



CITY OF RIALTO
THE REGULAR MEETING MINUTES OF
PLANNING COMMISSION
July 25, 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 25, 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 6:00 p.m.

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**PLEDGE OF
ALLEGIANCE**

Commissioner BarBara Chavez 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
Commissioner Artist Gilbert
Commissioner BarBara Chavez

Absent:

Also Present:

Planning Manager, Gina Gibson-Williams
Associate Planner, Daniel Casey
Assistant Planner, Daniel Rosas
Contract Planner, Edgar Gonzalez
Administrative Assistant, Adrianna Martinez
Business License Inspector, Anthony Ramirez

**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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Previous Planning Commission Meeting Minutes will be available for approval at a future Planning Commission Meeting.

PUBLIC HEARINGS

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

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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 July 11, 2018. However, per the Planning Commission, it was continued for the July 25, 2018 meeting.

The proposed Cedarhill Plaza is located at the southeast corner of Cedar Avenue and Foothill Boulevard. The Development Review Committee has approved four buildings—Building A, B, C, and D--, along with two pads for the center. Pad E was approved for the use of a Starbucks with a drive-thru and Pad F remains vacant. The Dollar Tree is proposed for Building A, which is located at the southeast corner of the site. As mentioned at the July 11, 2018 Public Hearing, the site does not comply with the separation criteria policy the Planning Commission adopted in 2012. On the west side of Cedar Avenue, there is a 99 Cents Only store that is less than one-tenth of a mile away (approximately 500 feet). At the Public Hearing, the Planning Commission expressed its concern over the non-compliance and the impact of Dollar Tree's operation on the existing 99 Cents Only store.

The Commission directed the Planning Staff to obtain the gross receipts of a similar scenario where a Dollar Tree and 99 Cents Only store are across from one another (Baseline Avenue and Riverside Avenue). There is a

section in the agenda that contains a table that shows the gross receipts that date back to 2009 for the 99 Cents Only store and 2012 for Dollar Tree. As illustrated by the table, the gross receipts have significantly increased for the 99 Cents Only store over the years. In 2011, the gross receipts were just over \$4.8 million and in 2012, the first year Dollar Tree opened, their gross receipts increased by about \$400,000. In 2013 and 2014, both stores experienced a decline in sales, but they have since increased. As of 2017, the 99 Cents Only store saw its highest increase to just over \$6 million and the Dollar Tree at \$1.6 million.

It is still Staff's Recommendation to approve Conditional Development Permit No. 2018-0028 to allow the operation of a single-price overstock/discount store subject to the findings and conditions therein.

Commissioner Dale Estvander asked Associate Planner Daniel Casey if he is not worried that the two stores will be located within less of a mile from each other, to which Daniel Casey replied that he is not based on the gross receipts.

Commissioner Jerry Gutierrez expressed that he is concerned about over saturation of the City with discount stores.

Vice Chair Frank Gonzalez stated that if we have more control in saying what goes where and there is competition, then there is no problem.

Directed by Planning Manager Gina Gibson-Williams, Associate Planner Daniel Casey provided more clarification. In 2011, Conditional Development Permit No. 677 was approved, which allowed for the establishment of a Dollar Tree at the northwest corner of Cedar Avenue and Foothill Boulevard. Dollar Tree has attempted to open in a new shopping center for years. However, for various reasons they have not been successful. Despite the many failed attempts to open, Dollar Tree continued to set their sights on the same intersection—Cedar Avenue and Foothill Boulevard. In 2012, The Planning Commission adopted the separation criteria that set forth the minimum separation of distance to one mile, which Dollar Tree does not meet in regards to the 99 Cents Only store that is approximately 500 feet away. Nevertheless, Staff's basis for recommendation is the Planning Commission had previously approved the Dollar Tree at this intersection.

Commissioner Artist Gilbert opined that his major concern is that the new Dollar Tree will not stay clean and be as dirty as the one off Baseline [Road]. Mr. Casey replied the Conditions of Approval will come into play and that the Dollar Tree off Baseline Road does have a condition, much like all CDPs, that says they must keep the store in an orderly manner.

Vice Chair Gonzalez asked Mr. Casey if the 99 Cents Store responded when the Public Hearing notices were sent out. Mr. Casey indicated that no comments were received by them.

