



CITY OF RIALTO
THE REGULAR MEETING MINUTES OF
PLANNING COMMISSION
March 11, 2020 - 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 March 11, 2020.

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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**

Acting City Attorney Stephanie Gutierrez 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 Artist Gilbert
Commissioner Al Twine
Commissioner BarBara Chavez

Staff Present:

Acting City Attorney, Stephanie Gutierrez
Administrative Assistant, Adrianna Martinez
Senior Planner, Daniel Casey
Interim Planning Manager, Karen Peterson
Director of Community Development, Matt Schneider
Director of Public Works, Savat Khamphou

**ORAL
COMMUNICATIONS**

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

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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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Adrianna Martinez indicated that Planning Commission meeting minutes will be available for approval at the next scheduled meeting.

PUBLIC HEARING

Chair Peukert stated the public hearing for General Plan Amendment No. 2019-0003, Zone Change No. 2019-0003, and Environmental Assessment Review No. 2019-0027 was next on the agenda and called for the staff report.

Senior Planner Daniel Casey presented a request to amend the General Plan land use designation and change the zoning designation of a 4.65-acre parcel of land (APN: 0131-161-27) located at 600-614 S. Riverside Avenue from Residential 21 to Residential 30 and from Multi-Family Residential (R3) to Multi-Family Residential (R-4). He noted that a Negative Declaration (Environmental Assessment Review No. 2019-0027) had been prepared for consideration in conjunction with the project.

Daniel Casey explained that the project is already developed with a 104-unit apartment complex and is nearing construction of the final phase. He explained the previous entitlement history of the project, noting that the 2010 General Plan Update required a 10 feet additional dedication on Riverside avenue. This reduced the maximum number of units allowed from 104 to 101. Under the California Density Bonus Law, BM Investments designated five (5) percent of the units (6 units) for very low-income levels in order to obtain 104 units. On June 25, 2014, the Planning Commission approved Conditional Development Permit 577R to allow for the 104 units with the six (6) low income affordable units.

However, BM Investments determined that reserving six (6) units for very low-income levels for the purpose of gaining three (3) units did not make sense financially. They now propose to change the land use designation to Residential 30 and the zoning to Multi Family Residential (R-4) in order to bring the project into conformity with the allowable density without providing the affordable units, as this designation would allow for 139 units. He explained that no expansion of the project is proposed and removal of the very low-income affordable units will not conflict with the update of the City of Rialto's Housing Element, as the draft planned for all 104 units to be for "above moderate" income levels. The Economic Development Committee expressed its support on May 15, 2019.

He explained that a Negative Declaration was prepared and circulated for public review. No public comment letters or requests for tribal consultations were received. He recommended that the Planning Commission forward a recommendation to the City Council to approve the Negative Declaration, General Plan Amendment No. 2019-0002, and Zone Change No. 2019-0002.

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Commissioner BarBara Chavez asked what the rent will be for the units. Daniel Casey explained that the complex consists of one bedroom, two bedroom and three-bedroom units and the range is from \$1800 to \$2595.

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Commissioner Frank Gonzalez asked if this is considered affordable. Daniel Casey stated that this is considered affordable for moderate to above-moderate income households.

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Chair Peukert opened the Public Hearing.

There were no speakers.

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Motion by Commissioner Dale Estvander, second by Commissioner Barbara Chavez to close the Public Hearing. All were in favor, *motion carried 7-0-0*.

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Motion by Commissioner Jerry Gutierrez, second by Commissioner Dale Estvander to adopt the attached Resolutions for Environmental Assessment Review No. 2019-0027, General Plan Amendment No. 2019-0003 and Zone Change No. 2019-0002 recommending approval to the City Council. All were in favor, *motion carried 7-0-0*.

BUSINESS ITEM

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Chair Peukert stated a General Plan Conformity Determination was next on the agenda and asked for the staff report.

Director of Public Works Savat Khamphou explained the existing right-of-way of Maple Avenue located between Casmalia Street and State Route 210 is not a “punch through” street that provides access in the area and vacating it will not affect circulation. He noted the right-of-way is not depicted in the General Plan or the Renaissance Specific Plan and Public Works had determined the vacation is acceptable. He noted the Planning Commission must find the vacation conforms to the General Plan and the Renaissance

Specific Plan in order for the vacation process to continue to the City Council.

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Commissioner Jerry Gutierrez asked what is driving the vacation.

Savat Khamphou stated that it is a way to allow for the opportunity of maximum development and more internal circulation for the adjacent industrial buildings, and that the right-of-way is not needed for public use.

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Motion by Commissioner Dale Estvander, second by Commissioner Al Twine to approve the Resolution Making Certain Findings and Determining that the Location, Purpose, and Extent of the Proposed Vacation of a Portion of Existing Right-of-Way of Maple Avenue located between Casmalia Street and State Route 210 is in conformance with the General Plan and the Renaissance Specific Plan. All were 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

Daniel Casey announced the next Planning Commission Meeting is March 25, 2020.

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

Commissioner Jerry Gutierrez announced he will not be in attendance for the next meeting.

Chair Peukert referred to a newspaper article on a warehouse project in Upland that did not take into account the impact on the City in its entirety. He urged the Planning Commission to ensure the cumulative impact on Rialto is taken into account at all times.

PLANNING DIVISION
COMMENT

Commissioner Jerry Gutierrez asked if it would be possible to have a joint meeting with the City Council in order to discuss and evaluate warehouse projects. He stated that Mayor Pro Tem Ed Scott is interested in a potential joint meeting.

PLANNING
COMMISSION

Daniel Casey replied that he will explore this possibility.

COMMENTS

Commissioner BarBara Chavez mentioned her past comment of concern about Fontana being sued by seven agencies regarding warehouses. She expressed her concern regarding having stricter requirements for warehouses. She asked Daniel Casey if he could research how many vacant warehouses are in the City at this time.

Daniel Casey replied that the City Council has adopted a 45-day emergency moratorium on this matter and will decide whether it will extend it for further analysis. He will also compile a list of vacant warehouses with the help of Business Licensing.

Chair Peukert suggested that guidelines need to be in place to account for a regional basis.

Commissioner Estvander expressed his concern that developers bring a truck traffic analysis for a specific project while foregoing the cumulative traffic impact to the City, which is not an accurate representation.

Commissioner Jerry Gutierrez stated that there must be some safeguards over the proliferation of traffic, especially when large developers use other delivery drivers as independent contractors and other means, to mitigate impact analysis.

Vice Chair Frank Gonzalez asked how long it would take to complete this type of study. He is concerned about the environmental pollution.

Daniel Casey stated staff is working on this issue and it would take several months.

Commissioner Estvander commented that the out-of-state trucks do not pay into our State's taxes for road repair, yet they affect the condition of the roads.

Daniel Casey replied that the City Council, City Attorney, and staff are working on measures to mitigate these issues.

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

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Adjourned at 6:34 p.m.

Adrianna Martinez, Administrative Assistant

John Peukert, Chair
Planning Commission

ADJOURNMENT