



1           WHEREAS, the Development Review Committee (DRC) preliminarily reviewed the  
2 Project on May 18, 2016 for compliance with health, safety, and design requirements and  
3 forwarded the a recommendation of approval to the Planning Commission subject to the  
4 incorporation of DRC comments; and

5           WHEREAS, on April 24, 2019, the Planning Commission of the City of Rialto conducted  
6 a duly noticed public hearing, as required by law, on CDP No. 811, CDP No. 810, and CDP No.  
7 812, took testimony, at which time it received input from staff, the city attorney, and the  
8 applicant; heard public testimony; discussed the proposed CDP No. 811, CDP No. 810, and CDP  
9 No. 812; and closed the public hearing; and

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

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

13           SECTION 1. The Planning Commission hereby specifically finds that all of the facts set  
14 forth in the recitals above of this Resolution are true and correct and incorporated herein.

15           SECTION 2. Based on substantial evidence presented to the Planning Commission during  
16 the public hearing conducted with regard to CDP No. 811, including written staff reports, verbal  
17 testimony, site plans, other documents, and the conditions of approval stated herein, the Planning  
18 Commission hereby determines that CDP No. 811 satisfies the requirements of Section 18.66.020 of  
19 the Rialto Municipal Code pertaining to the findings which must be made precedent to granting a  
20 conditional development permit. The findings are as follows:

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

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

24           The Project is anticipated to be a benefit to the community creating a more diverse  
25 economic base for the community by providing an additional choice of food and  
26 beverages at a convenient location. Additionally, the Project will replace the blight of  
27 undeveloped property with desirable improvements that will aesthetically enhance the  
28 appearance of the community.

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

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

4           The zoning of the Site and the properties to the east, south, and west is Freeway Incubator  
5           (FI) within the Renaissance Specific Plan. The project is consistent with the FI zone, and  
6           the uses adjacent to the project site. There are no sensitive uses adjacent to or near the  
7           Site. Additionally, the project has been reviewed by the Design Review Committee  
8           (DRC) for compliance with all health, safety, and design requirements to ensure the  
            project will significantly enhance the infrastructure and aesthetics of the local  
            community.

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

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

12           The Site contains 6.06 acres of land, is fairly level, is adjacent to two (2) public streets, and  
13           has to two (2) existing driveways connected to Casmalia Street. Parcel 2 of the Site  
14           contains 0.96 acres, and has reciprocal access throughout the Site. Upon completion of  
15           the Project, Parcel 2 of the Site will contain thirty-three (33) parking spaces, which  
16           exceeds the amount of parking spaces required by Table 3-6 (Parking Standards) of the  
            Renaissance Specific Plan. In addition, the development will have a trash enclosure,  
            lighting, and accessible pathways leading to and from the public right-of-way.

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

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

20           The Site has adequate access to all utilities and services required through main water,  
21           electric, sewer, and other utility lines that will be hooked up to the Site as part of the  
22           proposed Project.

- 23           5.       The proposed use will be arranged, designed, constructed, and maintained so as it  
24                   will not be injurious to property or improvements in the vicinity or otherwise be  
25                   inharmonious with the General Plan and its objectives, the Foothill Boulevard  
            Specific Plan, or any zoning ordinances; and

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

27           The use is consistent with the FI zone. The Project, as submitted, meets or exceeds the  
28           applicable development criteria of the FI zone and the design criteria contained in  
            Renaissance Specific Plan. Furthermore, the Site will be aesthetically enhanced with a

1 new structure and landscaping that comply with the City's Design Guidelines. The  
2 project is anticipated to be a benefit to the community and an improvement to the  
3 surrounding area.

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

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

8 The Project's effects will be minimized through the implementation of the Conditions of  
9 Approval contained herein, and through the implementation of Conditions of Approval  
10 imposed by the Development Review Committee during the Precise Plan of Design  
11 Process, such as extensive landscaping, a decorative trash enclosure, decorative paving  
12 and enhanced architectural features. The project will meet or exceed the development  
13 criteria of the FI zone and the design criteria of the Renaissance Specific Plan. The  
14 project is consistent with the FI zone, and the uses adjacent to the project site. There are  
15 no sensitive uses adjacent to or near the Site. As such, the project will not negatively  
16 affect the surrounding area. Therefore, any potential adverse effects are outweighed by  
17 the benefits conferred upon the community and neighborhood as a whole.

18 SECTION 3. Alessandro Service Station, LP is hereby granted CDP No. 811 to allow the  
19 development of a 3,200 square foot restaurant building with drive-thru service on Parcel 2 of the  
20 Site.

21 SECTION 4. Based on the findings and recommended mitigation within the Initial Study,  
22 staff determined that the project will not have an adverse impact on the environment, provided that  
23 mitigation measures are implemented, and a Mitigated Negative Declaration was prepared. The  
24 local newspaper published a copy of the Notice of Intent to adopt the Mitigated Negative  
25 Declaration for the project, and the City mailed the notice to all property owners within 300 feet of  
26 the project site for a public comment period held from December 15, 2018 to January 3, 2019. The  
27 Mitigated Negative Declaration was prepared in accordance with the California Environmental  
28 Quality Act (CEQA). The Planning Commission directs the Planning Division to file the necessary  
documentation with the Clerk of the Board of Supervisors for San Bernardino County.

