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WHEREAS, the applicant, Prestige Development Group, LLC, proposes to construct 7,948 square foot multi-tenant building with a convenience store and two (2) quick service restaurants, one with drive-through access, a 5,324 square foot automobile fuel canopy with 8 islands and 16 fuel dispensers, a 2,542 square foot drive-through restaurant and 1,152 square foot truck fuel canopy with 3 islands and 6 fuel dispensers, and associated paving, drainage, lighting, fencing, and landscaping (“Project”) on 4.27 acres of land (APNs: 0240-211-14) located at the southeast corner of Renaissance Parkway and Alder Avenue within the Freeway Commercial (FC) zone of Renaissance Specific Plan (“Site”); and

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1 WHEREAS, in conjunction herewith, the applicant has submitted Conditional Development
2 Permit No. 2020-0014 to allow the development of a 2,542 square foot pad restaurant building with
3 drive-through service on the Site (“CDP No. 2020-0014”); and

4 WHEREAS, in conjunction herewith, the applicant has submitted Conditional Development
5 Permit No. 2020-0015 to allow the development of a 1,798 square foot quick service restaurant with
6 drive-through service within a proposed 7,948 square foot multi-tenant building on the Site (“CDP
7 No. 2020-0015”); and

8 WHEREAS, in conjunction herewith, the applicant has submitted Conditional Development
9 Permit No. 2020-0016 to allow the development of an automobile fuel station consisting of a 5,324
10 square foot canopy on the Site (“CDP No. 2020-0016”); and

11 WHEREAS, in conjunction herewith, the applicant has submitted Conditional Development
12 Permit No. 2020-0017 to allow the development of a truck fuel station consisting of a 1,152 square
13 foot canopy on the Site (“CDP No. 2020-0017”); and

14 WHEREAS, on September 30, 2020, the Planning Commission of the City of Rialto
15 conducted a duly noticed public hearing, as required by law, Mitigated Negative Declaration,
16 PPD No. 2019-0048, CDP No. 2019-0022, CDP No. 2020-0013, CDP No. 2020-0014, CDP No.
17 2020-0015, 2020-0016 and CDP No. 2020-0017, took testimony, at which time it received input
18 from staff, the city attorney, and the applicant; heard public testimony; discussed the proposed
19 Mitigated Negative Declaration, PPD No. 2019-0048, CDP No. 2019-0022, CDP No. 2020-
20 0013, CDP No. 2020-0014, CDP No. 2020-0015, 2020-0016 and CDP No. 2020-0017; and
21 closed the public hearing; and

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

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

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

27 SECTION 2. Based on substantial evidence presented to the Planning Commission during
28 the public hearing conducted with regard to PPD No. 2019-0048, including written staff reports,

1 verbal testimony, site plans, other documents, and the conditions of approval stated herein, the
2 Planning Commission hereby determines that PPD No. 2019-0048 satisfies the requirements of
3 Section 18.65.020E of the Rialto Municipal Code pertaining to the findings which must be made
4 precedent to approving a Precise Plan of Design application. The findings are as follows:

- 5 1. The proposed development is in compliance with all city ordinances and regulations,
6 unless in accordance with an approved variance; and

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

8 The Project, as conditioned herein, will comply with all City ordinances and regulations,
9 including those within the Renaissance Specific Plan. The Site has a General Plan land
10 use designation of Specific Plan with a Specific Plan Overlay and a zoning designation of
11 Freeway Commercial (FC) within the Renaissance Specific Plan. Those designations
12 allow for the development and operation of a convenience store, restaurants with drive-
13 through facilities and gas stations, with approval of a Conditional Development Permit,
which has been filed in conjunction with this project. Additionally, the Project meets all
of the required development standards of the FC zone including, but not limited to,
required building setbacks, parking, landscaping, building height, floor area ratio, etc.

- 14 2. The site is physically suitable for the proposed development, and the proposed
15 development will be arranged, designed, constructed, and maintained so that it will
16 not be unreasonably detrimental or injurious to property, improvements, or the
17 health, safety or general welfare of the general public in the vicinity, or otherwise be
inharmonious with the City's General Plan and its objectives, zoning ordinances or
any applicable specific plan and its objectives; and

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

19 The zoning of the Site is Freeway Commercial (FC) of the Renaissance Specific Plan.
20 The project is consistent with the FC zone, and existing uses to the north of the project
21 site. There are no sensitive uses adjacent to or nearby the Site. In addition, the project
22 has been reviewed by all of the Departments for compliance with all health, safety, and
23 design requirements to ensure the project will significantly enhance the infrastructure and
aesthetics of the local community.

- 24 3. The proposed development will not unreasonably interfere with the use or
25 enjoyment of neighboring property rights or endanger the peace, health, safety or
welfare of the general public; and

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

27 The Project is anticipated to be a benefit to the community creating a more diverse
28 economic base for the community by providing an additional choice of food and gasoline
stations for consumers at a convenient location. The project will improve an

1 undeveloped property with desirable improvements that will aesthetically enhance the
2 appearance of the community and visitors exiting the 210 freeway. The implementation of
3 the project's Conditions of Approval will ensure that there is no interference with
4 neighboring property rights, or any endanger to the peace, health, safety or welfare of the
5 general public.

