



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

Wednesday, October 12, 2016

6:00 PM

CIVIC CENTER

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 upon forms provided by the City within fifteen (15) calendar days after the hearing.

Next Resolution No.

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

- 1 [16-700](#) Minutes from the September 28, 2016 Planning Commission.

Attachments: [PC Minutes 9-28-2016](#)

Public Hearings

Wireless Facility Review

- 1 [16-698](#) **2016 Wireless Telecommunication Facility Review**

Attachments: [2016 Wireless Facilities Review Memo to PC](#)

Planning Division Comments

Planning Commission Comments

Adjournment



Legislation Details (With Text)

File #: 16-700 **Version:** 1 **Name:**
Type: Minutes **Status:** Agenda Ready
File created: 10/6/2016 **In control:** Planning Commission
On agenda: 10/12/2016 **Final action:**
Title: Minutes from the September 28, 2016 Planning Commission.
Sponsors:
Indexes:
Code sections:
Attachments: [PC Minutes 9-28-2016](#)

Date	Ver.	Action By	Action	Result
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Minutes from the September 28, 2016 Planning Commission.



CITY OF RIALTO
THE REGULAR MEETING MINUTES OF
PLANNING COMMISSION
September 28, 2016- 6:00 PM

The Regular meeting of the Planning Commission of the City of Rialto was held in the City of Rialto City Council Chambers located at 150 South Palm Avenue, Rialto, California 92376, on Wednesday, September 28, 2016.

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This meeting was called by the presiding officer of the City of Rialto Planning Commission in accordance with the provisions of **Government Code §54956** of the State of California.

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CALL TO ORDER

Chair Gutierrez called the meeting to order at 6:02 p.m.

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PLEDGE OF ALLEGIANCE

Chair Gutierrez led those present in the salute to the flag.

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ROLL CALL

Roll Call was taken by Associate Planner, Daniel Casey.

Present:

Chairman Jerry Gutierrez
Commissioner Dale Estvander
Commissioner Frank Gonzalez
Commissioner Al Twine
Commissioner Artist Gilbert
Vice Chair John Peukert

Absent:

Commissioner Pauline Tidler

Also Present:

Assistant City Attorney, Pam K. Lee
Economic Development Manager, Greg Lantz
Associate Planner, Daniel Casey
Assistant Planner, Daniel Rosas
Administrative Assistant, Angela Morales

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**ORAL
COMMUNICATIONS**

Chair Gutierrez declared the public hearing open and asked if there were items to address not on this agenda. Administrative Assistant, Angela Morales replied and stated that there are none.

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**PLANNING
COMMISSION
MEETING MINUTES**

Chair Gutierrez stated that the next item on the agenda is Planning Commission meeting minutes. Chair Gutierrez stated that if there were no comments or changes to the minutes, he would entertain a motion.

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Motion by Commissioner Estvander, seconded by Commissioner Gonzalez, to approve the minutes of the September 14, 2016 Planning Commission meeting. Motion carried 4-0-2. Vice Chair Peukert and Commissioner Gilbert abstained. Commissioner Tidler was absent.

PUBLIC HEARING

Chair Gutierrez stated that the next item on the agenda is **Conditional Development Permit Nos. 819, 820 & 821.**

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Associate Planner, Daniel Casey presented the staff report.

The project site is located on two (2) parcels – APNs: 0132-091-12 & -13, and is located on the west side of Riverside Avenue approximately 425 feet south of San Bernardino Avenue. This is the last remaining pad within the Rialto Marketplace shopping center.

The project proposal consists of the following:

- 2,720 square foot overhead canopy
- Six (6) fuel dispenser – Twelve (12) pumps
- 2,500 square foot convenience market
- Off-sale of beer & wine

The elevations of the canopy will include a stucco finished canopy fascia, decorative cornice, and twenty-four (24) inch columns. Stone accents will be incorporated on the base of the columns. A fascia (light beige), cornice (dark brown), and columns (terracotta) colors will be incorporated in the design.

