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WHEREAS, the applicant, Liskanich-Stevens Trust 12-2-04, proposes to develop and operate a used car dealership with incidental vehicle service and repairs, to include the construction of a 4,381 square foot sales and service building (“Project”) on 1.46 gross acres of land (APN: 0254-091-13) located at the southwest corner of Valley Boulevard and Lilac Avenue within the Industrial Park (I-P) zone of the Gateway Specific Plan (“Site”); and

WHEREAS, the Project will consist of a 4,381 square foot sales and service building, eighty-seven (87) parking spaces, an abundant amount of landscaping, and full pedestrian and vehicle access; and

WHEREAS, the Development Review Committee (DRC) preliminarily reviewed the Project on July 12, 2017 for compliance with health, safety, and design requirements and forwarded the a recommendation of approval to the Planning Commission subject to the incorporation of DRC comments; and

-1-

1 which time it received input from staff, the city attorney, and the applicant; heard public  
2 testimony; discussed the proposed CDP No. 2017-0024; and closed the public hearing; and

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

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

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

8 SECTION 2. Based on substantial evidence presented to the Planning Commission during  
9 the public hearing conducted with regard to CDP No. 2018-0041, including written staff reports,  
10 verbal testimony, site plans, other documents, and the conditions of approval stated herein, the  
11 Planning Commission hereby determines that CDP No. 2018-0041 satisfies the requirements of  
12 Section 18.66.020 of the Rialto Municipal Code pertaining to the findings which must be made  
13 precedent to granting a conditional development permit. The findings are as follows:

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

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

18 The Project will provide a benefit to the community and neighborhood by providing  
19 additional options for purchasing a vehicle and conducting vehicle service. The  
20 community, at-large, is underserved by businesses that specialize in sales of vehicles,  
such as the Project. Additionally, increasing transportation opportunities is generally  
seen as beneficial.

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

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

24 The development and operation of a used car dealership with incidental vehicle service  
25 and repairs on the Site is consistent with the Gateway Specific Plan, which permits  
26 vehicle sales and service uses by conditional development permit within the I-P zone. To  
27 the north of the Site, across Valley Boulevard, is the Joe Baca Middle School, to the east  
28 is a three-story motel (Days Inn), to the south are various industrial developments, and to  
the west is an Enterprise Rent-A-Car establishment, which conducts vehicle rental, sales,  
and service. The zoning of the Site and the properties to the east, south, and west is  
Industrial Park (I-P) within the Gateway Specific Plan. The nearest sensitive use is the

Joe Baca Middle School located to the north of the project site. The Project is not expected to negatively impact this sensitive use since measures, such as the installation of landscape buffering and the incorporation of a condition of approval requiring all service and repair operation to be conducted within the enclosed building, will be implemented. In addition, the project has been reviewed by the Design Review Committee (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.

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

*This finding is supported by the following facts:*

The Site contains 1.46 acre of land, is rectangular-shaped, fairly level, and adjacent to two (2) public streets, which will be able to accommodate the proposed use. The project site will be accessible from driveways connected to both Valley Boulevard and Lilac Avenue. Upon completion, the project will contain eighty-seven (87) parking spaces, which exceeds the amount of parking spaces required by Section 18.58.050I(5) of the Rialto Municipal Code. In addition, the development will have a trash enclosure, lighting, and accessible pathways leading to and from the public right-of-way.

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

*This finding is supported by the following facts:*

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

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

*This finding is supported by the following facts:*

The use is consistent with the Gateway Specific Plan and the Industrial Park (I-P) zone. The Project, as submitted, meets or exceeds the applicable development criteria of the I-P zone and the design criteria contained in Gateway Specific Plan, with the exception of the required street-side landscape setback along Valley Boulevard. The applicant has been or will be granted a variance to achieve the desired landscape setback of 13.5 feet.

Furthermore, the Project promotes Goal 2-16 of the General Plan by providing high-quality architectural and design features for the development, Goal 2-22 of the General

1 Plan because the project is well-designed, environmentally sustainable, and functionally  
2 efficient for its purpose, and will create additional jobs for local residents, and Goal 3-1  
3 of the General Plan by strengthening and diversifying the economic base and business  
4 climate. Lastly, the Site will be aesthetically enhanced with a new structure and  
landscaping that complies with the City's Design Guidelines. The project is anticipated  
to be a benefit to the community and an improvement to the surrounding area.