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4. The proposed development will not substantially interfere with the orderly or
planned development of the City of Rialto.

This finding is supported by the following facts:

The project uses are consistent with the Freeway Commercial (FC) zone of the Renaissance
Specific Plan. Additionally, the Project will be reviewed by all the Departments at plan
check, prior to construction, to ensure the design meets or exceeds the applicable
development criteria of the FC zone and the applicable design criteria contained within
Chapter 18.61 (Design Guidelines) of the Rialto Municipal Code.

SECTION 3. Prestige Development Group, LLC, is hereby granted PPD No. 2019-0048 to
allow the development of a 7,948 square foot multi-tenant building with a convenience store and
two (2) quick service restaurants, one with drive-through access, a 5,324 square foot automobile
fuel canopy with 8 islands and 16 fuel dispensers, a 2,542 square foot drive-through restaurant
and 1,152 square foot truck fuel canopy with 3 islands and 6 fuel dispensers, and associated
paving, drainage, lighting, fencing, and landscaping ("Project") on 4.27 acres of land (APNs:
0240-211-14) located at the southeast corner of Renaissance Parkway and Alder Avenue within
the Freeway Commercial (FC) zone of Renaissance Specific Plan ("Site").

SECTION 4. Based on the findings and recommended mitigation within the Initial Study,
staff determined that the project will not have an adverse impact on the environment, provided that
mitigation measures are implemented, and a Mitigated Negative Declaration was prepared. The
local newspaper published a copy of the Notice of Intent to adopt the Mitigated Negative
Declaration for the project, and the City mailed the notice to all property owners within 300 feet of
the project site for a public comment period held from July 18, 2020 to August 6, 2020. The
Mitigated Negative Declaration was prepared in accordance with the California Environmental
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.

1 SECTION 5. PPD No. 2019-0048 is granted to Prestige Development Group, LLC in
2 accordance with the plans and application on file with the Planning Division, subject to the
3 following conditions:

- 4
5 1. The approval is granted allowing the development of a 7,948 square foot multi-tenant
6 building with a convenience store and two (2) quick service restaurants, one with drive-
7 through access, a 5,324 square foot automobile fuel canopy with 8 islands and 16 fuel
8 dispensers, a 2,542 square foot drive-through restaurant and 1,152 square foot truck fuel
9 canopy with 3 islands and 6 fuel dispensers on 4.27 acres of land, located at the
10 southeast corner of Renaissance Parkway and Alder Avenue (APN: 0240-211-14)
11 within the Freeway Commercial (FC) zone of the Renaissance Specific Plan, as shown
12 on the plans resubmitted to the Planning Division on May 27, 2020 and as approved by
13 the Planning Commission. If the Conditions of Approval specified herein are not
14 satisfied or otherwise completed, the project shall be subject to revocation.
- 15
16 2. If there are circulation impacts as a result of vehicles stacking or queuing in the main
17 drive aisles of the center, the business owner shall implement measures to address and
18 eliminate the impacts, if requested by the Community Development Director.
- 19
20 3. City inspectors shall have access to the site to reasonably inspect the site during
21 normal working hours to assure compliance with these conditions and other codes.
- 22
23 4. The applicant shall indemnify, protect, defend, and hold harmless, the City of Rialto,
24 and/or any of its officials, officers, employees, agents, departments, agencies, and
25 instrumentalities thereof (collectively, the "City Parties"), from any and all claims,
26 demands, law suits, writs of mandamus, and other actions and proceedings (whether
27 legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative
28 dispute resolutions procedures (including, but not limited to arbitrations, mediations,
and other such procedures), (collectively "Actions"), brought against the City, and/or
any of its officials, officers, employees, agents, departments, agencies, and
instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or
annul, the any action of, or any permit or approval issued by, the City and/or any of
its officials, officers, employees, agents, departments, agencies, and instrumentalities
thereof (including actions approved by the voters of the City), for or concerning the
Project (collectively, the "Entitlements"), whether such Actions are brought under the
California Environmental Quality Act, the Planning and Zoning Law, the Subdivision
Map Act, Code of Civil Procedure Chapter 1085 or 1094.5, the California Public
Records Act, or any other state, federal, or local statute, law, ordinance, rule,
regulation, or any decision of a court of competent jurisdiction. This condition to
indemnify, protect, defend, and hold the City harmless shall include, but not limited
to (i) damages, fees and/or costs awarded against the City, if any, and (ii) cost of suit,
attorneys' fees and other costs, liabilities and expenses incurred in connection with
such proceeding whether incurred by applicant, Property owner, or the City and/or
other parties initiating or bringing such proceeding (collectively, subparts (i) and (ii))

are the “Damages”). Notwithstanding anything to the contrary contained herein, the Applicant shall not be liable to the City Parties under this indemnity to the extent the Damages incurred by any of the City Parties in such Action(s) are a result of the City Parties’ fraud, intentional misconduct or gross negligence in connection with issuing the Entitlements. The applicant shall execute an agreement to indemnify, protect, defend, and hold the City harmless as stated herein within five (5) days of approval of PPD No. 2019-0048.