The elevations of the C Store will include the following:

- Architectural pop-outs on all four (4) sides provide wall plane relief
- Height variation
- Gable roofs with concrete tile
- Decorative cornice
- Diamond-shaped scoring
- Stone accents

PUBLIC HEARING

- Four (4) paint colors
- Main color – medium tan
- Secondary color – light beige
- Pop-out base color – terracotta
- Trim color – dark brown

There will be 2 access points to the site. One driveway will be off of Riverside Avenue and the second will be off of Rialto Marketplace. The floor area of the site is 2,500 (parking ratio 1/250) which means the site requires 10 parking spaces. However, the applicant has 36 parking spaces which is 26 over the required number of spaces.

The site will consist of 17% landscaping coverage with a 25 foot landscape setback on Riverside Avenue. An abundance of trees, shrubs, and ground cover will cover the site.

A few miscellaneous information includes that the store will be open twenty-four (24) hours – seven (7) days a week. There are a total of three (3) underground fuel tanks. Description of the tanks are as follows:

- One (1) 20,000 gallon tank – Unleaded 87
- One (1) 8,000 gallon tank – Unleaded 91
- One (1) 12,000 gallon tank – Diesel fuel

The sales of typical convenience goods will snacks, drinks, and cigarettes. This project meets code to also sell wine and beer. In regards to safety, a crime prevention plan will be implemented with the following conditions/measures:

- Video Surveillance
- Robbery/Burglary panic button
- 1.5 foot-candles exterior lighting
- “No Loitering” signage

All Safety conditions/measures are endorsed by Rialto Police Department Area Commander Lt. Robert Smith. The Rialto Police Department concludes that criminal and nuisance activities will be minimized if all conditions/measures are properly implemented and sustained.

In summary, the Development Review Committee reviewed the project on July 27, 2016 and recommended approval subject to the applicant revising various design features. All of the required revisions have been incorporated into the project plans. The project is consistent with the Retail Commercial (R-C) zone and the surrounding land uses within the Rialto Marketplace shopping center. City Council certified an Environmental Impact Report (EIR) for the Rialto Marketplace shopping center on July 15, 2008. The EIR analyzed the development of a gas station without a convenience market. No further review under CEQA is required for the gas station use. The development of the 2,500 square foot convenience market is exempt pursuant to CEQA Section 15303

PUBLIC HEARING

(New Construction or Conversion of Small Structures). A Notice of Exemption has been prepared for the convenience market.

Associate Planner Casey stated it is staff's recommendation that the Planning Commission Adopt the attached Resolution (Exhibit H) to approve Conditional Development Permit No. 819 to allow the development of a gas station subject to the findings and conditions therein; and adopt the attached Resolution (Exhibit I) to approve Conditional Development Permit No. 820 to allow the development of a 2,500 square foot convenience market subject to the findings and conditions therein; and adopt the attached Resolution (Exhibit J) to approve Conditional Development Permit No. 821 to allow the off-sale of beer and wine in conjunction with a convenience market subject to the findings and conditions therein. The applicant is in the audience to answer any questions that the Commission may have.

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Commissioner Gonzalez expressed his concerns if the tank would leak.

Associate Casey stated that certainly the tanks would need to meet all the city requirements and have a permit from County Fire. Perhaps, the applicant can answer this in a little more detail.

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Chair Gutierrez asked the applicant to come to the podium.

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Joseph J Marconi, Developer- NJM Rialto, LLC, 1949 Arroyo Drive, Riverside, CA 92506 address the commission. He thanked staff and the Commission for their time commented that the project is on exact schedule.

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Mr. Marconi replied and stated that the tanks meet all standards and are double walled. There are two (2) tanks within one. But, to answer the Commissioner question in detailed he would kindly ask that he be given time to obtain the specs and bring the information back to the Commission.

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Motion by Commissioner Twine, seconded by Commissioner Gonzalez to approve Conditional Development Permit Nos. 819, 820 & 821, to allow the development of a gas station consisting of a 2,720 square foot overhead canopy with six (6) fuel dispensers, a 2,500 square foot convenience market, and the off-sale of beer and wine in conjunction with the proposed convenience market. The project site is 0.93 acres of land (APNs: 0132-091-12 & -13) located on

PUBLIC HEARING

the west side of Riverside Avenue approximately 425 feet south of San Bernardino Avenue within the Retail Commercial (R-C) zone of the Gateway Specific Plan. Motion carried 6-0. Commissioner Tidler was absent.

