE PLANNING COMMISSION TO DETERMINE THAT  
6 FIRE TRUCK REPAIR IS APPROPRIATE AS A CONDITIONALLY-  
PERMITTED USE IN THE FREEWAY COMMERCIAL ZONE OF  
GATEWAY SPECIFIC PLAN.

7 WHEREAS, the applicant, Fire Apparatus Solutions, proposes to develop a fire truck  
8 repair and maintenance facility at 1762 South Sycamore Avenue in the Freeway Commercial  
9 (FC) zone of the Gateway Specific Plan (“Site”); and

10 WHEREAS, fire truck repair is not listed as a permitted use in the FC zone;

11 WHEREAS, Section 18.020.050 of the Rialto Municipal Code, the Planning Commission  
12 may review the request and make a determination of use according to the following:

13 A. A determination of whether a particular use is within the scope of permitted uses  
14 and allowable accessory uses in a particular zone shall constitute a "determination of use."

15 B. The Planning Commission shall have authority to act on a determination of use.

16 C. A person with an interest in real property located within a particular zone who  
17 intends to develop such real property with a use not expressly allowed in such zone shall apply to  
18 the planning commission for a determination of use provided that such use is not detrimental to  
19 the public health, safety and general welfare.

20 D. The determination of the planning commission shall become final and thereafter  
21 control development within the particular zone unless such determination of use is appealed to  
22 the City Council in accordance with Chapter 18.68 of the Rialto Municipal Code—Appeal.

23 WHEREAS, on December 14, 2016, the Planning Commission of the City of Rialto  
24 conducted a duly noticed public hearing, as required by law, which includes Determination of  
25 Use 16-01/CDP No. 827. The Planning Commission took oral and written testimony from staff,  
26 the city attorney and the applicant; discussed the Project; and closed the public hearing; and

27 WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.  
28

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

3 SECTION 1. A land use review of the impacts associated with truck repair was prepared  
4 by the Planning Division. Planning Division staff determined that truck repair is appropriate as a  
5 conditional use in the Freeway Commercial (FC) zone of the Gateway Specific Plan subject to  
6 review and approval of a Conditional Development Permit.  
7

8 SECTION 2. Based on substantial evidence presented to the Planning Commission during  
9 the public hearing conducted with regard to Determination of Use No. 16-01/CDP No. 827,  
10 including written staff reports, verbal testimony, site plans, other documents, and the conditions of  
11 approval stated herein, the Planning Commission hereby determines that Determination of Use No.  
12 16-01/CDP No. 827, satisfies the requirements of the Rialto Municipal Code pertaining to the  
13 findings which must be made precedent to granting a conditional development permit. The findings  
14 are as follows:  
15

- 16 1. The proposed use is deemed essential or desirable to provide a service or facility  
17 which will contribute to the convenience or general well-being of the neighborhood  
18 or community; and

19 *This finding is supported by the following facts:*

20 The Applicant services vehicles for the Rialto Fire Department and other jurisdictions.  
21 Approval of the Project is convenient and prudent because it will retain a viable service  
22 in the City of Rialto and a point of sale opportunity.

- 23 2. The proposed use will not be detrimental or injurious to health, safety, or general  
24 welfare of persons residing or working in the vicinity; and

25 *This finding is supported by the following facts:*

26 Maintenance and repair fire trucks will be contained wholly within the building. No  
27 aspect of the proposal is detrimental or injurious to health, safety and general welfare, of  
28 the neighborhood. No sensitive land uses are adjacent or near the site. All adjacent  
businesses are similar in character to the proposed use and therefore no incompatibility is  
expected to occur.

1 3. The site for the proposed use is adequate in size, shape, topography, accessibility  
2 and other physical characteristics to accommodate the proposed use in a manner  
3 compatible with existing land uses; and

4 *This finding is supported by the following facts:*

5 As proposed the use cannot be accommodated without the lot merger. The two lots  
6 combined provide enough room for customer, parking, storage and repair.

7 4. The site has adequate access to those utilities and other services required for the  
8 proposed use; and

9 *This finding is supported by the following facts:*

10 The Site was developed previously. The site has access to water, electric, sewer, and gas in  
11 the public right of way from Sycamore Avenue.

12 5. The proposed use will be arranged, designed, constructed, and maintained so as it  
13 will not be injurious to property or improvements in the vicinity or otherwise be  
14 inharmonious with the General Plan and its objectives, the Gateway Specific Plan.