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 complete and abide by all mitigation measures contained within the Mitigation Monitoring and Reporting Program associated with the Mitigated Negative Declaration prepared for the project (Environmental Assessment Review No. 2020-0060).
7. The applicant shall secure the services of a tribal cultural monitor to be present during all ground disturbance activities associated with the construction of this project. The tribal cultural monitor shall be approved by the Gabrieleño Band of Mission Indians-Kizh Nation, and documentation of coordination between the applicant and the Gabrieleño Band of Mission Indians-Kizh Nation on this matter shall be provided to the Planning Division prior to the issuance of a grading permit.
8. The applicant shall secure the services of a tribal cultural monitor to be present during all ground disturbance activities associated with the construction of this project. The tribal cultural monitor shall be approved by the San Manuel Band of Mission Indians, and documentation of coordination between the applicant and the San Manuel Band of Mission Indians on this matter shall be provided to the Planning Division prior to the issuance of a grading permit.
9. The restaurant operator shall install a trash receptacle on the “driver’s side” at the end of both drive-through lanes, prior to the issuance of a Certificate of Occupancy. The trash receptacle shall be maintained at all times and kept free of overflowing trash.
10. 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 veneer 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. 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 all buildings. The internal downspouts shall be identified within the formal building plan check submittal prior to the issuance of building permits.
12. In order to provide enhanced building design 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.
13. In order to provide enhanced site design in accordance with Chapter 18.61 (Design Guidelines) of the Rialto Municipal Code, the applicant shall install any required bollards shall be constructed in a decorative manner. The decorative design shall be consistent with the overall architecture of the project. The final design of any bollards shall be approved by the Planning Division prior to the issuance of building permits. An elevation detail for any required bollards shall be included within the formal building plan check submittal prior to the issuance of building permits.
14. 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.
15. 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.
16. All planting and irrigation shall be installed on-site in accordance with the approved landscape plans and permit prior to the issuance of a Certificate of Occupancy. The installation of the planting and irrigation shall be certified in writing by the landscape architect responsible for preparing the landscape plans prior to the issuance of a Certificate of Occupancy.
17. All non-glass doors shall be painted to match the color of the adjacent wall prior to the issuance of a Certificate of Occupancy.
18. All drive-through isles adjacent to the public right-of-way or ingress and egress points of vehicular access must include Planning Division approved screening along the perimeter to prevent blinding oncoming traffic with high beam headlights during nighttime hours of operation.

- 1 19. The applicant shall resolved the lot line adjustment to the satisfaction of the
2 Community Development Director and the Public Works Director.
- 3 20. Premise identification as per requirements outlined in Rialto Municipal Code and
4 current edition of California Fire Code. Address numbers shall be placed on all buildings
5 in such a manner as to be plainly visible and legible from the street frontage and rear
6 side of building. The numbers shall contrast with the background of the buildings.
- 7 21. Where access to or within a structure area is restricted because of secured openings and
8 immediate access is necessary for life saving or fire fighting purposes, a Key Box is to
9 be installed in an accessible location(s) as approved by the Fire Department. The Key
10 Box shall be of a type approved by the Fire Department.
- 11 22. The Developer or General Contractor shall identify each contractor and subcontractor
12 hired to work at the job site on the Contractor Sublist form and return it to the Business
13 License Division with a Business License application and the Business License tax fee
14 based on the Contractors tax rate for each contractor listed on the form.
- 15 23. Prior to issuance of a Certificate of Occupancy, a Business License tax shall be paid
16 based on the following tax rate: Retail Merchant Food.
- 17 24. Prior to issuance of a Certificate of Occupancy, the Lessor of the property shall pay a
18 business license tax based on the Rental Income Property tax rate.
- 19 25. The applicant shall illuminate all walkways, passageways, and locations where
20 pedestrians are likely to travel with a minimum of 1.5-foot candles (at surface level) of
21 light during the hours of darkness. Lighting shall be designed/constructed in such a
22 manner as to automatically turn on at dusk and turn off at dawn.
- 23 26. The applicant shall illuminate all alleyways, driveways, and uncovered parking areas
24 with a minimum of 1.5-foot candles (at surface level) of light during the hours of
25 darkness. Lighting shall be designed/constructed in such a manner as to automatically
26 turn on at dusk and turn off at dawn.
- 27 27. The applicant shall design/construct all lighting fixtures and luminaries, including
28 supports, poles and brackets, in such a manner as to resist vandalism and/or destruction
by hand.
- 29 28. The applicant shall provide an illuminated channel letter address prominently placed on
the building to be both visible to the front of the location and if applicable, visible from
the main street to which they are located (e.g. commercial building facing the interior of
the property would require two address signs if located adjacent to a roadway), prior to
the issuance of a Certificate of Occupancy.