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**PLANNING DIVISION
COMMENTS**

Chair Gutierrez stated that the next item on the agenda is **Planning Division comments.**

Associate Planner, Casey made the following announcements:

- Next Planning Commission meeting is scheduled on October 12, 2016
- AEP 2016 CEQA Workshop – See Angela Morales to register for this event. There are several location and dates available.

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**PLANNING
COMMISSION
COMMENTS**

Chair Gutierrez stated that the next item on the agenda is **Planning Commission comments.**

Commissioner Estvander asked the Economic Development Manager, Greg Lantz to come to the podium and provide an update regarding the old Walmart site.

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Economic Development Manager, Greg Lantz stated the site has been tentatively sold, staff is currently working on the agreement. At this moment, we cannot disclose the possible tenant. The city is anticipating March or April 2017 for the opening date for the new Walmart. He also provided the Commission with an update in relation to the Renaissance Marketplace. He briefly commented that the city's goals is to try to get a higher quality hotel in that area.

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Commissioner Gonzalez asked what about the Golden Corral?

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Economic Development Manager, Greg Lantz replied and stated that the Golden Corral deal has been exhausted. A lot of business put letter of intents on site. However, the city is currently in negotiations with a better quality sit down restaurant. Most people, would recognize that there are not from this country and this will be one there first operations in California. Hopefully, it will be a region draw and bring more people to Rialto.

Vice Chair Peukert stated, “so I take it we aren’t going to put a giant 99 cent store in the old Walmart building”? He asked Mr. Lantz if he could provide some kind of assurance on the tenant.

PLANNING
COMMISSION
COMMENTS

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Economic Development Manager, Greg Lantz commented that the city is going to do its best on what goes in the building. Primary discussions ensued with the apparent purchaser of the soon to be former Wal-Mart store. The prospective purchaser indicated that it intends to carve the old store into 3-4 smaller modules for traditional retail tenants (clothing, hobby, etc.) and then develop a few freestanding pads on the frontage. The city does not have one hundred percent control, but we do have restrictions on swap meets and on lower level retails. Hopefully, we get a Hobby Lobby or more of those tenants as we need to fill what is missing in the market. Lastly, he commented that Walmart's deed restrictions limit the types of tenants that can occupy the building.

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Commissioner Estavander asked about what happened to the Fire Department obtaining the location. Economic Development Manager, Greg Lantz replied and stated, that the Fire Department will have a Fire Station training site will be in the back portion of the site.

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Commissioner Gilbert inquired if the Halloween store near the I-210 freeway (old Ralph's location) is permanent. Economic Development Manager, Greg Lantz replied and stated, no this is only a seasonal store.

ADJOURNMENT

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Motion by Commissioner Twine, seconded by Commissioner Gilbert and carried by a 6-0 vote that the meeting be adjourned. Commissioner Tidler was absent. The Regular Planning Commission meeting adjourned at 6:30 p.m.

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Commission Secretary, Angela Morales
Planning Commission

Chairman, Jerry Gutierrez
Planning Commission



Legislation Details (With Text)

File #: 16-698 **Version:** 1 **Name:**
Type: Agenda Item **Status:** Agenda Ready
File created: 10/6/2016 **In control:** Planning Commission
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Title: 2016 Wireless Telecommunication Facility Review
Sponsors:
Indexes:
Code sections:
Attachments: [2016 Wireless Facilities Review Memo to PC](#)

Date	Ver.	Action By	Action	Result
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For the Planning Commission Meeting October 12, 2016

TO: Honorable Chairman and Planning Commissioners
APPROVAL: Robb Steel, Asst.CA/Development Services Director
FROM: Daniel Rosas, Assistant Planner

2016 Wireless Telecommunication Facility Review

The attached Memorandum has been prepared by staff for the Planning Commission's review.