SECTION 5. CDP No. 811 is granted to Alessandro Service Station, LP in accordance with  
the plans and application on file with the Planning Division, subject to the following conditions:

- 1 1. The approval is granted allowing the development of a 3,200 square foot restaurant  
2 building with drive-thru service on Parcel 2 of the Site, as shown on the plans  
3 submitted to the Planning Division on October 2, 2018 and as approved by the Planning  
4 Commission. If the Conditions of Approval specified herein are not satisfied or  
5 otherwise completed, the project shall be subject to revocation.
- 6 2. Prior to the issuance of building or grading permits for the proposed development, a  
7 Precise Plan of Design shall be approved by the City's Development Review Committee  
8 (DRC).
- 9 3. City inspectors shall have access to the site to reasonably inspect the site during  
10 normal working hours to assure compliance with these conditions and other codes.
- 11 4. The applicant shall defend, indemnify and hold harmless the City of Rialto, its agents,  
12 officers, or employees from any claims, damages, action, or proceeding against the  
13 City or its agents, officers, or employees to attack, set aside, void, or annul any  
14 approval of the City, its advisory agencies, appeal boards, or legislative body  
15 concerning CDP No. 811. The City will promptly notify the applicant of any such  
16 claim, action, or proceeding against the City and will cooperate fully in the defense.
- 17 5. In accordance with the provisions of Government Code Section 66020(d)(1), the  
18 imposition of fees, dedications, reservations, or exactions for this Project, if any, are  
19 subject to protest by the applicant at the time of approval or conditional approval of  
20 the Project or within 90 days after the date of the imposition of the fees, dedications,  
21 reservations, or exactions imposed on the Project.
- 22 6. In order to provide enhanced building design in accordance with Section 4 of the  
23 Renaissance Specific Plan (Design Guidelines), the applicant shall route all downspouts  
24 through the interior of the building. The internal downspouts shall be identified within  
25 the formal building plan check submittal prior to the issuance of building permits.
- 26 7. Any new walls, including any retaining walls, shall be comprised of decorative masonry  
27 block. Decorative masonry block means tan-colored slumpstone block, tan-colored  
28 split-face block, or precision block with a stucco, plaster, or cultured stone finish.  
Pilasters shall be incorporated within all new walls. The pilasters shall be spaced a  
maximum of fifty (50) feet on-center and shall be placed at all corners and ends of the  
wall. All pilasters shall protrude a minimum of one (1) block course above the wall and  
a minimum of six (6) inches to the side of the wall. All decorative masonry walls and  
pilasters, including retaining walls, shall include a decorative masonry cap. All walls  
and pilasters shall be identified on the site plan, and an elevation detail for the walls shall  
be included in the formal building plan check submittal prior to the issuance of building  
permits.
8. The exterior of the trash enclosure shall match the color and materials of the buildings  
on-site. This includes a stucco finish and a wainscot and/or columns of matching stone  
vener on all exterior sides of the enclosure. Additionally, the trash enclosure shall

1 contain solid steel doors and a flat solid cover. Corrugated metal and chain-link are not  
2 acceptable materials to use as a part of the trash enclosure. An elevation detail for the  
3 trash enclosure shall be provided within formal building plan check submittal prior to  
the issuance of building permits.

- 4 9. All new light standards, including the base, shall have a maximum height of twenty-five  
5 (25) feet, as measured from the finished surface. Lighting shall be shielded and/or  
6 directed toward the site so as not to produce direct glare or "stray light" onto adjacent  
7 properties. All light standards shall be identified on the site plan and a detail indicating  
the height shall be included within the formal building plan check submittal prior to the  
8 issuance of building permits.
- 9 10. The applicant shall submit a formal Landscape Plan to the Planning Division prior to the  
10 issuance of building permits. The submittal shall include three (3) sets of planting and  
11 irrigation plans, a completed Landscape Plan Review application, and the applicable  
12 review fee.
- 13 11. All landscape plant species shall comply with the approved Plant Palette of the  
14 Renaissance Specific Plan.
- 15 12. The applicant shall plant one (1) tree every three (3) parking spaces. All parking lot  
16 trees shall be a minimum of fifteen (15) gallons in size, upon initial planting. Thereafter,  
17 the parking lot trees shall be permanently irrigated and maintained. All parking lot tree  
18 species shall consist of evergreen broadleaf trees. The trees shall be identified on the  
19 formal Landscape Plan submittal prior to the issuance of a landscape permit.
- 20 13. The applicant shall plant one (1) tree every thirty (30) feet on-center within the on-site  
21 landscape setback along Casmalia Street. All trees within the landscape setbacks shall  
22 be a minimum of twenty-four (24) inch box in size, upon initial planting. Thereafter, the  
23 trees within the landscape setback shall be permanently irrigated and maintained. At  
24 least fifty (50) percent of the trees within the setbacks shall consist of evergreen  
25 broadleaf trees, while the remaining percentage may consist of broadleaf deciduous trees  
26 and/or palm trees. The trees shall be identified on the formal Landscape Plan submittal  
27 prior to the issuance of a landscape permit.
- 28 14. The applicant shall plant one (1) tree every thirty (30) feet on-center within the public  
right-of-way parkway along Casmalia Street. All trees within the public right-of-way  
parkway shall be a minimum of twenty-four (24) inch box in size, upon initial planting.  
Thereafter, the trees within the public right-of-way parkway shall be permanently  
irrigated and maintained, as required by the Public Works Department. The street tree  
species along Casmalia Street shall be the *Pistachia Chinensis* "Chinese Pistache" and/or  
the *Hymenosporum Flavum* "Wedding Tree". The trees shall be identified on the  
formal Landscape Plan submittal prior to the issuance of building permits.
15. The applicant shall plant shrubs around the entire outer perimeter of the drive-thru lane  
for the purpose of creating a solid hedge to screen the headlights of vehicles within the