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

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

9 The Project's effects will be minimized through the implementation of the Conditions of  
10 Approval contained herein, and through the implementation of Conditions of Approval  
11 imposed by the Development Review Committee during the Precise Plan of Design  
12 Process. The granting of CDP No. 2017-0024, allowing the development and operation  
13 of a used car dealership with incidental vehicle service and repairs, will potentially  
14 provide and maintain a viable tenant on a piece of land that has remained historically  
vacant. Furthermore, the use will offer residents and visitors an additional option for  
purchasing a vehicle and conducting vehicle service and repairs. Therefore, any potential  
adverse effects are outweighed by the benefits conferred upon the community and  
neighborhood as a whole.

15 SECTION 3. Liskanich-Stevens Trust 12-2-04 is hereby granted CDP No. 2017-0024 to  
16 allow the development and operation of a used car dealership with incidental vehicle service and  
17 repairs, to include the construction of a 4,381 square foot sales and service building, on 1.46 gross  
18 acres of land (APN: 0254-091-13) located at the southwest corner of Valley Boulevard and Lilac  
19 Avenue within the Industrial Park (I-P) zone of the Gateway Specific Plan.  
20

21 SECTION 4. The Project is categorically exempt from the requirements of the California  
22 Environmental Quality Act (CEQA), pursuant to Section 15303, New Construction or Conversion  
23 of Small Structures. The Planning Commission directs the Planning Division to file the necessary  
24 documentation with the Clerk of the Board of Supervisors for San Bernardino County.

25 SECTION 5. CDP No. 2017-0024 is granted to Liskanich-Stevens Trust 12-2-04 in  
26 accordance with the plans and application on file with the Planning Division, subject to the  
27 following conditions:  
28

1. The approval is granted allowing the development and operation of a used car dealership with incidental vehicle service and repairs, to include the construction of a 4,381 square foot sales and service building on 1.46 gross acres of land (APN: 0254-091-13) located at the southwest corner of Valley Boulevard and Lilac Avenue within the Industrial Park (I-P) zone of the Gateway Specific Plan; and, as shown on the plans submitted to the Planning Division on May 8, 2019 and as approved by the Planning Commission. If the Conditions of Approval specified herein are not satisfied or otherwise completed, the project shall be subject to revocation.
2. Prior to the issuance of building or grading permits for the proposed development, a Precise Plan of Design shall be approved by the City's Development Review Committee (DRC).
3. City inspectors shall have access to the site to reasonably inspect the site during normal working hours to assure compliance with these conditions and other codes.
4. The applicant shall defend, indemnify and hold harmless the City of Rialto, its agents, officers, or employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void, or annul any approval of the City, its advisory agencies, appeal boards, or legislative body concerning CDP No. 2017-0024. The City will promptly notify the applicant of any such claim, action, or proceeding against the City and will cooperate fully in the defense.
5. In accordance with the provisions of Government Code Section 66020(d)(1), the imposition of fees, dedications, reservations, or exactions for this Project, if any, are subject to protest by the applicant at the time of approval or conditional approval of the Project or within 90 days after the date of the imposition of the fees, dedications, reservations, or exactions imposed on the Project.
6. The applicant shall install decorative pavement within each driveway connected to Valley Boulevard and Lilac Avenue. The decorative pavement shall extend across the entire width of each driveway and shall have a minimum depth of twenty-five (25) feet as measured from the property line. Decorative pavement means decorative pavers and/or color concrete with patterns and color variety. The location of the decorative pavement shall be identified on the Precise Grading Plan prior to the issuance of a grading permit, and it shall also be identified on the site plan within the formal building plan check submittal prior to the issuance of building permits. The type of decorative pavement shall be identified on the formal Landscape Plan submittal prior to the issuance of building permits.
7. In order to provide enhanced building design in accordance with Chapter 18.61 (Design Guidelines) of the Rialto Municipal Code, the applicant shall route all downspouts through the interior of the building. The internal downspouts shall be identified within the formal building plan check submittal prior to the issuance of building permits.

