



CITY OF RIALTO
THE REGULAR MEETING MINUTES OF
PLANNING COMMISSION
February 13, 2019 - 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, February 13, 2019.

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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 Artist Gilbert led those present in the pledge of allegiance.

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ROLL CALL

Roll Call was taken by Senior Planner, Daniel Casey.

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:

City Attorney, Lona Laymon
Planning Manager, Gina Gibson-Williams
Associate Planner, Daniel Casey
Assistant Planner, Daniel Rosas
Contract Planner, Edgar Gonzalez
Administrative Assistant, Adrianna Martinez
Interim Code Enforcement Manager, Richard Freiholtz

**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 was none.

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

PLANNING
COMMISSION
MEETING MINUTES

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Motion by Commissioner Dale Estvander, second by Vice Chair Frank Gonzalez to move to approve the July 25, 2018 Planning Commission Meeting Minutes. All in favor, *motion carried 7-0-0*.

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Motion by Commissioner Al Twine, second by Commissioner Dale Estvander to move to approve the January 30, 2019 Planning Commission Meeting Minutes. All in favor, *motion carried 7-0-0*.

PUBLIC HEARINGS

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

Conditional Development Permit No. 2019-0001

Assistant Planner Edgar Gonzalez presented Conditional Development Permit No. 2019-0001 a request to allow the establishment of a tattoo parlor within an existing 1,190 square foot tenant space in a multi-tenant commercial building within the Retail Commercial (R-C) zone of the Gateway Specific Plan.

The Planning Commission established a policy requiring a minimum of three-quarters of a mile (3,960 feet) separation between all tattoo establishments and the nearest one, Studio 72 Tattoos, is a mile and a half away.

The 4,250 square foot multi-tenant building has 17 parking spaces; however, 22 spaces are required. When the building was built in 2008, it was classified as retail and was conforming. The other tenants include Subway (Tenant A), Farmers Insurance (Tenant B), and Tenant D is currently vacant.

The proposed floor plan has six workstations within an existing 1,190 square feet, a sanitation area with sink, restroom and lobby area.

In order to meet safety measures, there are a few conditions the applicant has to adhere to such as install a Knox-Box, place a sign that restricts

anyone under the age of 18, and limit their hours of operation—Monday through Saturday 10 am to 8pm and Sunday 11am to 7pm.

The City mailed public hearing notice for the proposed project to all property owners within 300 feet of the site and published the public hearing notice in the San Bernardino Sun newspaper as required by State Law

Chair Peukert opened the Public Hearing.

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Motion by Commissioner Jerry Gutierrez to close the Public Hearing, second by Commissioner Artist Gilbert.

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Motion by Commissioner Dale Estvander, second by Artist Gilbert to approve Conditional Development Permit No. 2019-0001. All in favor, *motion carried 7-0-0.*

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Chair Peukert asked for the next item on the agenda.

Conditional Development Permit No. 2018-0029
Environmental Assessment Review No. 2018-0072

Senior Planner Daniel Casey presented Conditional Development Permit No. 2018-0029 and Environmental Assessment Review No. 2018-0072 a request to allow up to a 4% increase in the permitted area ratio through the implementation of non-residential development incentives as it relates to a proposal to develop a 78,680 square foot industrial warehouse building on 4.44 gross acres (4.10 net acres) of land (APNs: 0240-2017-08 & -41). The project is located on the west side of Alder Avenue and Miro Way within the Employment (EMP) zone of the Renaissance Specific Plan. This Project includes a Mitigated Negative Declaration (Environmental Assessment Review No. 2018-0072) for the consideration in conjunction with the project.

The proposed 78,680 square foot industrial warehouse building will be placed in the center of the project site with a truck court on the south side and passenger vehicle parking on the east and south sides. The site will have two driveways connected to Alder Avenue.

Landscape planters around the building and perimeter will provide screening. The landscape coverage is at 16.4% with a 20-foot setback along Alder Avenue, along with a 10-foot easement.

The project will generate approximately \$627,500 in one-time fees, approximately \$14,000 in annual revenues to the City General Fund and create about 40 to 50 employment opportunities.

The maximum Floor Area Ratio (FAR) allowed is 40% in the EMP zone and the applicant is proposing 44%. In exchange for the FAR bonuses, two development features will be added—Public Art and an Employee Plaza.