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- 2 29. The applicant shall install exterior security cameras at the location that cover the entire
- 3 Site, prior to the issuance of a Certificate of Occupancy. The security cameras shall be
- 4 accessible to the Rialto Police Department via FususONE web application.
- 5
- 6 30. The applicant shall install Knox boxes immediately adjacent to the main entrance to the
- 7 building and at least one (1) rear entrance to facilitate the entry of safety personnel. The
- 8 Knox boxes shall be installed in such a manner as to be alarmed, resist vandalism,
- 9 removal, or destruction by hand, and be fully recessed into the building. The Knox
- 10 boxes shall be equipped with the appropriate keys, for each required location, prior to
- 11 the first day of business. The Knox-Box placement shall be shown on the formal
- 12 building plan review submittal prior to the issuance of a building permit.
- 13
- 14 31. The applicant shall prominently display the address on the building rooftop to be visible
- 15 to aerial law enforcement or fire aircraft. Specifications to be followed for alphanumeric
- 16 characters are as follows: Three (3) foot tall and six (6) inches thick alphanumeric
- 17 characters. The alphanumeric characters shall be constructed in such a way that they are
- 18 in stark contrast to the background to which they are attached (e.g. white numbers and
- 19 letters on a black background), and resistant weathering that would cause a degradation
- 20 of the contrast.
- 21
- 22 32. The applicant shall provide an audible alarm at the rear door of the building, prior to the
- 23 issuance of a Certificate of Occupancy. The building shall be alarmed in such a way as
- 24 to emit a continuous audible notification until reset by responsible personnel (e.g.
- 25 alarmed exit device / crash bar).
- 26
- 27 33. The applicant shall comply with all conditions of approval for PPD No. 2019-0048 to
- 28 the satisfaction of the City Engineer, prior to the issuance of a Certificate of Occupancy.
34. The applicant shall pay all applicable development impact fees in accordance with the
- current City of Rialto fee ordinance, including any Transportation and Traffic Fair
- Share Contribution fees, prior to issuance of a building permit.
35. The applicant shall submit a Precise Grading/Paving Plan prepared by a California
- registered civil engineer to the Public Works Engineering Division for review and
- approval. The Grading Plan shall be approved by the City Engineer prior to the issuance
- of any building permit.
36. The applicant shall submit a Geotechnical/Soils Report, prepared by a California
- registered Geotechnical Engineer, for and incorporated as an integral part of the grading
- plan for the proposed development. A copy of the Geotechnical/Soils Report shall be
- submitted to the Public Works Engineering Division with the first submittal of the
- Precise Grading Plan.

- 1 37. Prior to the issuance of Grading/On-site Construction Permit, the developer shall
2 apply and complete the Special District Annexation for the public street lighting and
3 the public landscape and irrigation into the Landscape and Lighting Maintenance
4 District 2 (LLMD2), including applicable specific plan required landscape easement
5 areas, parkway areas, and raised medians along the property frontage.
- 6 38. Any dry utility improvements within the public right-of-way require a City of Rialto
7 Encroachment Permit.
- 8 39. A single master Off-site Construction Permit is required for any street, wet utility,
9 landscape and irrigation, and traffic signal improvements along the project frontage
10 within the public right-of-way. In an effort to expedite and facilitate improvements in
11 the public right-of-way, the applicant is responsible for submitting a multi-phase
12 master plan traffic control plan which includes all phases of construction along the
13 project frontage in the public right-of-way i.e. sewer, water, overhead, underground,
14 etc. prior to the issuance of Off-site Construction Permit. Note, in an effort to
15 simplify the permitting process, a single master Off-Site Construction Permit shall
16 replace individual Encroachment Permits to be pulled by the developer's contractor.
- 17 40. Submit California registered civil engineer prepared Street Improvement plans to the
18 Engineering Division of Public Works for review and approval. The street
19 improvement plans shall be approved concurrently with any streetlight, landscape and
20 irrigation, and traffic signal plans unless otherwise approved by the City Engineer.
21 The Street Improvement plans shall be approved by the City Engineer prior to
22 issuance of any building permits.
- 23 41. Submit Traffic Striping/Signage plans prepared by a California registered Civil
24 Engineer for review and approval by the City Engineer, as may be required for
25 frontage improvements within the right-of-way. All required traffic striping and
26 signage improvements shall be completed concurrently with required street
27 improvements, to the satisfaction of the City Engineer and prior to issuance of a
28 Building Permit. All Traffic Striping Improvements shall be made in thermoplastic
material.
42. The applicant shall submit off-site landscaping and irrigation system improvement plans
and a landscape maintenance agreement for the project frontage within the right-of-way
for review and approval at the time of first (1st) public improvement plan submittal to the
Public Works Department.
43. All proposed trees within the public right-of-way and within 10 feet of the public
sidewalk and/or curb shall have City approved deep root barriers installed in
accordance with the Public Works Landscape and Irrigation Guidelines or as
approved by the City Engineer.
44. If required by the City's spacing requirements, all new street lights shall be installed on
an independently metered, City-owned underground electrical system. The developer

1 shall be responsible for applying with Southern California Edison (“SCE”) for all
2 appropriate service points and electrical meters. New meter pedestals shall be installed,
3 and electrical service paid by the developer.

