

RESOLUTION NO. 2021-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIALTO, CALIFORNIA APPROVING CONDITIONAL DEVELOPMENT PERMIT NO. 2021-0011 TO ALLOW THE ESTABLISHMENT OF A 12,297 SQUARE FOOT CONVENIENCE MARKET/TRAVEL CENTER WITHIN A PROPOSED 14,697 SQUARE FOOT COMMERCIAL BUILDING ON 13.22 ACRES OF LAND (APN: 1119-241-28) LOCATED AT THE SOUTHWEST CORNER OF ALDER AVENUE AND SIERRA LAKES PARKWAY WITHIN THE FREEWAY INCUBATOR (FI) LAND USE DISTRICT OF THE RENAISSANCE SPECIFIC PLAN.

WHEREAS, the applicant, Rialto Travel Center, proposes the establishment a 12,297 square foot convenience market/travel center (“Project”) within a proposed 14,697 square foot commercial building on 13.22 acres of land (APN: 1119-241-28) located at the southwest corner of Alder Avenue and Sierra Lakes Parkway within the Freeway Incubator (FI) land use district of the Renaissance Specific Plan (“Site”); and

WHEREAS, the Project will be comprised of 12,297 square foot convenience market/travel center within a 14,697 square foot commercial building, sales of typical convenience-type goods, public restrooms, showers, laundry facilities, a TV lounge, 132 passenger vehicle parking spaces, 91 truck parking spaces; and

WHEREAS, pursuant to Table 3-2 (General Permitted Uses) of the Renaissance Specific Plan, the Project requires a Conditional Development Permit, and the applicant has applied for Conditional Development Permit No. 2021-0011 (“CDP No. 2021-0011”); and

WHEREAS, in conjunction with the Project, the applicant has submitted Conditional Development Permit No. 2021-0009 to facilitate the development and operation of a passenger vehicle fuel station consisting of seven (7) fuel dispensers and a 5,519 square foot overhead canopy on the Site (“CDP No. 2021-0009”); and

WHEREAS, in conjunction with the Project, the applicant has submitted Conditional Development Permit No. 2021-0010 to facilitate the development and operation of a truck fuel station consisting of a 3,544 square foot canopy with nine (9) fuel dispensers underneath on the Site (“CDP No. 2021-0010”); and

1 WHEREAS, in conjunction with the Project, the applicant has submitted Conditional
2 Development Permit No. 2021-0012 to facilitate the establishment of a 2,400 square foot restaurant
3 with drive-thru service within a proposed 14,697 square foot commercial building on the Site
4 (“CDP No. 2021-0012”); and

5 WHEREAS, in conjunction with the Project, the applicant has submitted Conditional
6 Development Permit No. 2021-0013 to facilitate the development and operation of a 6,375 square
7 foot truck service shop building on the Site (“CDP No. 2021-0013”); and

8 WHEREAS, in conjunction with the Project, the applicant has submitted Conditional
9 Development Permit No. 2021-0014 to facilitate the sale of beer and wine for off-site consumption
10 from a proposed 12,297 square foot convenience market/travel center on the Site (“CDP No. 2021-
11 0014”); and

12 WHEREAS, in conjunction with the Project, the applicant has submitted Precise Plan of
13 Design No. 2021-0013 to facilitate the development of a passenger vehicle fuel station consisting
14 of a 5,519 square foot canopy with seven (7) fuel dispensers underneath, a truck fuel station
15 consisting of a 3,544 square foot canopy with nine (9) fuel dispensers underneath, a 14,697 square
16 foot commercial building with drive-thru service, a 6,375 square foot truck service shop building,
17 and associated fuel tanks, paving, screen walls, fencing, lighting, landscaping, and drainage
18 improvements on the Site (“PPD No. 2021-0013”); and

19 WHEREAS, on October 13, 2021, the Planning Commission of the City of Rialto
20 conducted a duly noticed public hearing, as required by law, on CDP No. 2021-0011, CDP No.
21 2021-0009, CDP No. 2021-0010, CDP No. 2021-0012, CDP No. 2021-0013, CDP No. 2021-0014,
22 and PPD No. 2021-0013, took testimony, at which time it received input from staff, the city
23 attorney, and the applicant; heard public testimony; discussed the proposed CDP No. 2021-0011,
24 CDP No. 2021-0009, CDP No. 2021-0010, CDP No. 2021-0012, CDP No. 2021-0013, CDP No.
25 2021-0014, and PPD No. 2021-0013; and closed the public hearing; and