Commissioner Gutierrez stated that he feels there are too many dollar stores in Rialto and the types of businesses in the city need to diversify. It took so long to clean up the downtown area—we could not attract decent businesses. We finally cleaned up the area and now it seems the city is regressing with dollar discount stores everywhere.

Vice Chair Gonzalez asked if there have been other offers other than Dollar Tree to which Mr. Casey stated that they are the anchor tenant. However, the applicant is in the audience to answer any questions.

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Chair Peukert opened up the Public Hearing

Hassan Amirsadeghi, the developer and representative for the project, stated the Dollar Tree is a national chain that is a very strong tenant with over 14,000 stores and is the anchor store at the moment. The leases with Starbucks and AutoZone are also dependent on this decision, which have yet to sign. If this does not work out, the project will not be able to move forward. Dollar Tree does their due diligence and they see a need in Rialto. Even though the Dollar Tree may not be the most appealing tenant, it is a major lease.

Commissioner Gutierrez asked if standards of cleanliness can be added to the conditions and Planning Manager Gina Gibson-Williams clarified that they can, and suggested that either an annual or bi-annual requirement for steam cleaning and trash receptacles should be included.

Associate Planner Daniel Casey indicated that in the Resolution there is a sixth month review and an annual thereafter. In addition, in the Conditions of Approval there is language that requires the Dollar Tree to maintain the store in an orderly manner. The Commission can refine the language or make additions.

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Motion by Commissioner Dale Estvander to close the Public Hearing, second by Vice Chair Frank Gonzalez. All in favor, *motion carried 7-0-0*.

Motion by Commissioner Dale Estvander adopt the Resolution (Exhibit E), for Conditional Development Permit No. 2018-0028, to allow the operation of a single-prince overstock/discount store within a 10,042 square foot inline tenant space (Building “A”) within the proposed Cedarhill Plaza commercial center with review within six (6) months of the cleanliness of

the operation within. Outdoor receptacles shall be clean and maintained with review of the CDP Conditions every six months. Second by Commissioner Al Twine. All in favor, *motion carried*, 4-2-1.

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Chair Peukert asked for the next item on the agenda.

Conditional Development Permit No. 2018-0016

Planning Manager Gina Gibson-Williams presented the Conditional Development Permit No. 2018-0016. A request to continue the Public Hearing from July 25, 2018 to August 8, 2018 to construct a 108-room hotel (Holiday Inn Express) on a 1.86 acre site (APN 0264-151-81) located at the north east corner of Renaissance Parkway and Ayala Drive in the Renaissance Specific Plan.

Ms. Gibson-Williams stated that the applicant was not prepared to meet the deadline for this evening's meeting and applicant is asking for continuance from today's meeting to August 8, 2018. Ms. Gibson-Williams noted that the applicant mailed the Public Hearing notices out.

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Chair Peukert opened the Public Hearing.

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PLANNING DIVISION
COMMENTS

Commissioner Dale Estvander motioned to the Close the Public Hearing, second by Commissioner Al Twine. All in favor, *motion carried* 7-0-0.

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

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Planning Manager Gina Gibson-Williams presented a video of the Renaissance Marketplace to the Commission, noting new retail stores and Cinemark Movie Theatre. New signage is visible from the 15 Freeway and along Ayala Drive.

Ms. Gibson Williams shared that NORMS Restaurant recently submitted plans for occupancy. NORMS has a definitive look, as well as Cracker Barrel and Olive Garden Restaurants, which will soon have occupancy at the Marketplace.

Ms. Gibson-Williams introduced Ms. Claudia Castillo, a student and professor. Ms. Castillo is also an intern in the Development Services

Department who is working on the GIS/Trakit —Land Management System—that is utilized by the Building, Planning and Business License Divisions.

Ms. Castillo showed the Commission all of the recent updates to GIS and its interactive capabilities to allow the user to see what Rialto has to offer, as well as making it easier to link and consolidate information on individual parcels.

**PLANNING
COMMISSION
COMMENTS**

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

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ADJOURNMENT

Motion by Commissioner Dale Estvander, second by Commissioner Al Twine to adjourn the meeting. All in favor *motion carried 7-0-0*.

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The Regular Planning Commission meeting on Wednesday, July 25, 2018 adjourned at 7:10 p.m.

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Erin K. Skeffington, Contract Administrative Aide
Planning Commission

John Peukert, Chair
Planning Commission