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8. In order to provide enhanced building modulation in accordance with Chapter 18.61 (Design Guidelines) of the Rialto Municipal Code, the applicant shall construct parapet returns, at least five (5) feet in depth from the main wall plane, at all height variations on all four (4) sides of the building. The parapet returns shall be demonstrated on the roof plans within the formal building plan check submittal prior to the issuance of building permits.
9. Any new walls, including any retaining walls, shall be comprised of decorative masonry block. Decorative masonry block means precision block with a 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.
10. The exterior of the trash enclosure shall match the color and materials of the buildings on-site. This includes a plaster finish and a wainscot and/or columns of bronze painted metal panels on all exterior sides of the enclosure. Additionally, the trash enclosure shall contain solid steel doors and a flat solid cover. Corrugated metal and chain-link are not acceptable materials to use as a part of the trash enclosure. An elevation detail for the trash enclosure shall be provided within formal building plan check submittal prior to the issuance of building permits.
11. All light standards, including the base, shall have a maximum height of twenty-five (25) feet, as measured from the finished surface. Lighting shall be shielded and/or directed toward the site so as not to produce direct glare or "stray light" onto adjacent 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 issuance of building permits.
12. The applicant shall submit a formal Landscape Plan to the Planning Division prior to the issuance of building permits. The submittal shall include three (3) sets of planting and irrigation plans, a completed Landscape Plan Review application, and the applicable review fee.
13. The applicant shall plant one (1) tree every three (3) parking spaces. All parking lot trees shall be a minimum of fifteen (15) gallons in size, upon initial planting. Thereafter, the parking lot trees shall be permanently irrigated and maintained. All parking lot tree species shall consist of evergreen broadleaf trees. The trees shall be identified on the formal Landscape Plan submittal prior to the issuance of a landscape permit.

- 1 14. The applicant shall plant one (1) tree every thirty (30) feet on-center within the on-site  
2 landscape setbacks along Valley Boulevard and Lilac Avenue. All trees within the  
3 landscape setbacks shall be a minimum of twenty-four (24) inch box in size, upon initial  
4 planting. Thereafter, the trees within the landscape setback shall be permanently  
5 irrigated and maintained. At least fifty (50) percent of the trees shall consist of  
6 evergreen broadleaf trees, while the remaining percentage may consist of broadleaf  
7 deciduous trees and/or palm trees. The trees shall be identified on the formal Landscape  
8 Plan submittal prior to the issuance of a landscape permit.
- 9 15. The applicant shall plant one (1) tree every thirty (30) feet on-center within the public  
10 right-of-way parkway along Valley Boulevard. All trees within the public right-of-way  
11 parkway shall be a minimum of twenty-four (24) inch box in size, upon initial planting.  
12 Thereafter, the trees within the public right-of-way parking shall be permanently  
13 irrigated and maintained, as required by the Public Works Department. The street tree  
14 species along Valley Boulevard shall be the *Liriodendron Tulipifera* "Tulip Tree" and/or  
15 the *Tristania Conferta* "Brisbane Box". The trees shall be identified on the formal  
16 Landscape Plan submittal prior to the issuance of building permits.
- 17 16. The applicant shall plant one (1) tree every thirty (30) feet on-center within the public  
18 right-of-way parkway along Lilac Avenue. All trees within the public right-of-way  
19 parkway shall be a minimum of twenty-four (24) inch box in size, upon initial planting.  
20 Thereafter, the trees within the public right-of-way parking shall be permanently  
21 irrigated and maintained, as required by the Public Works Department. The street tree  
22 species along Lilac Avenue shall be the *Robinia Idahoensis* "Idaho Locust" and/or the  
23 *Pistachia Chinensis* "Chinese Pistache". The trees shall be identified on the formal  
24 Landscape Plan submittal prior to the issuance of building permits
- 25 17. The applicant shall plant shrubs that surround all ground mounted equipment and utility  
26 boxes, including transformers, fire-department connections, backflow devices, etc. for  
27 the purpose of providing screening of said equipment and utility boxes. All equipment  
28 and utility box screen shrubs shall be a minimum of five (5) gallons in size upon initial  
planting, and the shrubs shall be spaced no more than three (3) feet on-center.  
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.
18. The applicant shall plant a substantial amount of trees, shrubs, and groundcover  
throughout all land not covered by structures, walkways, parking areas, and driveways.  
Trees shall be planted a minimum of thirty (30) feet on-center, and all shrubs and  
groundcover shall be planted an average of three (3) feet on-center or less. All trees  
shall be minimum of fifteen (15) gallons in size upon initial planting, unless otherwise  
specified herein. All shrubs shall be a minimum of one (1) gallon in size, unless  
otherwise specified herein. All planter areas shall receive a minimum two (2) inch thick  
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.