4 45. The developer is responsible for requesting from the Public Works Department any
5 addresses needed for any building(s) and/or any electrical single/dual irrigation meter
6 pedestal(s). The main building address shall be included on Precise Grading Plans
7 and Building Plan set along with the PPD number. The electrical meter pedestal
8 addresses (single or dual) shall be included in the public improvement plans.

9 46. All street cuts for utilities shall be repaired in accordance with City Standard SC-231
10 within 72 hours of completion of the utility work; and any interim trench repairs shall
11 consist of compacted backfill to the bottom of the pavement structural section
12 followed by placement of standard base course material in accordance with the
13 Standard Specifications for Public Work Construction (“Greenbook”). The base
14 course material shall be placed the full height of the structural section to be flush with
15 the existing pavement surface and provide a smooth pavement surface until
16 permanent cap paving occurs using an acceptable surface course material.

17 47. In accordance with City Ordinance No. 1589, adopted to preserve newly paved
18 streets, any and all street and/or trench cuts in newly paved streets will be subject to
19 moratorium street repair standards as reference in Section 11.04.145 of the Rialto
20 Municipal Code.

21 48. Any and all utility trenches or other excavations within existing asphalt concrete
22 pavement of off-site streets resulting from the proposed development shall be
23 backfilled and repaired in accordance with City of Rialto Standard Drawings. The
24 developer shall be responsible for removing, grinding, paving and/or overlaying
25 existing asphalt concrete pavement of off-site streets including pavement repairs in
26 addition to pavement repairs made by utility companies for utilities installed for the
27 benefit of the proposed development (i.e. Fontana Water Company, Southern
28 California Edison, Southern California Gas Company, Time Warner, etc.). Multiple
excavations, trenches, and other street cuts within existing asphalt concrete pavement
of off-site streets resulting from the proposed development may require complete
grinding and asphalt concrete overlay of the affected off-site streets, at the discretion
of the City Engineer. The pavement condition of the existing off-site streets shall be
returned to a condition equal to or better than what existed prior to construction of the
proposed development.

49. In accordance with Chapter 15.32 of the City of Rialto Municipal Code, all existing
electrical distribution lines of sixteen thousand volts or less and overhead service drop
conductors, and all telephone, television cable service, and similar service wires or
lines, which are on-site, abutting, and/or transecting, shall be installed underground.
Utility undergrounding shall extend to the nearest off-site power pole; no new poles
utility poles shall be installed unless otherwise approved by the City Engineer. A
letter from the owners of the affected utilities shall be submitted to the City Engineer

1 prior to approval of the Precise Grading/Paving Plan, informing the City that they
2 have been notified of the City's utility undergrounding requirement and their intent to
3 commence design of utility undergrounding plans. When available, the utility
4 undergrounding plan shall be submitted to the City Engineer identifying all above
ground facilities in the area of the project to be undergrounded.

5 50. All damaged, destroyed, or modified pavement legends, traffic control devices,
6 signing, striping, and street lights, associated with the proposed development shall be
7 replaced in accordance with the City Standard Drawings and as approved by the City
Engineer prior to issuance of a Certificate of Occupancy.

8 51. Construction signing, lighting and barricading shall be provided during all phases of
9 construction in accordance with City Standards and as directed by the City Engineer.
10 As a minimum, all construction signing, lighting and barricading shall be in
11 accordance with Part 6 "Temporary Traffic Control" of the 2014 California Manual
on Uniform Traffic Control Devices, or subsequent editions in force at the time of
construction.

12 52. Upon approval of any public improvement plan by the City Engineer, the
13 improvement plan shall be provided to the City in digital format, consisting of a
14 DWG (AutoCAD drawing file), DXF (AutoCAD ASCII drawing exchange file), and
15 PDF (Adobe Acrobat) formats. Variation of the type and format of the digital data to
be submitted to the City may be authorized, upon prior approval by the City Engineer.

16 53. Construct 4-inch conduit within the landscape area along the entire project frontage
17 within the right-of-way for future use (i.e., fiber-optics, etc.).

18 54. Install "No Stopping Any Time" R26A(S) (CA) signage along the entire frontage.