Memo

To: Honorable Chair and Planning Commissioners
Reviewed By: Robb Steel, Assistant City Administration / Development Services Director
From: Daniel Rosas, Assistant Planner
Date: October 12, 2016
Re: Wireless Telecommunication Facilities Review

Maintenance of Wireless Telecommunication Facilities

In April of 2014, the Planning Commission directed staff to inspect all wireless telecommunications facilities (“Facilities”) throughout the City as the appearance and maintenance of Facilities had become a major concern. Ordinance No. 1456 added Section 18.111 Wireless Telecommunication Facilities to the Rialto Municipal Code requiring all new Facilities to be stealth in appearance. Approximately half of the existing Facilities were entitled prior to the adoption of the Ordinance. Since the last Facilities update in 2014, three (3) new Facilities have been constructed. The chart below lists the fifty-three (53) facilities included in the field survey by type:

Facility					
Tree-like	Quantity	Other Type	Quantity		
Mono-palm	10	Light pole (S)	4		
Mono-pine	19	Bell Tower (S)	2		
		Building Roof (S)	3		
		Free Standing Sign (S)	1		
		Utility Pole	5		
		Transmission Tower	1		
		Mono-pole	9		
Totals	29		25		54

**(S) = Stealth*

Field Survey

A "Stealth facility" means any wireless telecommunications facility which is disguised to appear as another natural or artificial object that exists in the surrounding environment or which otherwise is architecturally integrated into a building or other structure. The stealth facilities that integrated into building or other structures are not maintenance issues. However, stealth Facilities that are designed to mimic pine and palm trees (Mono-pines and Mono-palms) have the greatest maintenance risk.

There are currently a total of twenty-nine (29) mono-pine and mono-palm Facilities in the City. Staff conducted a field investigation of each Facility. Each site was photographed and rated based on

appearance according to the following scale: Good, Fair or Poor. For purposes of this survey, co-located Facilities were counted as one Facility and locations that have been approved but not constructed were eliminated. The chart below lists the location of each mono-pine/mono-palm Facility and its condition:

No.	Facility Address			Type	Condition
1	172	E	Base Line	Mono-pine	Good
2	210	W	Base Line	Mono-pine	Fair
3	855	W	Base Line	Mono-palm	Good
4	2430	W	Base Line	Mono-pine	Good
5	1123	S	Cactus	Mono-pine	Good
6	2895	W	Casmalia	Mono-pine	Good
7	592	S	Cedar	Mono-pine	Fair
8	2644	N	Cedar	Mono-palm	Fair
9	1251	W	Durst	Mono-pine	Good
10	140	W	Easton	Mono-palm	Good
11	140	W	Easton	Mono-palm	Fair
12	1397	W	Etiwanda	Mono-pine	Good
13	250	W	Foothill	Mono-pine	Good
14	150	S	Larch	Mono-pine	Fair
15	1230	N	Lilac	Mono-pine	Good
16	2625	S	Lilac	Mono-palm	Good
17	1451	N	Linden	Mono-palm	Poor
18	2175	N	Linden	Mono-pine	Good
19	2538	N	Locust	Mono-palm	Fair
20	3330	N	Locust	Mono-pine	Good
21	3344	N	Locust	Mono-pine	Poor
22	1620	W	Miro	Mono-palm	Good
23	335	W	Rialto	Mono-palm	Poor
24	436	S	Riverside	Mono-pine	Fair
25	2830	S	Riverside	Mono-pine	Good
26	3122	S	Riverside	Mono-palm	Fair
27	3167	N	Riverside	Mono-pine	Good
28	220	W	Valley	Mono-pine	Fair
29	1485	S	Willow	Mono-pine	Good

