



**CITY OF RIALTO
THE REGULAR MEETING MINUTES OF
PLANNING COMMISSION**

July 11, 2018 - 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 Wednesday, July 11, 2018.

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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 John Peukert called the meeting to order at 6:01 p.m.

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**PLEDGE OF
ALLEGIANCE**

Commissioner Jerry Gutierrez led those present in the pledge of allegiance.

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ROLL CALL

Roll Call was taken by Planning Manager, Gina Gibson-Williams.

Present:

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

Absent:

Commissioner Artist Gilbert

Also Present:

Planning Manager, Gina Gibson-Williams
Assistant City Attorney, Pam Lee
Associate Planner, Daniel Casey
Assistant Planner, Daniel Rosas
Contract Planner, Edgar Gonzalez
Administrative Assistant, Adrianna Martinez

**ORAL
COMMUNICATIONS**

Chair Peukert asked if there were any oral communications from the audience not on the agenda.

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Ms. Adrianna Martinez stated that there were none.

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**PLANNING
COMMISSION
MEETING MINUTES**

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

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Motion by Commissioner Al Twine, seconded by Commissioner Jerry Gutierrez to move to approve the January 31, 2018 Planning Commission Meeting Minutes with corrections. All in favor, *motion carried 5-0-0.*

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Motion by Commissioner Al Twine, seconded by Commissioner Dale Estvander to move to approve the February 28, 2018 Planning Commission Meeting Minutes with corrections. All in favor, *motion carried 5-0-0.*

PUBLIC HEARINGS

Chair Peukert stated Public Hearing items are next on the agenda.

Conditional Development Permit No. 2018-0028

Associate Planner Daniel Casey presented Conditional Development Permit (CDP) No. 2018-0028 to request to operate a single-price overstock/discount store within a 10,042 square foot inline tenant space (Building 'A') within the proposed Cedarhill Plaza commercial center.

On January 17, 2018, the Development Review Committee approved Precise Plan of Design (PPD) 2018-0002 to allow the development of Cedarhill Plaza at the northwest corner of Cedar Avenue and Foothill Boulevard for retail shopping and potential food establishments.

The applicant, Dollar Tree, is a national chain dollar store that has a few existing locations in the City. The Planning Commission established criteria that all national dollar store chains have a minimum separation of one mile. However, a 99 Cents Only store is .07 miles away from the proposed site.

The Planning Commission previously approved the operation of a Dollar Tree at the said location under CDP 677, to which staff recommends the approval of CDP 2018-0028 to allow the development of a Dollar Tree.

Chair John Peukert stated that he understands that at one time, it was approved, but that does not mean it supersedes the restrictions the Commission has placed on 99 cents stores. Mr. Casey replied that this is a discretionary item brought before the Commission and there is not anything in the Municipal code that prohibits an applicant from submitting. Chair Peukert continued to state that his main concern is the over proliferation of dollar discount stores in the City.

Commissioner Dale Estvander exclaimed that the Planning Commission needs take into account the existing 99 Cents Only store and that he would hate to see it fold because of a brand new Dollar Tree right across the street.

Vice Chair Frank Gonzalez asked how many employees is Dollar Tree going to employ and Mr. Casey responded approximately 30 to 40. In addition, Mr. Casey stated that if the project is approved, the Planning Commission can evaluate its progress every six months.

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Chair Peukert opened the Public Hearing.

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The architect for the project addressed the Commission and advised that in the City of Murrieta a 99 Cents Only store and a Dollar Tree are directly across the street from one another and both establishments are doing well since they do not sell the same products.

Commissioner Jerry Gutierrez asked if Dollar Tree is the anchor store for the plaza and the architect replied that it is.

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Motion by Commissioner Dale Estvander to close the Public Hearing, second by Commissioner Jerry Gutierrez.

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Chair John Peukert asked the City Attorney, Pam Lee, what position does this put the Commission in when it has developed a policy to go against the development of discount dollar stores to be in close proximity. Assistant City Attorney Pam Lee stated that since it is only a policy, it is simply a guideline. However, if the Commission does choose to go against the policy for this location, it does not necessarily set a precedence, but rather it will be seen as something that can be overlooked.

