



**CITY OF RIALTO**  
**THE REGULAR MEETING MINUTES OF**  
**PLANNING COMMISSION**  
**July 27, 2022 - 6:00 p.m.**

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 July 27, 2022.

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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 Jerry Gutierrez called the meeting to order at 6:00 p.m.

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**PLEDGE OF  
ALLEGIANCE**

Chair Jerry Gutierrez led the pledge of allegiance.

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**ROLL CALL**

Roll Call was taken by Administrative Analyst, Kim Dame.

**Present:**

Chair Jerry Gutierrez  
Vice-Chair BarBara L.Chavez  
Commissioner Dale Estvander  
Commissioner Artist Gilbert  
Commissioner Frank Gonzalez  
Commissioner John Peukert

**Absent:** All present.

**Staff Present:**

Community Development Manager, Paul Gonzales  
City Attorney, Robert Messinger  
Senior Planner, Daniel Casey  
Senior Planner, Siri Champion  
Administrative Analyst, Kim Dame

**ORAL  
COMMUNICATION**

Chair Gutierrez asked if there were any oral communications from the public not on the agenda. Ms. Dame stated there were none.

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**PLANNING  
COMMISSION  
MEETING MINUTES**

**Chair Gutierrez announced that the next item on the agenda is Planning Commission Meeting Minutes.**

There were no minutes to approve.

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**PUBLIC HEARINGS**

**Chair Gutierrez stated the next item on the agenda is General Plan Amendment No. 2020-0001, Specific Plan Amendment No. 2020-0001, Variance No. 2020-0001, Conditional Development Permit No. 2020-0006, Precise Plan of Design No. 2020-0012, and Environmental Assessment Review No. 2020-0007.**

Senior Planner Daniel Casey made the presentation.

***General Plan Amendment No. 2020-0001:*** A request to amend the general plan land use designation on approximately 8.46 gross acres of land (APN: 0132-181-01) located at the northwest corner of Valley Boulevard and Willow Avenue from General Commercial (GC) to a Specific Plan Overlay of Business Park (BP) with a Specific Plan Overlay.

***Specific Plan Amendment No. 2020-0001:*** A request to amend the specific plan zoning designation on approximately 8.46 gross acres of land (APN: 0132-181-01) located at the northwest corner of Valley Boulevard and Willow Avenue from Freeway Commercial (F-C) within the Gateway Specific Plan to Industrial Park (I-P) within the Gateway Specific Plan.

***Variance No. 2020-0001:*** A request for a variance per Section 18.35.030A of the Rialto Municipal Code to increase the maximum allowable building height from 35 feet to 49 feet, as it relates to a proposal to develop a 492,410 square foot industrial warehouse building on approximately 22.49 gross acres (20.99 net acres) of land (APN's: 0132-181-01, 0132-201-03, 0254-261-14, & 0254-261-17) located at the northwest corner of Valley Boulevard and Willow Avenue.

***Conditional Development Permit No. 2020-0006:*** A request to allow the development and operation of a 492,410 square foot industrial warehouse building on approximately 22.49 gross acres (20.99 net acres) of land (APN's: 0132-181-01, 0132-201-03, 0254-261-14, & 0254-261-17) located at the northwest corner of Valley Boulevard and

Willow Avenue.

***Precise Plan of Design No. 2020-0012:*** A request to approve the development of a 492,410 square foot industrial warehouse building and associated paving, landscaping, fencing, lighting, and drainage improvements on approximately 22.49 gross acres (20.99 net acres) of land (APN's: 0132-181-01, 0132-201-03, 0254-261-14, & 0254-261-17) located at the northwest corner of Valley Boulevard and Willow Avenue.

***Environmental Assessment Review No. 2020-0007:*** An Environmental Impact Report has been prepared for consideration in conjunction with General Plan Amendment No. 2020-0001, Specific Plan Amendment No. 2020-0001, Variance No. 2020-0001, Conditional Development Permit No. 2020-0006, and Precise Plan of Design No. 2020-0012, in accordance with the California Environmental Quality Act (CEQA).

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Chair Gutierrez opened the Public Hearing.

Brooke Birtcher-Gustafson and Scott Mulkay spoke on behalf of the applicant, Birtcher Development.