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

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

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

3 SECTION 2. Based on substantial evidence presented to the Planning Commission during
4 the public hearing conducted with regard to CDP No. 2021-0011, including written staff reports,
5 verbal testimony, site plans, other documents, and the conditions of approval stated herein, the
6 Planning Commission hereby determines that CDP No. 2021-0011 satisfies the requirements of
7 Section 18.66.020 of the Rialto Municipal Code pertaining to the findings which must be made
8 precedent to granting a conditional development permit. The findings are as follows:

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

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

13 The Site is located at the intersection of Alder Avenue and Sierra Lakes Parkway/Casmalia
14 Street, which is currently served by only one (1) other convenience market. The next
15 nearest convenience market is located approximately 1.40 miles to the east of the Site. The
16 Project is anticipated to be a benefit to the community and an improvement to the
17 surrounding area by providing additional retail choices for consumers at a convenient
18 location that is currently underserved. The Project will provide a more diverse economic
19 base for the surrounding area and will provide necessary goods and services for the
20 residents and travelers within the City.

- 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 project site is bound by Sierra Lakes Parkway on the north and Alder Avenue on the
25 east. To the north, across Sierra Lakes parkway, is a rock quarry, and to the east, across
26 Alder Avenue, is a Shell fuel station. To the south is a San Bernardino County Flood
27 Control Channel, and to the west is approximately 3.14 acres of vacant land. The Project
28 is consistent with the underlying FI land use designation. The nearby area is predominantly
designated for and developed with commercial and industrial uses, and as a result, there
are no sensitive land uses near the project site. Regardless, features and measures, such as
landscape buffering and safety measures listed within the Crime Prevention Plan will be
maintained/implemented. Additionally, the project has been reviewed by the City staff for
compliance with all health, safety, and design requirements to ensure the project will
significantly enhance the infrastructure and aesthetics of the local community.

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

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

5 The Site is 13.22 acres in size, fairly level, and adjacent to two (2) arterial streets, which are
6 able to accommodate the Project. The development will have five (5) points of access – five
7 (5) driveways connected directly to Sierra Lakes Parkway. The three (3) westerly driveways
8 and easterly driveway along Sierra Lakes Parkway will allow full access movements, while
9 the second driveway from the east along Sierra Lakes Parkway will limit access to left-
10 out/right-out only.

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

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

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

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

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

21 The proposed use is consistent with the underlying FI land use designation of the
22 Renaissance Specific Plan. The Project will feature high-quality building exteriors
23 designed in compliance with the City's Design Guidelines. Landscaping has been
24 abundantly incorporated into the site. The landscape coverage for the Project is 29.0
25 percent, which greatly exceeds the minimum required amount of 10.0 percent. Landscape
26 planters containing trees spaced every thirty (30) linear feet will be installed along the
27 entire perimeter of the Site to provide a buffer between surrounding properties and the
28 public right-of-way. Furthermore, the Project includes the installation of 132 passenger
29 vehicle parking spaces and 91 truck parking spaces, which exceeds the minimum parking
30 requirement of 87 parking spaces required by Table 3-6 (Parking Standards) of the
31 Renaissance Specific Plan.

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

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

1 The Project's effects will be minimized through the implementation of the Conditions of
2 Approval contained herein, and through the implementation of Conditions of Approval
3 imposed by the Planning Commission on the Precise Plan of Design, such as extensive
4 landscaping and enhanced architectural features. The development of a truck fuel station,
5 a passenger vehicle fuel station, a convenience market/travel center, a truck service shop,
6 and restaurant with drive-thru service along arterial streets, such as Alder Avenue and
7 Sierra Lakes Parkway, will provide additional employment opportunities and a convenient
8 location for residents and visitors to purchase fuel and other goods. Additionally, the
9 applicant will implement landscape buffering and a Crime Prevention Plan, which has been
10 endorsed by the Rialto Police Department, as a means to minimize crime and nuisance
11 activities generated by the Project. Therefore, any potential adverse effects are outweighed
12 by the benefits conferred upon the community and neighborhood as a whole.