1 drive-thru. All of the drive-thru shrubs shall be a minimum of five (5) gallons in size  
2 upon initial planting, and the shrubs shall be spaced no more than three (3) feet on-  
3 center. Thereafter, the drive-thru shrubs shall be permanently irrigated and maintained  
4 into a continuous box-shape along the entire length of the drive-thru lane with a height  
5 of no less than three and one-half (3.5) feet above the finished grade. The shrubs shall  
be identified on the formal Landscape Plan submittal prior to the issuance of a landscape  
permit.

6 16. The applicant shall plant shrubs that surround all ground mounted equipment and utility  
7 boxes, including transformers, fire-department connections, backflow devices, etc. for  
8 the purpose of providing screening of said equipment and utility boxes. All equipment  
9 and utility box screen shrubs shall be a minimum of five (5) gallons in size upon initial  
10 planting, and the shrubs shall be spaced no more than three (3) feet on-center.  
11 Thereafter, the equipment and utility box screen shrubs shall be permanently irrigated  
and maintained into a continuous box-shape with a height of no less than three and one-  
half (3.5) feet above the finished grade. The shrubs shall be identified on the formal  
Landscape Plan submittal prior to the issuance of a landscape permit.

12 17. The applicant shall plant a substantial amount of trees, shrubs, and groundcover  
13 throughout all land not covered by structures, walkways, parking areas, and driveways.  
14 Trees shall be planted a minimum of thirty (30) feet on-center, and all shrubs and  
15 groundcover shall be planted an average of three (3) feet on-center or less. All trees  
16 shall be minimum of fifteen (15) gallons in size upon initial planting, unless otherwise  
17 specified herein. All shrubs shall be a minimum of one (1) gallon in size, unless  
18 otherwise specified herein. All planter areas shall receive a minimum two (2) inch thick  
19 layer of brown bark, organic mulch, and/or decorative rock upon initial planting. Pea  
gravel and decomposed granite are not acceptable materials to use within planter areas.  
All planter areas on-site shall be permanently irrigated and maintained. The planting  
and irrigation shall be identified on the formal Landscape Plan submittal prior to the  
issuance of a landscape permit.

20 18. All planting and irrigation shall be installed on-site in accordance with the approved  
21 landscape plans and permit prior to the issuance of a Certificate of Occupancy. The  
22 installation of the planting and irrigation shall be certified in writing by the landscape  
23 architect responsible for preparing the landscape plans prior to the issuance of a  
Certificate of Occupancy.

24 19. The applicant shall install and maintain a trash receptacle on the driver-side of the exit of  
25 the drive-thru lane. The trash receptacle shall be installed prior to issuance to the  
Certificate of Occupancy.

26 20. The applicant shall install a bicycle rack within the pathway area around the perimeter of  
27 the building prior to the issuance of the Certificate of Occupancy.

28 21. Any tubular steel fencing and/or sliding gates shall be painted black prior to the issuance  
of a Certificate of Occupancy.



1 STATE OF CALIFORNIA )  
2 COUNTY OF SAN BERNARDINO ) ss  
3 CITY OF RIALTO )  
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5 I, Adrianna Martinez, Administrative Assistant of the City of Rialto, do hereby certify that  
6 the foregoing Resolution No. \_\_\_\_ was duly passed and adopted at a regular meeting of the  
7 Planning Commission of the City of Rialto held on the \_\_\_\_th day of \_\_\_\_, 2019.

8 Upon motion of Planning Commissioner\_\_\_\_\_, seconded by Planning Commissioner  
9 \_\_\_\_\_, the foregoing Resolution No. \_\_\_\_ was duly passed and adopted.

10 Vote on the motion:

11 AYES:

12 NOES:

13 ABSENT:

14 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City  
15 of Rialto this \_\_\_\_th day of \_\_\_\_, 2019.

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ADRIANNA MARTINEZ, ADMINISTRATIVE ASSISTANT

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