15 *This finding is supported by the following facts:*

16 The repair will be contained wholly within the buildings and the use will be contained  
17 wholly on site. Storage of vehicles will be screened with a block wall and landscaping.  
18 The proposed use is compatible with the surrounding light industrial land uses in the area.  
19 No potential risk of injury to property or improvements in the vicinity is anticipated.

20 6. Any potential adverse effects upon the surrounding properties will be minimized to  
21 every extent practical and any remaining adverse effects shall be outweighed by the  
22 benefits conferred upon the community or neighborhood as a whole.

23 *This finding is supported by the following facts:*

24 No adverse impacts are anticipated form the project. Any potential effects will be  
25 minimized through the implementation of the Conditions of Approval contained herein  
26 for screening, landscaping, paving and vehicle storage. Retaining the business in Rialto  
27 and creating a point of sale are benefits which outweigh any potential adverse effects.

28 SECTION 3. The Planning Commission grants CDP No. 827 to Fire Apparatus Solutions  
to allow fire truck repair and maintenance.

SECTION 4. Construction of the awning, fire truck repair and maintenance is exempt  
from the California Environmental Quality Act, pursuant to Section 15303, Existing Facilities. A  
Notice of Exemption will be filed with the Clerk of the Board.

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3        SECTION 5. CDP No. 827 is granted to Fire Apparatus Solutions, in accordance with the  
4 plans and application on file with the Planning Division, subject to the following conditions:

- 5        1. The approval is granted to allow fire truck repair within the Freeway Commercial zone.  
6        If the Conditions of Approval specified herein are not satisfied or otherwise completed,  
7        the Project shall be subject to revocation.
- 8        2. The parking area adjacent to Sycamore Avenue must be relocated to the overflow  
9        parking area to allow ingress and egress to and from the site.
- 10       3. Prior to the issuance of building or grading permits for the proposed development, a  
11       Precise Plan of Design shall be approved by the City's Development Review Committee  
12       (DRC).
- 13       4. City inspectors shall have access to the site to reasonably inspect the site during  
14       normal working hours to assure compliance with these conditions and other codes.
- 15       5. The applicant shall defend, indemnify and hold harmless the City of Rialto, its agents,  
16       officers, or employees from any claims, damages, action, or proceeding against the  
17       City or its agents, officers, or employees to attack, set aside, void, or annul any  
18       approval of the City, its advisory agencies, appeal boards, or legislative body  
19       concerning CDP No. 827. The City will promptly notify the applicant of any such  
20       claim, action, or proceeding against the City and will cooperate fully in the defense.
- 21       6. In accordance with the provisions of Government Code Section 66020(d)(1), the  
22       imposition of fees, dedications, reservations, or exactions for this Project, if any, are  
23       subject to protest by the applicant at the time of approval or conditional approval of  
24       the Project or within 90 days after the date of the imposition of the fees, dedications,  
25       reservations, or exactions imposed on the Project.
- 26       7. All applicable Development Impact Fees shall be paid to the Development Services  
27       Department prior to the issuance of any building permits.
- 28       8. The applicant shall obtain all necessary approvals and operating permits from all  
29       Federal, State and local agencies prior to the issuance of a Certificate of Occupancy.
- 30       9. The privileges granted by the City Council pursuant to approval of CDP No. 827 are  
31       valid for one (1) year from the effective date of approval. If the applicant fails to  
32       commence the project within one year of said effective date, this conditional  
33       development permit shall be null and void and any privileges granted hereunder shall  
34       terminate automatically. If the applicant or his or her successor in interest  
35       commences the project within one year of the effective date of approval, the  
36       privileges granted hereunder will continue inured to the property as long as the

1 property is used for the purpose for which the conditional development permit was  
2 granted, and such use remains compatible with adjacent property uses.

3 10. One (1) year after the date of approval, the Planning Commission will review the  
4 operation to determine compliance with all conditions of approval of the Conditional  
5 Development Permit. Thereafter, the Planning Commission will review the operation  
6 on an annual basis.

7 11. If the applicant fails to comply with any of the Conditions of Approval placed upon  
8 CDP No. 827, the Planning Commission may initiate proceedings to revoke CDP No.  
9 827 in accordance with the provisions of sections 18.66.070 through 18.66.090,  
10 inclusive, of the Rialto Municipal Code. CDP No. 827 shall be revoked, suspended or  
11 modified in accordance with Section 18.66.070 of the Zoning Ordinance at the  
12 discretion of the Planning Commission if:

- 13 a) The use for which such approval was granted has ceased to exist, been  
14 subsequently modified or have been suspended for six (6) months or more;
- 15 b) Any of the express conditions or terms of such permit are violated;
- 16 c) The use for which such approval was granted becomes or is found to be  
17 objectionable or incompatible with the character of the City and its  
18 environs due to noise, loitering, criminal activity or other undesirable  
19 characteristics including, but not strictly limited to uses which are or have  
20 become offensive to neighboring property or the goals and objectives of  
21 the Freeway Commercial zone of the Gateway Specific Plan, and the  
22 City's General Plan.