The Development Review Committee (DRC) reviewed the project on July 18, 2018 and recommended approval subject to a few conditions, which the applicant has incorporated into the project plans.

The Transportation Commission reviewed and approved the traffic study on December 17, 2018, as well as determine the project is responsible for a fair-share payment towards future widening of Alder Avenue and future improvements to the 210 Freeway/Alder Avenue interchange.

The project is consistent with Goals 2-16 and 2-22 of the General Plan.

The Mitigated Negative Declaration satisfies the requirements of CEQA and no further environmental review is required.

Planning Staff recommends approval.

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Commissioner Jerry Gutierrez asked if it is standard for warehouse buildings to be speculative. Planning Manager Gina Gibson-Williams replied that 90% of the warehouse are speculative. However, by the time the building is complete there is a lease signed. Commissioner Gutierrez further asked if Rialto is the only city experiencing an increase in warehouses, to which Ms. Gibson-Williams replied that every city, including the Los Angeles area, is witnessing a rapid growth in warehouse buildings.

Chair Peukert opened the Public Hearing.

Arah Parker, Rialto Resident
1316 Alder Avenue, Rialto.

Avah Parker addressed the Planning Commission with her concerns that the project will increase the already horrible traffic congestion, as well as the environmental impact of the increased truck traffic.

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Motion by Commissioner Jerry Gutierrez to close the Public Hearing, second by Commissioner Artist Gilbert.

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Motion by Commissioner Dale Estvander, second by Al Twine to approve Conditional Development Permit No. 2018-0029. All in favor, *motion carried 7-0-0*.

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Chair Peukert asked for the next item on the agenda.

Presentation

Interim Code Enforcement Manager Richard Freiholtz presented the Planning Commission with the Code Enforcement Curb Appeal Review. Mr. Freiholtz expressed he would like feedback from the Commission on established protocol on a few issues:

1. Should trashcans be screened?
2. Should Code Officers Enforce Curb Appeal?
3. Parking
4. Should There Be Strict or Lenient Curb Appeal Enforcement?
5. Should a Code Officer address/cite additional violations they see on a call?
6. Water
7. Should Callers Have the Option to Remain Anonymous?

The following are the Planning Commission's recommendation:

1. Recommend for trashcans to remain screened
2. Motion by Commissioner Jerry Gutierrez, second by Commissioner Dale Estvander to recommend Code Officers to continue to use courtesy notices then progress to violations, and allow officers and management to use their own discretion. All in favor, *motion carried 7-0-0*.
3. Motion by Commissioner Gutierrez, second by Commissioner Estvander to recommend that parking must be on paved areas and not on grass. All in favor, *motion carried 7-0-0*.
4. Motion by Commissioner Gutierrez, second by Commissioner Artist Gilbert to recommend Code Officers and Management to use their own discretion and train staff thoroughly. All in favor, *motion carried 7-0-0*.
5. Motion by Commissioner Gutierrez, second by Commissioner Estvander to recommend Code Officers to continue to do their job, maximize flexibility, as well as hire additional officers. All in favor, *motion carried 7-0-0*.
6. Motion by Commissioner Gutierrez, second by Commissioner Chavez to recommend Code Enforcement to consult with water districts. All in favor, *motion carried 7-0-0*.
7. Motion by Commissioner Gutierrez, second by Commissioner Chavez to recommend callers to have the option to remain anonymous. All in favor, *motion carried 7-0-0*.

PLANNING DIVISION
COMMENT

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

Ms. Gibson-Williams announced the next Planning Commission meeting is on February 27, 2019.

A survey was passed out to the Commissioners of surrounding cities and the compensation their Planning Commissioners receive. Ms. Gibson-Williams stated the Commissioner's increase in pay would go before the Economic Development Committee on February 27.

Motion by Commissioner Artist Gilbert, second by Commissioner BarBara Chavez to recommend an increase in compensation for the Planning Commissioners to \$100 per meeting and to \$110 for the Chairman. All in favor, *motion carried 6-1-0*.

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**PLANNING
COMMISSION
COMMENTS**

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

There were no Planning Commission Comments.

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

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ADJOURNMENT

The Regular Planning Commission meeting on Wednesday, February 13, 2019 adjourned at 8:20 p.m.

Adrianna Martinez, Administrative Assistant

John Peukert, Chair
Planning Commission