Commissioner Gutierrez stated that the economics of Murrieta and Rialto are vastly different from one another and that the policy was put into place to avoid over proliferation of dollar discount stores and to allow for diversity in the businesses residing in Rialto. Chair Peukert further commented that he would like the Planning Commission to see the sales figures.

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Motion by Vice Chair Frank Gonzalez to continue Conditional Development Permit No. 2018-0028 until sales figures are presented to the Planning Commission, second by Commissioner Dale Estvander. All in favor, *motion carried*, 5-0-0.

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Chair Peukert asked for the next item on the agenda.

Conditional Development Permit No. 2018-0007.

Associate Planner Daniel Casey presented Conditional Development Permit (CDP) No. 2018-0007 to request to allow the development of a 2,052 square foot commercial building with drive-thru service for a proposed Starbucks on "Pad E" within the proposed Cedarhill Plaza commercial center.

The building will be in the center of the pad and the drive-thru will wrap around that will provide stacking for ten vehicles. In addition, the pad will provide six additional parking spaces to the 239 spaces for the entire plaza, as well as landscaping. The building will also have stone veneer, cement plaster finish in five colors, and concrete tile roof.

The project went before the Development Review Committee (DRC) on April 11, 2018 and was recommended for approval subject to the applicant revising the building architecture. All of the required revisions are incorporated into the project plans.

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Chair Peukert opened the Public Hearing.

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Motion by Commissioner Dale Estvander to close the Public Hearing, second by Vice Chair Frank Gonzalez.

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Motion by Commissioner Dale Estvander, second by Vice Chair Frank Gonzalez to move to approve Conditional Development Permit No. 2018-0007. All in favor, *motion carried* 5-0-0.

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Chair Peukert asked for the next item on the agenda.

Sign Variance

Assistant Planner Daniel Rosas presented a Sign Variance to allow a 20 square foot increase in sign area beyond the allowable 40 square feet for a freestanding sign located at the northeast corner of Foothill Avenue and Cactus Avenue within the Commercial Pedestrian zone of the Foothill Specific Plan.

The Foothill Specific Plan refers to the Rialto Municipal Code and based on the criteria, this area does not qualify as a shopping center. The applicant can have two monument signs—one on each parcel—or have a freestanding for each. However, the applicant is proposing one 60 square foot freestanding sign—30 feet for each tenant-- while the code allows for 40 square feet.

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Chair Peukert opened the Public Hearing.

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Motion by Commissioner Dale Estvander to close the Public Hearing, second by Commissioner Al Twine.

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Motion by Commissioner Dale Estvander, second by Vice Chair Frank Gonzalez to move to approve the Sign Variance. All in favor, *motion carried* 5-0-0.

PLANNING DIVISION **COMMENTS**

Chair Peukert stated that the next item on the agenda is Planning Division Comments

Planning Manager Gina Gibson-Williams announced the next Planning Commission meeting is on July 25, 2018.

Holiday Inn Express, provided they submit their packet, will go before the Commission at the next meeting.

Commissioner Dale Estvander requested the opening dates for Olive Garden, NORMS and 5 Below, to which Ms. Gibson-Williams replied 5 Below opened the previous Friday and NORMS and Olive Garden are still in the entitlement process.

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PLANNING
COMMISSION
COMMENTS

Chair Peukert stated the next items on the agenda is Planning Commission Comments

Commissioner Dale Estvander stated in regards to Dollar Tree that he is concerned since it will be new and it will put the older 99 Cents Only store out of business.

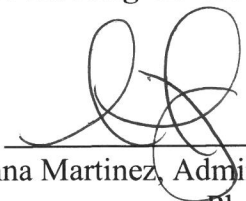
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ADJOURNMENT


Motion by Commissioner Dale Estvander, second by Commissioner Al Twine to adjourn the meeting. All in favor *Motion carried 5-0-0.*

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The Regular Planning Commission meeting on Wednesday, July 11, 2018 adjourned at 7:00 p.m.



Adrianna Martinez, Administrative Assistant
Planning Commission



John Peukert, Chair
Planning Commission