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

25 PASSED, APPROVED AND ADOPTED this 14<sup>th</sup> day of December, 2016.

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JERRY GUTIERREZ, CHAIR  
CITY OF RIALTO PLANNING COMMISSION



- 1 1. The proposed use is deemed essential or desirable to provide a service or facility  
2 which will contribute to the convenience or general well-being of the neighborhood  
3 or community; and

4 *This finding is supported by the following facts:*

5 The Applicant sells vehicles to the Rialto Fire Department and other jurisdictions.  
6 Approval of the Project is convenient and prudent because it will retain a viable service  
7 in the City of Rialto and a point of sale opportunity.

- 8 2. The proposed use will not be detrimental or injurious to health, safety, or general  
9 welfare of persons residing or working in the vicinity; and

10 *This finding is supported by the following facts:*

11 Fire trucks will be contained wholly on site. Storage of vehicles will be located within a  
12 secure facility adjacent to the I-10 freeway. No aspect of the proposal is detrimental or  
13 injurious to health, safety and general welfare, of the neighborhood. No sensitive land  
14 uses are adjacent or near the site. All adjacent businesses are similar in character to the  
15 proposed use and therefore no incompatibility is expected to occur.

- 16 3. The site for the proposed use is adequate in size, shape, topography, accessibility  
17 and other physical characteristics to accommodate the proposed use in a manner  
18 compatible with existing land uses; and

19 *This finding is supported by the following facts:*

20 As proposed the use cannot be accommodated without the lot merger. The two lots  
21 combined provide enough room for customer, parking, storage and repair.

- 22 4. The site has adequate access to those utilities and other services required for the  
23 proposed use; and

24 *This finding is supported by the following facts:*

25 The Site was developed previously. The site has access to water, electric, sewer, and gas in  
26 the public right of way from Sycamore Avenue.

- 27 5. The proposed use will be arranged, designed, constructed, and maintained so as it  
28 will not be injurious to property or improvements in the vicinity or otherwise be  
inharmonious with the General Plan and its objectives, the Gateway Specific Plan.

*This finding is supported by the following facts:*

The repair will be contained wholly within the buildings and the use will be contained  
wholly on site. Storage of vehicles will be screened with a block wall and landscaping.

1 The proposed use is compatible with the surrounding light industrial land uses in the area.  
2 No potential risk of injury to property or improvements in the vicinity is anticipated.

- 3 6. Any potential adverse effects upon the surrounding properties will be minimized to  
4 every extent practical and any remaining adverse effects shall be outweighed by the  
5 benefits conferred upon the community or neighborhood as a whole.

6 *This finding is supported by the following facts:*

7 No adverse impacts are anticipated from the project. Any potential effects will be  
8 minimized through the implementation of the Conditions of Approval contained herein  
9 for screening, landscaping, paving and vehicle storage. Retaining the business in Rialto  
10 and creating a point of sale are benefits which outweigh any potential adverse effects.

11 SECTION 3. The Planning Commission grants CDP No. 828 to Fire Apparatus Solutions  
12 to allow fire truck repair and maintenance.

13 SECTION 4. The project is listed as a Categorical Exemption (Existing Facilities) from the  
14 provisions of the California Environmental Quality Act (CEQA) and a Notice of Determination.  
15 Construction of the awning, fire truck repair and maintenance is exempt from CEQA pursuant to  
16 Section 15303, Existing Facilities.

17 SECTION 5. CDP No. 828 is granted to Fire Apparatus Solutions, in accordance with the  
18 plans and application on file with the Planning Division, subject to the following conditions:

- 19 1. The approval is granted to allow fire truck repair within the Freeway Commercial zone.  
20 If the Conditions of Approval specified herein are not satisfied or otherwise completed,  
21 the Project shall be subject to revocation.
- 22 2. The parking area adjacent to Sycamore Avenue must be relocated to the overflow  
23 parking area to allow ingress and egress to and from the site.
- 24 3. Prior to the issuance of building or grading permits for the proposed development, a  
25 Precise Plan of Design shall be approved by the City's Development Review Committee  
26 (DRC).
- 27 4. City inspectors shall have access to the site to reasonably inspect the site during  
28 normal working hours to assure compliance with these conditions and other codes.
5. The applicant shall defend, indemnify and hold harmless the City of Rialto, its agents,  
officers, or employees from any claims, damages, action, or proceeding against the  
City or its agents, officers, or employees to attack, set aside, void, or annul any  
approval of the City, its advisory agencies, appeal boards, or legislative body

1 concerning CDP No. 828. The City will promptly notify the applicant of any such  
2 claim, action, or proceeding against the City and will cooperate fully in the defense.