19 55. Dedicate additional right-of-way along the entire frontage as may be required to
20 provide a property line at ultimate right-of-way of 54-feet from street centerline along
21 Renaissance Parkway, as identified in Figure 3-4a in accordance with the Renaissance
22 Specific Plan. Nothing shall be constructed or planted in the corner cut-off area which
does or will exceed 30 inches in height required to maintain an appropriate corner
sight distance.

23 56. Dedicate additional right-of-way along the entire frontage as may be required to
24 provide a property line at ultimate right-of-way of 50-feet from street centerline along
25 Alder Avenue, as identified in Figure 3-5 in accordance with the Renaissance
26 Specific Plan. Nothing shall be constructed or planted in the corner cut-off area which
does or will exceed 30 inches in height required to maintain an appropriate corner
sight distance.

27 57. The applicant shall construct a sixteen (16) foot wide raised and landscaped median
28 island along the frontage of Alder Avenue, as required by the City Engineer and the
Renaissance Specific Plan. The median nose width shall be constructed at 4 feet wide

1 and shall have stamped concrete. The left turn pocket shall be designed in accordance
2 with Section 405 of the current edition of the Caltrans Highway Design Manual, and/or
3 as approved by the City Engineer.

- 4 58. Provide a cost estimate for review and approval by the Public Works Direction and
5 pay an in-lieu fee equal to the estimate for the removal of existing and the
6 construction of any new street pavement with a minimum pavement section of 5
7 inches asphalt concrete pavement over 6 inches crushed aggregate base with a
8 minimum subgrade of 24 inches at 95% relative compaction, or equal, along the
9 entire half-width street frontage in accordance with City of Rialto Standard Drawings.
10 The estimate shall assume a pavement section using a Traffic Index ("TI") of 10 and
11 using "R" values from the project site.
- 12 59. Replace any existing damaged sections of the curb and gutter with an 8-inch curb
13 and gutter along the entire frontage in accordance with City of Rialto Standard
14 Drawings and the General Plan or applicable Specific Plan.
- 15 60. Construct Americans with Disabilities Act (ADA) compliant sidewalk improvements
16 behind curb along the entire frontage in accordance with the General Plan, any
17 Specific Plan and the City of Rialto Standard Drawings.
- 18 61. Construct a commercial driveway approach in accordance with City of Rialto
19 Standard Drawings. The driveway approach shall be constructed so the top of "X" is
20 5 feet from the property line, or as otherwise approved by the City Engineer. Nothing
21 shall be constructed or planted in the corner cut-off area which does or will exceed 30
22 inches in height required to maintain an appropriate corner sight distance.
- 23 62. Construct a curb ramp meeting current California State Accessibility standards along
24 both sides of the commercial driveway approach. The developer shall ensure that an
25 appropriate path of travel, meeting ADA guidelines, is provided across the driveway,
26 and shall adjust the location of the access ramps, if necessary, to meet ADA
27 guidelines, subject to the approval of the City Engineer. If necessary, additional
28 pedestrian and sidewalk easements shall be provided on-site to construct a path of
travel meeting ADA guidelines.
63. Development of the site is subject to the requirements of the National Pollution
Discharge Elimination System (NPDES) Permit for the City of Rialto, under the
Santa Ana Regional Water Quality Control Board, Board Order No. R8-2010-0036.
Pursuant to the NPDES Permit, the developer shall ensure development of the site
incorporates post-construction Best Management Practices ("BMPs") in accordance
with the Model Water Quality Management Plan ("WQMP") approved for use for the
Santa Ana River Watershed. The developer is advised that applicable Site Design
BMPs will be required to be incorporated into the final site design, pursuant to a site
specific WQMP submitted to the City Engineer for review and approval.

- 1 64. The minimum pavement section for all on-site pavements shall be 2½ inches asphalt
2 concrete pavement over 4 inches crushed aggregate base with a minimum subgrade of
3 24 inches at 95% relative compaction, or equal. If an alternative pavement section is
4 proposed, the proposed pavement section shall be designed by a California registered
5 Geotechnical Engineer using "R" values from the project site and submitted to the
6 City Engineer for approval.
- 7 65. The developer shall connect to the City of Rialto sewer system and apply for a sewer
8 connection account with Rialto Water services.
- 9 66. Submit sewer improvement plans prepared by a California registered civil engineer to
10 the Engineering Division. The plans shall be City Engineer approved prior to issuance
11 of any building permits.
- 12 67. Prior to issuance of a certificate of occupancy or final City approvals, provide
13 certification from Rialto Water Services to demonstrate that all water and/or
14 wastewater service accounts have been documented.
- 15 68. The developer is advised that domestic water service is provided by Fontana Water
16 District. The developer shall be responsible for coordinating with Fontana Water
17 District and complying with all requirements for establishing domestic water service
18 to the property.
- 19 69. The applicant shall adhere to the City Council approved franchise agreements and
20 disposal requirements during all construction activities, in accordance with Section 8.08
21 (Refuse Collection of the City of Rialto Municipal Code).
- 22 70. The applicant's contractors shall submit copies of recycling tickets demonstrating
23 minimum compliance with construction waste management recycling requirements as
24 well as chain of custody for all construction debris.
- 25 71. The applicant shall submit a Precise Grading Plan prepared by a California registered
26 civil engineer for review and approval. The Precise Grading/Paving Plan shall be
27 approved by the City Engineer prior to issuance of a building permit.
- 28 72. Prior to commencing with any grading, the applicant shall implement the required
erosion and dust control measures shall be in place. In addition, the following shall be
included if not already identified:
- a. 6 foot high tan colored perimeter screened fencing;
 - b. Contractor information signage including contact information along the street
frontage of Riverside Avenue; and,
 - c. Post dust control signage with the following verbiage: "Project Name, WDID
No., IF YOU SEE DUST COMING FROM THIS PROJECT CALL: NAME
(XXX) XXX-XXX, If you do not receive a response, please call the AQMD at
1-800-CUT-SMOG/1-800-228-7664."