9 SECTION 3. An Addendum to the Renaissance Specific Plan Final Environmental Impact
10 Report (Environmental Assessment Review No. 2021-0016) has been prepared for the Project in
11 accordance with the California Environmental Quality Act (CEQA), and it has been determined that
12 the proposed Project would result in no new significant impacts that were not analyzed in the
13 Renaissance Specific Plan Final Environmental Impact Report ("RSP FEIR"), nor would the
14 proposed Project cause a substantial increase in the severity of any previously identified
15 environmental impacts. The potential impacts associated with the proposed Project would either be
16 the same or less than those described in the RSP FEIR. In addition, there are no substantial changes
17 to the circumstances under which the proposed Project would be undertaken that would result in new
18 or more severe environmental impacts than previously addressed in the RSP FEIR, nor has any new
19 information regarding the potential for new or more severe significant environmental impacts been
20 identified. The Planning Commission hereby adopts the Addendum to the Renaissance Specific Plan
21 Final Environmental Impact Report (Environmental Assessment Review No. 2021-0016) for the
22 Project.
23

24 SECTION 4. CDP No. 2021-0011 is granted to Rialto Travel Center, in accordance with the
25 plans and application on file with the Planning Division, subject to the following conditions:

- 26 1. The applicant is granted CDP No. 2021-0011 allowing the establishment of a 12,297
27 square foot convenience market/travel center within a proposed 14,697 square foot
28 commercial building on 13.22 gross acres of land (APN: 1119-241-28) located at the
southwest corner of Alder Avenue and Sierra Lakes Parkway within the Freeway

1 Incubator (FI) land use designation of the Renaissance Specific Plan, as shown on the
2 plans attached as Exhibit A, and as approved by the Planning Commission. If the
3 Conditions of Approval specified herein are not satisfied or otherwise completed, the
project shall be subject to revocation.

- 4 2. City inspectors shall have access to the site to reasonably inspect the site during normal
5 working hours to assure compliance with these conditions and other codes.
- 6 3. The applicant shall indemnify, protect, defend, and hold harmless, the City of Rialto,
7 and/or any of its officials, officers, employees, agents, departments, agencies, and
8 instrumentalities thereof (collectively, the "City Parties"), from any and all claims,
9 demands, law suits, writs of mandamus, and other actions and proceedings (whether
10 legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative
11 dispute resolutions procedures (including, but not limited to arbitrations, mediations,
12 and other such procedures), (collectively "Actions"), brought against the City, and/or
13 any of its officials, officers, employees, agents, departments, agencies, and
14 instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or
15 annul, the any action of, or any permit or approval issued by, the City and/or any of its
16 officials, officers, employees, agents, departments, agencies, and instrumentalities
17 thereof (including actions approved by the voters of the City), for or concerning the
18 Project (collectively, the "Entitlements"), whether such Actions are brought under the
19 California Environmental Quality Act, the Planning and Zoning Law, the Subdivision
20 Map Act, Code of Civil Procedure Chapter 1085 or 1094.5, the California Public
21 Records Act, or any other state, federal, or local statute, law, ordinance, rule, regulation,
22 or any decision of a court of competent jurisdiction. This condition to indemnify,
23 protect, defend, and hold the City harmless shall include, but not limited to (i) damages,
24 fees and/or costs awarded against the City, if any, and (ii) cost of suit, attorneys' fees
25 and other costs, liabilities and expenses incurred in connection with such proceeding
26 whether incurred by applicant, Property owner, or the City and/or other parties
27 initiating or bringing such proceeding (collectively, subparts (i) and (ii) are the
28 "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 CDP No.
2021-0011.
4. 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.