- 3 6. In accordance with the provisions of Government Code Section 66020(d)(1), the  
4 imposition of fees, dedications, reservations, or exactions for this Project, if any, are  
5 subject to protest by the applicant at the time of approval or conditional approval of  
6 the Project or within 90 days after the date of the imposition of the fees, dedications,  
7 reservations, or exactions imposed on the Project.
- 8 7. All applicable Development Impact Fees shall be paid to the Development Services  
9 Department prior to the issuance of any building permits.
- 10 8. The applicant shall obtain all necessary approvals and operating permits from all  
11 Federal, State and local agencies prior to the issuance of a Certificate of Occupancy.
- 12 9. The privileges granted by the City Council pursuant to approval of CDP No. 828 are  
13 valid for one (1) year from the effective date of approval. If the applicant fails to  
14 commence the project within one year of said effective date, this conditional  
15 development permit shall be null and void and any privileges granted hereunder shall  
16 terminate automatically. If the applicant or his or her successor in interest  
17 commences the project within one year of the effective date of approval, the  
18 privileges granted hereunder will continue inured to the property as long as the  
19 property is used for the purpose for which the conditional development permit was  
20 granted, and such use remains compatible with adjacent property uses.
- 21 10. One (1) year after the date of approval, the Planning Commission will review the  
22 operation to determine compliance with all conditions of approval of the Conditional  
23 Development Permit. Thereafter, the Planning Commission will review the operation  
24 on an annual basis.
- 25 11. If the applicant fails to comply with any of the Conditions of Approval placed upon  
26 CDP No. 828, the Planning Commission may initiate proceedings to revoke CDP No.  
27 828 in accordance with the provisions of sections 18.66.070 through 18.66.090,  
28 inclusive, of the Rialto Municipal Code. CDP No. 827 shall be revoked, suspended or  
modified in accordance with Section 18.66.070 of the Zoning Ordinance at the  
discretion of the Planning Commission if:
- a) The use for which such approval was granted has ceased to exist, been  
subsequently modified or have been suspended for six (6) months or more;
  - b) Any of the express conditions or terms of such permit are violated;
  - c) The use for which such approval was granted becomes or is found to be  
objectionable or incompatible with the character of the City and its  
environs due to noise, loitering, criminal activity or other undesirable  
characteristics including, but not strictly limited to uses which are or have

1                    become offensive to neighboring property or the goals and objectives of  
2                    the Freeway Commercial zone of the Gateway Specific Plan, and the  
3                    City's General Plan.

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

6                    PASSED, APPROVED AND ADOPTED this 14<sup>th</sup> day of December, 2016.

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10                    JERRY GUTIERREZ, CHAIR  
11                    CITY OF RIALTO PLANNING COMMISSION  
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## Determination of use for Sycamore Property

**Attn:** Development Services Department Planning division

**Re:** 1762 S. Sycamore Ave, Rialto Ca. Determination of use request

**From:** Fire Apparatus Solutions,  
2763 S. Vista Ave  
Bloomington, CA 92316

### **Business profile, intended use for property**

Fire Apparatus Solutions is a fire apparatus dealer currently located in Bloomington, Ca. Our business is comprised of 3 basic components: Fire Truck Sales, Fire truck Repair/maintenance and parts sales. This business is specialized in catering to Municipalities in Southern California. Currently it is expanding its sales into Central and Northern Ca. F.A.S. Headquarters and main facility is planned to be in Rialto at the 1762 Sycamore property.

### **Property improvements**

The nature of our business requires a presentable and professional facility. In order to accomplish this, Fire Apparatus Solutions intends to perform 4 improvements to the property and facility in 3 Phases consisting of: **1.** Fencing and block walls for privacy. Paving of dirt lot for overflow parking. **2.** Awning for customer interaction. **3.** Office rehabilitation.