David Ornelas of T&B Planning, the preparer of the Environmental Impact Report, spoke to rebut letters received by Planning staff, which object to the project.

There were 4 public speakers:

Amparo Munoz, 6643 Blanchard Ave., Fontana, CA

Represents the Center for Community Action and Environmental Justice speaking in objection of the project. Pollutants too close to schools.

Ana Gonzalez, 509 W. 2<sup>nd</sup> St., Rialto, CA

Represents the Center for Community Action and Environmental Justice and speaking in objection to the project based upon pollution concerns.

Joaquin Castillejos, 18285 11<sup>th</sup> St., Bloomington, CA

Represents the Center for Community Action and Environmental Justice Spoke in objection of the project and asks that the Planning Commission to oppose the project.

Brenda Parker, 1459 N. Birch Ave., Rialto, CA

Spoke in objection to the project based upon pollution and health concerns.

Mr. Casey asked if anyone attending the meeting via online would like to speak. There were none.

Commissioner Estvander made a motion to close the public hearing.  
Seconded by Commissioner Gonzalez.

All were in favor; *motion carried*, 6-0-0.

Chair Gutierrez closed the Public Hearing.

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Motion by Commissioner Estvander to approve General Plan Amendment No. 2020-0001, Specific Plan Amendment No. 2020-0001, Variance No. 2020-0001, Conditional Development Permit No. 2020-0006, Precise Plan of Design No. 2020-0012, and Environmental Assessment Review No. 2020-0007, no second was given.

Motion by Chair Gutierrez to recommend denial of General Plan Amendment No. 2020-0001, Specific Plan Amendment No. 2020-0001, Variance No. 2020-0001, Conditional Development Permit No. 2020-0006, Precise Plan of Design No. 2020-0012, and Environmental Assessment Review No. 2020-0007, due to over proliferation of warehouses in the area, truck traffic, and pollution. Seconded by Commissioner Chavez.

All were in favor, *motion carried*, 6-0-0.

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**Chair Gutierrez stated the next item on the agenda is Zoning Code Amendment No. 2022-03.**

Senior Planner Siri Champion gave the presentation.

Request the Planning Commission adopt a resolution recommending the City Council approve an ordinance regulating special events.

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Motion by Chair Gutierrez to approve Zoning Code Amendment No. 2022-03, second by Commissioner Estvander.

All were in favor; *motion carried*, 6-0-0.

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**Chair Gutierrez stated the next item on the agenda is a request for the Planning Commission to adopt a resolution recommending to the City**

**Council approval of an ordinance providing for voluntary merger of parcels.**

Community Development Manager Paul Gonzales gave the presentation.

Request the Planning Commission adopt a resolution recommending the City Council approve an ordinance providing for the voluntary merger of parcels.

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Motion by Commissioner Peukert to approve Zoning Code Amendment No. 2022-03, second by Commissioner Gonzalez.  
All were in favor; *motion carried*, 6-0-0.

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**COMMUNITY  
DEVELOPMENT  
MANAGER  
COMMENTS**

**Chair Gutierrez stated that the next item on the agenda is Community Development Manager comments.**

Community Development Manager Paul Gonzales stated that the Planning Commission will be attending a conference on August 26<sup>th</sup> in Rancho Cucamonga.

He addressed the Commission's request to be updated on projects, stating that this would be done at the next Planning Commission regular meeting.

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**PLANNING  
COMMISSION  
COMMENTS**

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

Commissioner Peukert had some concerns and comments over the proportion of the Fair Share Fees paid by the developers on warehouse projects.

Commissioner Estvander echoed those concerns and commented on the current state of Valley Blvd. at Willow and how additional truck traffic would be harmful to an area already in a state of disrepair.

Commissioner Gonzalez asked for an update on the status of meeting with the City Manager. Chair Gutierrez stated he would be meeting with the City Manager and would be bringing up the concerns of the Commission.

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**ADJOURNMENT**

Motion by Commissioner Peukert to adjourn the meeting, second by Commissioner Estvander.

All were in favor; *motion carried, 6-0-0.*

**The Regular Planning Commission meeting on Wednesday, July 27, 2022,  
adjourned at 7:31 p.m.**

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Minutes prepared by Kim Dame  
Administrative Analyst

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Jerry Gutierrez  
Chair Planning Commission