5. The applicant shall complete and abide by all mitigation measures contained within the Mitigation Monitoring and Reporting Program associated with the Environmental Assessment Review No. 2021-0016.
6. 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.
7. The applicant shall install decorative pavement within the easterly driveway connected to Sierra Lakes Parkway. The decorative pavement shall extend across the entire width of the driveway and shall have a minimum depth of twenty (20) feet as measured from the property line along Sierra Lakes Parkway. 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.
8. In order to provide enhanced building design in accordance with Section 4 (Design Guidelines) of the Renaissance Specific Plan, the applicant shall route all downspouts through the interior of the 14,697 square foot commercial building. The internal downspouts shall be identified within the formal building plan check submittal prior to the issuance of building permits.
9. In order to provide enhanced building design in accordance with Section 4 (Design Guidelines) of the Renaissance Specific Plan, 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 14,697 square foot commercial 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.
10. In order to provide enhanced building design in accordance with Section 4 (Design Guidelines) of the Renaissance Specific Plan, the applicant shall provide internal roof access only for the building. The internal roof access shall be identified within the formal building plan check submittal prior to the issuance of building permits.
11. In order to provide enhanced site design in accordance with Section 4 (Design Guidelines) of the Renaissance Specific Plan, 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.

12. Any new walls, including any retaining walls, shall be comprised of decorative masonry block. Decorative masonry block means tan-colored slumpstone block, tan-colored split-face block, or precision block with a stucco, plaster, or cultured stone finish. Pilasters shall be incorporated within all new walls. The pilasters shall be spaced a maximum of seventy (70) 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.
13. Any new fencing installed on site shall be comprised of tubular steel. Decorative masonry or decorative concrete pilasters, with a minimum dimension of sixteen (16) inch square, shall be incorporated within all new fencing visible from any public right-of-way. Decorative masonry block means tan slumpstone block, tan split-face block, or precision block with a stucco, plaster, or cultured stone finish. Decorative concrete means painted concrete with patterns, reveals, and/or trim lines. The pilasters shall be spaced a maximum of seventy (70) feet on-center and shall be placed at all corners and ends of the fencing. All decorative masonry pilasters shall include a decorative masonry cap. All fencing and pilasters shall be identified on the site plan, and an elevation detail for the fencing and pilasters shall be included in the formal building plan check submittal prior to the issuance of building permits.
14. Any new fencing along the frontages of Alder Avenue and Sierra Lakes Parkway shall be installed at the rear of the landscape setbacks along those street frontages. This will ensure unobstructed visibility of the Project's landscaping along Alder Avenue and Sierra Lakes Parkway.
15. The exterior of the trash enclosure shall match the color and materials of the buildings on-site or be comprised of decorative masonry block. Decorative masonry block means tan-colored slumpstone block, tan-colored split-face block, or precision block with a stucco, plaster, or cultured stone finish. 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.
16. All light standards installed on site, shall have a maximum height of twenty-five (25) feet, as measured from the finished surface, including the base. 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 note indicating the height restriction shall be included within the formal building plan check submittal prior to the issuance of building permits.

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17. 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.
 18. 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.
 19. The applicant shall plant one (1) tree every thirty (30) feet on-center within the on-site landscape setbacks along Sierra Lakes Parkway and Alder Avenue. All trees within the landscape setbacks shall be a minimum of twenty-four (24) inch box in size, upon initial planting. Thereafter, the trees within the landscape setback shall be permanently irrigated and maintained. At least fifty (50) percent of the trees within the setbacks shall consist of evergreen broadleaf trees, while the remaining percentage may consist of broadleaf deciduous trees and/or palm trees. The trees shall be identified on the formal Landscape Plan submittal prior to the issuance of a landscape permit.
 20. The applicant shall plant one (1) tree every thirty (30) feet on-center within the public right-of-way parkway along Alder Avenue. All trees within the public right-of-way parkway shall be a minimum of twenty-four (24) inch box in size, upon initial planting. Thereafter, the trees within the public right-of-way parkway shall be permanently irrigated and maintained, as required by the Public Works Department. The street tree species along Alder Avenue shall be the *Hymenosporum Flavum* "Wedding Tree", the *Pistachia Chinensis* "Chinese Pistache", and/or the *Koelrueteria Bipinnata* "Chinese Lantern". The trees shall be identified on the formal Landscape Plan submittal prior to the issuance of building permits.
 21. The applicant shall plant one (1) tree every thirty (30) feet on-center within the public right-of-way parkway along Sierra Lakes Parkway. All trees within the public right-of-way parkway shall be a minimum of twenty-four (24) inch box in size, upon initial planting. Thereafter, the trees within the public right-of-way parkway shall be permanently irrigated and maintained, as required by the Public Works Department. The street tree species along Sierra Lakes Parkway shall be the *Hymenosporum Flavum* "Wedding Tree" and/or the *Pistachia Chinensis* "Chinese Pistache". The trees shall be identified on the formal Landscape Plan submittal prior to the issuance of building permits.
 22. The applicant shall plant a row of shrubs at the rear of the landscape setbacks along Alder Avenue and Sierra Lakes Parkway for the purpose of creating a solid hedge to screen the headlights of vehicles from within the Site. All of the 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 shrubs shall be permanently irrigated and maintained