1 All planter areas on-site shall be permanently irrigated and maintained. The planting  
2 and irrigation shall be identified on the formal Landscape Plan submittal prior to the  
3 issuance of a landscape permit.

4 19. All planting and irrigation shall be installed on-site in accordance with the approved  
5 landscape plans and permit prior to the issuance of a Certificate of Occupancy. The  
6 installation of the planting and irrigation shall be certified in writing by the landscape  
7 architect responsible for preparing the landscape plans prior to the issuance of a  
8 Certificate of Occupancy.

9 20. The operator of the Project shall perform all vehicle service and repair activities within  
10 the building's enclosed service bays at all times.

11 21. The operator of the Project is prohibited from conducting auto-dismantling on the Site at  
12 any time.

13 22. The operator of the Project shall not store any materials, parts, and/or equipment outside  
14 of the building at all times, excepting display vehicles, employee vehicles, and customer  
15 vehicles.

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

18 24. All non-glass doors shall be painted to match the color of the adjacent wall prior to the  
19 issuance of a Certificate of Occupancy.

20 25. All signage shall comply with Section 18.102 (Regulation of Signs) of the Rialto  
21 Municipal Code.

22 26. The applicant shall obtain all necessary approvals and operating permits from all  
23 Federal, State and local agencies prior to the issuance of a Certificate of Occupancy.

24 27. The privileges granted by the Planning Commission pursuant to approval of this  
25 Conditional Development Permit are valid for one (1) year from the effective date of  
26 approval. If the applicant fails to commence the project within one year of said  
27 effective date, this conditional development permit shall be null and void and any  
28 privileges granted hereunder shall terminate automatically. If the applicant or his or  
her successor in interest commence the project within one year of the effective date of  
approval, the privileges granted hereunder will continue inured to the property as long  
as the property is used for the purpose for which the conditional development permit  
was granted, and such use remains compatible with adjacent property uses.

29 28. If the applicant fails to comply with any of the conditions of approval placed upon  
30 Conditional Development Permit No. 2017-0024 or any conditions placed upon the  
approval of the Precise Plan of Design required by Condition No. 2 above, the  
Planning Commission may initiate proceedings to revoke the conditional



development permit in accordance with the provisions of Sections 18.66.070 through 18.66.090, inclusive, of the Rialto Municipal Code.

SECTION 6. The Chairman of the Planning Commission shall sign the passage and adoption of this resolution and thereupon the same shall take effect and be in force.

PASSED, APPROVED AND ADOPTED this 29th day of May, 2019.

\_\_\_\_\_  
JOHN PEUKERT, CHAIR  
CITY OF RIALTO PLANNING COMMISSION

1  
2  
3 STATE OF CALIFORNIA )  
4 COUNTY OF SAN BERNARDINO ) ss  
5 CITY OF RIALTO )  
6

7 I, Adrianna Martinez, Administrative Assistant of the City of Rialto, do hereby certify that  
8 the foregoing Resolution No. \_\_\_\_ was duly passed and adopted at a regular meeting of the  
9 Planning Commission of the City of Rialto held on the \_\_\_\_th day of \_\_\_\_, 2018.  
10

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

13 Vote on the motion:

14 AYES:

15 NOES:

16 ABSENT:

17 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City  
18 of Rialto this \_\_\_\_th day of \_\_\_\_, 2018.  
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22 \_\_\_\_\_  
23 ADRIANNA MARTINEZ, ADMINISTRATIVE ASSISTANT  
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