1
2 73. Due to the total impermeable area footprint of the Project, a Water Quality
3 Management Plan (WQMP) will not be required. However, the Project will require
4 the implementation of the following Low Impact Development (LID) features:

- 4 d. Permeable pavement
- 5 e. Infiltration Basins "Rain Gardens" at Down Spouts

6 74. The applicant shall submit a Water Quality Management Plan identifying site specific
7 Best Management Practices ("BMPs") in accordance with the Model Water Quality
8 Management Plan ("WQMP") approved for use for the Santa Ana River Watershed.
9 The site specific WQMP shall be submitted to the City Engineer for review and
10 approval with the Grading Plan. A WQMP Maintenance Agreement shall be required,
11 obligating the property owner(s) to appropriate operation and maintenance obligations
12 of on-site BMPs constructed pursuant to the approved WQMP. The WQMP and
13 Maintenance Agreement shall be approved prior to the issuance of any building permit
14 and shall be recorded at the San Bernardino County Recorder's Office prior to the
15 issuance of a Certificate of Occupancy.

16 75. The applicant shall prepare a Notice of Intent (NOI) to comply with the California
17 General Construction Stormwater Permit (Water Quality Order 2009-0009-DWQ as
18 modified September 2, 2009) is required via the California Regional Water Quality
19 Control Board online SMARTS system. A copy of the executed letter issuing a Waste
20 Discharge Identification (WDID) number shall be provided to the City Engineer prior to
21 issuance of a grading or building permit. The applicant's contractor shall prepare and
22 maintain a Storm Water Pollution Prevention Plan ("SWPPP") as required by the
23 General Construction Permit. All appropriate measures to prevent erosion and water
24 pollution during construction shall be implemented as required by the SWPPP.

25 76. A California registered Geotechnical Engineer prepared Geotechnical/Soils Report
26 shall be required for and incorporated as an integral part of the grading/paving plan
27 for the proposed development. A copy of the Geotechnical/Soils Report shall be
28 submitted to the Engineering Division with the first submittal of the Precise
Grading/Paving Plan.

29 77. All stormwater runoff passing through the site shall be accepted and conveyed across the
30 property in a manner acceptable to the City Engineer. For all stormwater runoff falling
31 on the site, on-site retention or other facilities approved by the City Engineer shall be
32 required to contain the increased stormwater runoff generated by the development of the
33 property. Provide a hydrology study to determine the volume of increased stormwater
34 runoff due to development of the site, and to determine required stormwater runoff
35 mitigation measures for the proposed development. Final retention basin sizing and
36 other stormwater runoff mitigation measures shall be determined upon review and
37 approval of the hydrology study by the City Engineer and may require redesign or
38 changes to site configuration or layout consistent with the findings of the final hydrology

1 study. The volume of increased stormwater runoff to retain on-site shall be determined
2 by comparing the existing “pre-developed” condition and proposed “developed”
3 condition, using the 100-year frequency storm.

4 78. Direct release of on-site nuisance water or stormwater runoff shall not be permitted to
5 the adjacent public streets. Provisions for the interception of nuisance water from
6 entering adjacent public streets from the project site shall be provided through the use of
7 a minor storm drain system that collects and conveys nuisance water to landscape or
8 parkway areas, and in only a stormwater runoff condition, pass runoff directly to the
9 streets through parkway or under sidewalk drains. All on-site and off-site designs must
10 comply with NPDES stormwater regulations.

11 79. The applicant shall provide pad elevation certifications for all building pads in
12 conformance with the approved Precise Grading Plan to the Engineering Division
13 prior to construction of any building foundation.

14 80. Prior to issuance of a certificate of occupancy or final City approvals, the applicant shall
15 demonstrate that all structural BMP’s have been constructed and installed in
16 conformance with approved plans and specifications, and as identified in the approved
17 WQMP.

18 81. The applicant shall remove any graffiti within 24 hours, before, during, and post
19 construction.