### **Phase I** (Estimation of completion Mar-April 2017)

#### **Southern wall**

For security measures, privacy, and reduction of freeway noise and beautification, a wall shall be built. This wall is to be constructed of cement block with re-bar and footing per code requirements. Its installation is to be at the entire Southern freeway facing border.

#### **Fencing**

For security, a wrought iron fence will be constructed to approx. 10 ft. on remaining Western and Northern areas. This is to replace the existing 5-6' chain link fence. The fence on the shared Western side will have "privacy" panels built into it. The remaining entrances (Eastern border off Sycamore Ave) will have steel constructed privacy fence, 10 ft. high, that will open and lock closed.

#### **Parking**

Parking for Fire Apparatus vehicles will primarily be on the south side of main lot (Eastern parcel). Inside buildings #1 & #2, outside between #2 and #3 (under awning). Overflow parking will be utilized on the northern area of the Western lot when needed. Parking for employees and customer automobiles are



available on the northern most area of building # 1. All areas on the East property are already paved surfaces. (12) 8 ft. Spaces available for these automobiles. (See picture #)

### **Overflow parking (West Lot)**

The West lot currently is a fairly leveled dirt lot. The West dirt lot, shall be paved with concrete. Existing drainage for parcel has already been identified in existence. Direction of drainage flows south-west and flows into a large main drain between freeway and property line. (See picture #)

The perimeters and neighboring business are as follows: It immediately borders the freeway on its **South** side, as it is located North of the Fwy. Two actual businesses border this lot: Immediately to the **West**, is a truck stop that has parking for semi-trucks, wash racks and scale house. It is closest to their parking lot section, already fenced with chain link. To the **North** border of this lot is the backside yard of the business "Clutch masters". They rebuild clutches for automotive and heavy vehicles. Perimeter is currently blocked off with a chain link fence. To the **East** is the other half of 1762 S Sycamore's own parcel (main steel buildings #1 #2 & #3). To the **East** of our property line is Sycamore Ave. Immediately across the street is Colton's water pumping station which does not contain buildings or personnel.

### **Phase II** (Estimation of completion Dec. 2017-Feb 2018)

**All steel entrance area awning**, painted to match building. Structure will be engineered for proper footing. Its purpose is to allow interaction with customers away from summer sun and winter rain. Also, to keep trucks as clean as possible. Awning location will be between building #3 and building #2 (South east of property). Approx. 20' high X 145' Long X 50' wide. See picture # for example awning. See picture # for rendering and area proposed.

### **Phase III** (Estimation of completion Dec. 2018)

#### **Office rehabilitation**

Currently offices and bathrooms are "dated" in appearance. Hallways, conference room, lunch room and offices are in need of some flooring, painting and lighting improvements.

#### **Building #3 rehabilitation**

The southeastern area of parcel houses a 1600 sq. ft. building that will be utilized for storage of parts. The front Sycamore Ave. street facing area of building appearance is substandard, with the appearance of an old, abandoned house. The remaining attachment is a steel rectangular structure. This front entry will be closed off as a basic wall with small planters to help cover and beautify.

#### **Existing Property structures and their functions**

##### **Building #1**

Is the northern building. In the north east area of this building (closest to Sycamore Ave.) is the main entrance. It houses the offices, conference room, lunch room and bathrooms. Totalling approx. 1,900 sq. ft. The warehouse building as a whole is approx. 4,200 sq. feet. The entire west side of building is warehouse space which will be used for conducting repairs and inspections to trucks.



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*PH: (714) 357-9706 Email: Fasfire@gmail.com*

*Address: 2763 S. Vista Ave., Bloomington, CA 92316*

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### **Building # 2**

Is immediately south of Building #1 and is joined together. It is all warehouse space totaling 5,100 sq. Ft. This is where repairs and maintenance will be performed to Fire Apparatus.

### **Building # 3**

Is the South Eastern area of lot. It will store parts and some equipment/tooling. Total available space is 1,625 Sq. ft.

### **Eastern Lot**

Is all paved, houses 3 buildings & a small shed. Total square footage is approximately 30,896

### **Western Lot**

Is an all dirt lot and to be used primarily for overflow parking once paved. Total square footage is approximately 34,096.

This summary was composed to clarify intended use for 1762 S. Sycamore Ave. Rialto Ca. property. Currently Fire Apparatus Solutions is in Escrow, contingency pending city approval for use. Fire Apparatus Solutions is attempting to clarify to City of Rialto by applying for a "Determination of Use" protocol. If city approves use, as explained and sees no issues with performing the property improvement Phases, F.A.S. will finalize acquisition of property and perform the necessary procedures, as required by City for any special permits or license to conduct so.