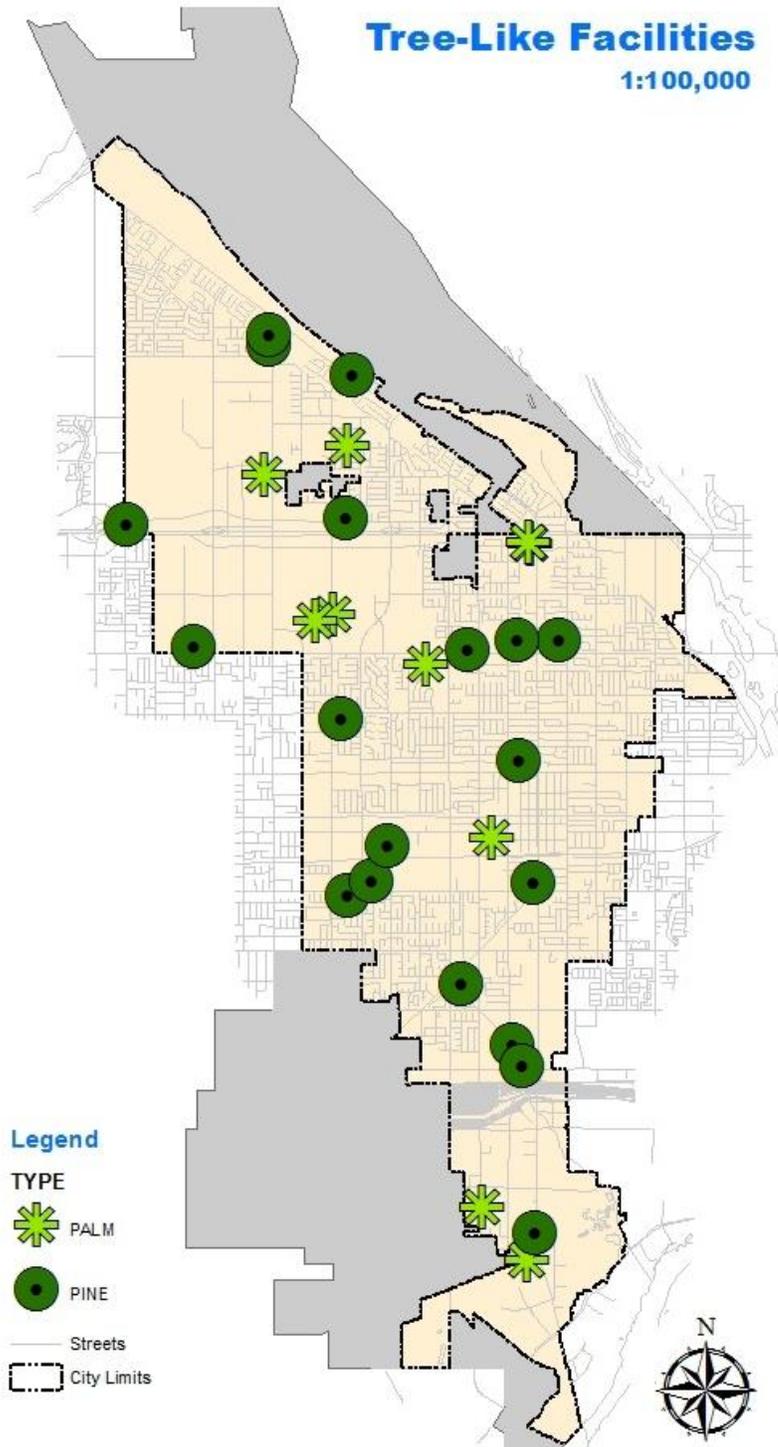
Good = Well Maintained

Fair = Acceptably Maintained

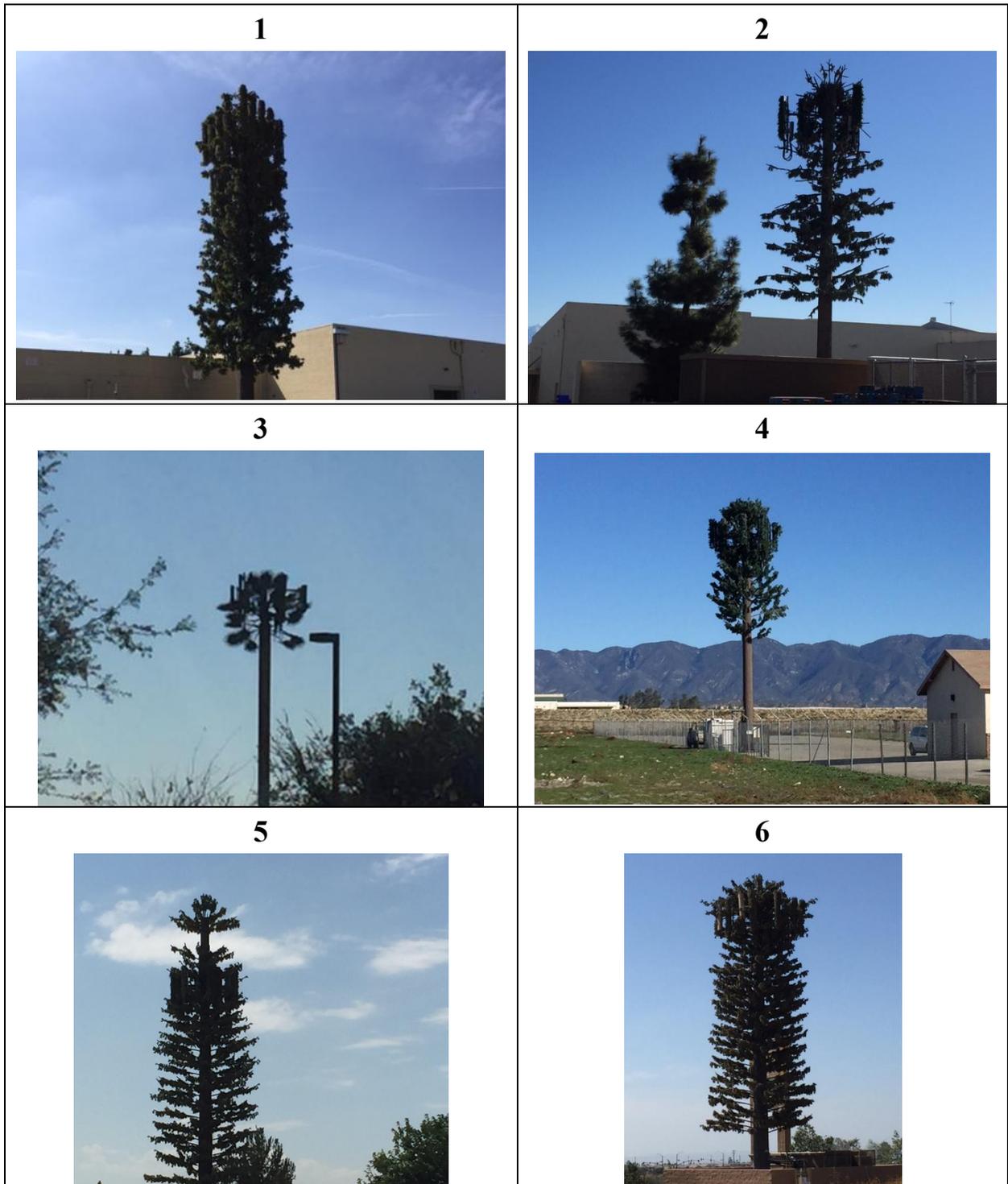
Poor = Needs Repair