20 82. In accordance with the City of Rialto Municipal Code Section 18.72.010, Provision
21 D, inadequately maintained landscaping which is visible from the public street, or
22 right-of-way and which, either alone or in combination with other conditions on the
23 subject property tends to degrade the aesthetic quality of the immediate neighborhood
24 is prohibited.

25 83. The applicant shall design the structure in accordance with the 2019 California Building
26 Code, 2019 California Mechanical Code, 2019 California Plumbing Code, and the 2019
27 California Electrical Code, 2019 Residential Code and the 2019 California Green
28 Buildings Standards adopted by the State of California.

84. The applicant shall design all structures to withstand ultimate wind speed of 130 miles
per hour, exposure C and seismic zone D.

85. As applicable, the applicant shall submit fire sprinkler, fire alarm systems, and fire
hydrant plans to the Building Division for plan review concurrently with building plans
and shall be approved prior to the issuance of a building permit.

86. Building plans shall be submitted using our online service at <https://etrakit.rialtoca.gov>.
If you have any difficulties submitting your building plans online, please send your
building submittal to buildingandsafety@rialtoca.gov. A Building permits will not be

issued or plans approved until two (2) copies of the approved health plans have been received and reviewed by the Building Division.

87. The applicant shall obtain an Electrical Permit from the Building Division for any temporary electrical power required during construction. No temporary electrical power will be granted to a project unless one of the following items is in place and approved by the Building Division: (A) Installation of a construction trailer, or, (B) Security fencing around the area where the electrical power will be located.
88. The applicant shall install any permitted temporary construction trailer on private property. No trailers are allowed to be located within the public right-of-way.
89. The applicant shall design and construct accessible paths of travel from the building's accessible entrances to the public right-of-way, accessible parking, and the trash enclosure. Paths of travel shall incorporate (but not limited to) exterior stairs, landings, walks and sidewalks, pedestrian ramps, curb ramps, warning curbs, detectable warning, signage, gates, lifts and walking surface materials, as necessary. The accessible route(s) of travel shall be the most practical direct route between accessible building entrances, site facilities, accessible parking, public sidewalks, and the accessible entrance(s) to the site, California Building Code, (CBC) Chapter 11, Sec, 11A and 11B.
90. Prior to issuance of a Building Permit all of the following must be in place on the Site: a portable toilet with hand wash station, all BMP's, fencing and signage on each adjacent street saying "If there is any dust or debris coming from this site please contact (superintendent number here) or the AQMD if the problem is not being resolved" or something similar to this.
91. The applicant shall provide temporary toilet facilities for the construction workers. The toilet facilities shall always be maintained in a sanitary condition. The construction toilet facilities of the non-sewer type shall conform to ANSI ZA.3.
92. All on site utilities shall be underground to the new proposed structure, unless prior approval has been obtained by the utility company or the City.
93. Prior to issuance of Building Permits, site grading final and pad certifications shall be submitted to the Building Division, which include elevation, orientation, and compaction. The certifications are required to be signed by the engineer of record.
94. The applicant shall provide proof of payment to the Rialto Unified School District for all required school fees, prior to the issuance of a building permit.
95. The applicant shall obtain all necessary approvals and operating permits from all Federal, State and local agencies prior to the issuance of a Certificate of Occupancy.
96. The privileges granted by the Planning Commission pursuant to approval of this Conditional Development Permit are valid for one (1) year from the effective date of

1 approval. If the applicant fails to commence the project within one year of said
2 effective date, this conditional development permit shall be null and void and any
3 privileges granted hereunder shall terminate automatically. If the applicant or his or
4 her successor in interest commence the project within one year of the effective date of
5 approval, the privileges granted hereunder will continue inured to the property as long
6 as the property is used for the purpose for which the conditional development permit
7 was granted, and such use remains compatible with adjacent property uses.

8 97. Approval of PPD No. 2019-0048 will not become effective until the applicant has
9 signed a statement acknowledging awareness and acceptance of the required conditions
10 of approval contained herein.

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

13 PASSED, APPROVED AND ADOPTED this 30th day of September, 2020.

14 _____
15 JOHN PEUKERT, CHAIR
16 CITY OF RIALTO PLANNING COMMISSION
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2 STATE OF CALIFORNIA)
3 COUNTY OF SAN BERNARDINO) ss
4 CITY OF RIALTO)
5

6 I, Adrianna Martinez, Administrative Assistant of the City of Rialto, do hereby certify that
7 the foregoing Resolution No. ____ was duly passed and adopted at a regular meeting of the
8 Planning Commission of the City of Rialto held on the ____th day of ____, 2020.

9 Upon motion of Planning Commissioner_____, seconded by Planning Commissioner
10 ____, the foregoing Resolution No. ____ was duly passed and adopted.

11 Vote on the motion:

12 AYES:

13 NOES:

14 ABSENT:

15 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City
16 of Rialto this ____th day of ____, 2020.
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18
19

20 _____
21 ADRIANNA MARTINEZ, ADMINISTRATIVE ASSISTANT
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