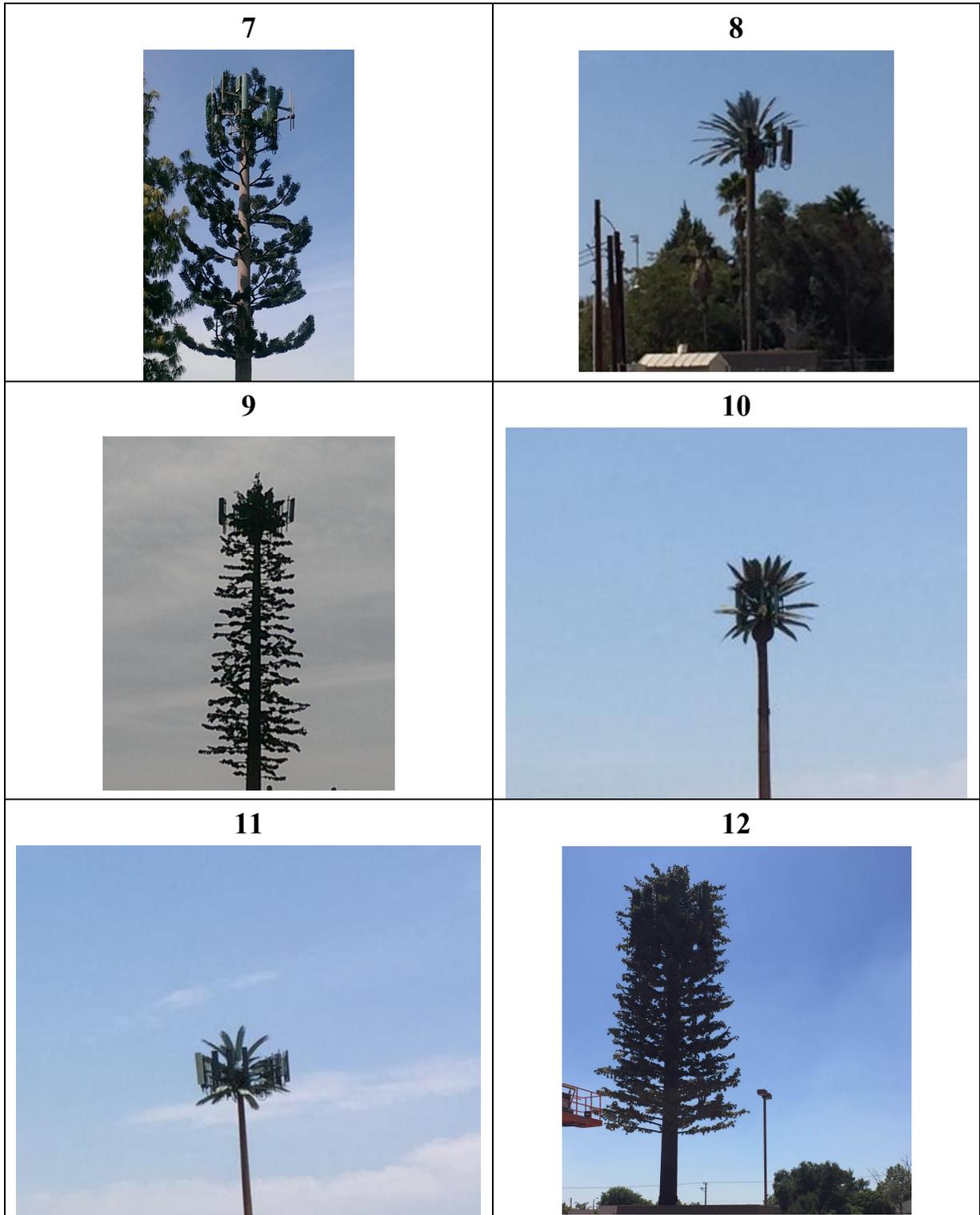
A map showing the location of each mono-pine and mono-palm facility is attached to this memorandum for your reference.

City of Rialto Wireless Facility Locations



A photograph of each Facility that corresponds with the chart above is shown below:





13



14



15



16



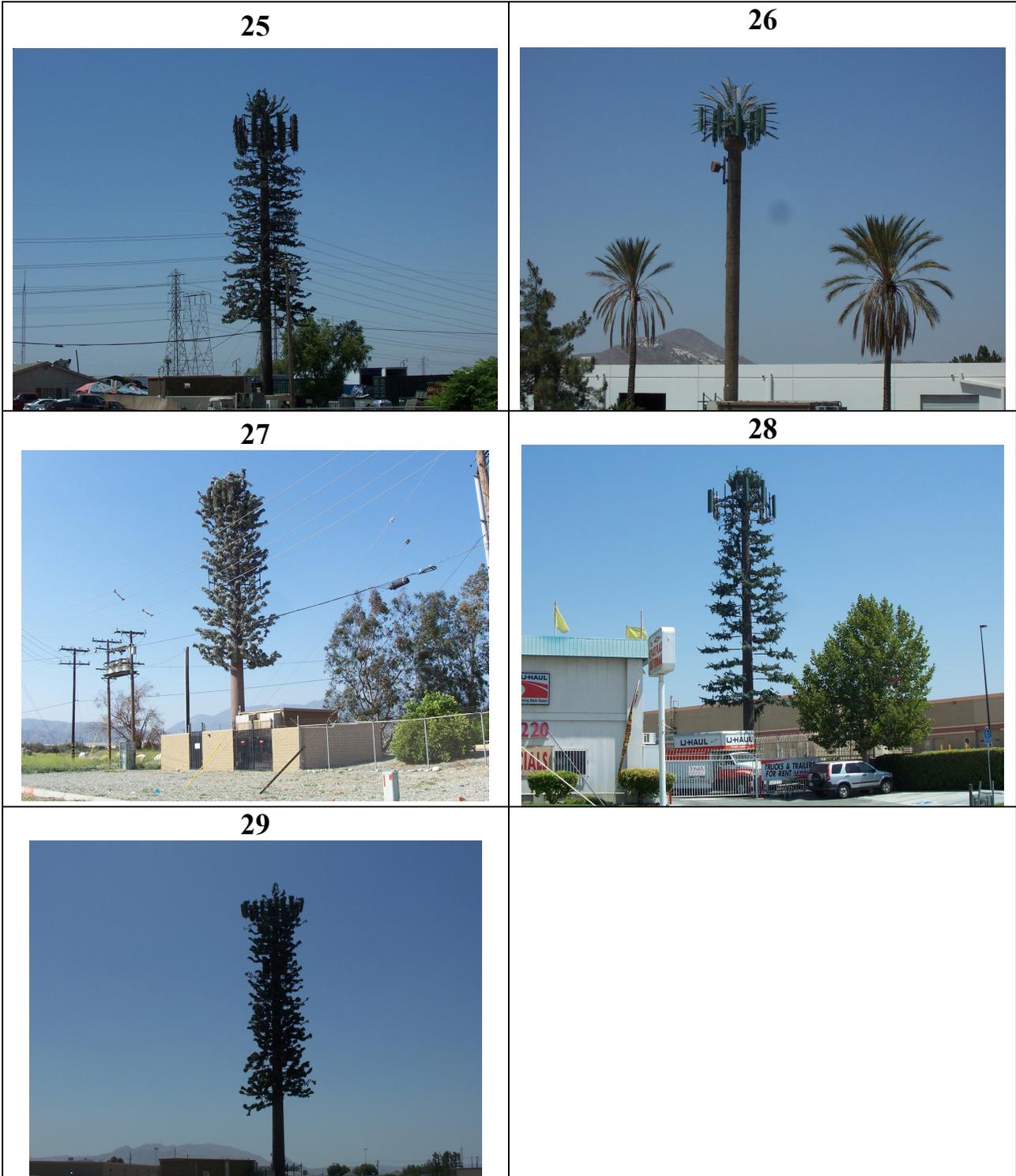
17



18







Staff identified three (3) Facilities in “Poor” condition. The “Poor” ranking is a result of missing or damaged fronds or branches. Nine (9) of the Facilities were identified as being in “Fair” condition.

The “Fair” ranking is a result of thin fronds on a palm or a minimal amount of branches giving the facility a less than full tree-like appearance.

Corrective Action

Facilities are generally approved under a Conditional Development Permit and, Pursuant to 18.66.070D of the Rialto Municipal Code, a Conditional Development Permit is subject to revocation if:

“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 dust, noise, odors or other undesirable characteristics, including but not strictly limited to uses which are or have become offensive to neighboring property or the goals and objectives in the city's general plan.”

The Commission has the option to direct staff to contact the individual property owners regarding maintenance of the site. If the maintenance issues are not corrected, the Commission may direct staff to schedule the item for revocation.

Facilities located on City-owned property do not have a Conditional Development Permit. To remedy the maintenance issue for these Facilities, the Planning Division will notify the lessee. If the appearance is not corrected, the City can take action through the provisions of the lease agreement.

Planning staff will coordinate with the Business License Division to ensure that all Facilities comply with Business License requirements. Should the Commission have any questions staff will be able to address them during the meeting.