1 into a continuous box-shape along the entire length of the landscape setbacks with a height
2 of no less than three and one-half (3.5) feet above the finished grade. The shrubs shall be
3 identified on the formal Landscape Plan submittal prior to the issuance of a landscape
4 permit.

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

14 24. The applicant shall plant a substantial amount of trees, shrubs, and groundcover
15 throughout all land on-site and off-site (adjacent to the project site) that is not covered by
16 structures, walkways, parking areas, and driveways. Trees shall be planted a minimum of
17 thirty (30) feet on-center, and all shrubs and groundcover shall be planted an average of
18 three (3) feet on-center or less. All trees shall be minimum of fifteen (15) gallons in size
19 upon initial planting, unless otherwise specified herein. At least fifty (50) percent of the
20 trees shall consist of evergreen broadleaf trees, while the remaining percentage may
21 consist of broadleaf deciduous trees and/or palm trees. All shrubs shall be a minimum of
22 one (1) gallon in size, unless otherwise specified herein. All planter areas shall receive a
23 minimum two (2) inch thick layer of brown bark, organic mulch, and/or decorative rock
24 upon initial planting. Pea gravel and decomposed granite are not acceptable materials to
25 use within planter areas. All planter areas on-site shall be permanently irrigated and
26 maintained. The planting and irrigation shall be identified on the formal Landscape Plan
27 submittal prior to the issuance of a landscape permit.

28 25. 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.

26 26. The applicant, landlord, operator(s) and/or tenant(s) shall ensure that all inbound truck
27 and commercial vehicle traffic that requires temporary queuing do so on-site. Inbound
28 truck and commercial vehicle traffic waiting to utilize the 91 truck parking spaces shall
not queue on any public street at any time. Activities on-site shall not operate in such a
manner that would impact traffic lanes, cause back up of vehicles into the public-right-of-
way, or create any unsafe conditions. Fire and Police access and passage around trucks
queuing on-site shall be feasible at all times and activities shall not block parking areas,
access or passage for disabled persons or emergency response vehicles.

- 1 27. Trucks and commercial vehicles shall not park throughout the Site for any extended
2 period, except for within the 91 designated truck parking spaces, or unless temporarily
3 queuing on site to utilize the truck fuel station or the truck service shop. Additionally,
4 trucks and commercial vehicles parking within the 91 designated spaces shall not be
5 parked on site for any period exceeding 24 hours.
- 6 28. The applicant shall install "No Stopping Anytime" R26A(S)(CA) signage along the entire
7 project frontages of Alder Avenue and Sierra Lakes Parkway, as required by the City
8 Engineer, prior to the issuance of a Certificate of Occupancy.
- 9 29. The applicant shall install a bicycle rack within the pathway on the north side of the 14,697
10 square foot commercial building prior to the issuance of the Certificate of Occupancy.
- 11 30. Any tubular steel fencing and/or sliding gates shall be painted black prior to the issuance
12 of a Certificate of Occupancy.
- 13 31. All non-glass doors shall be painted to match the color of the adjacent wall prior to the
14 issuance of a Certificate of Occupancy.
- 15 32. Outdoor display and storage of any kind is prohibited at all times.
- 16 33. The Crime Prevention Plan endorsed by the Rialto Police Department, attached to this
17 Resolution as "Exhibit B" shall be adhered to at all times.
- 18 34. Crime prevention measures, as endorsed by the City of Rialto Police Department, shall be
19 incorporated into the design and operation of the business as follows:
- 20 a. A minimum of one (1.0) foot-candle of light shall be provided, as measured at the
21 ground level of the entire site, from the period of one-half hour before sunset until
22 one-half hour after sunrise. Lighting fixtures shall be so situated and shielded as
23 not to direct or reflect lighting glare on adjacent properties or public rights-of-way.
- 24 b. A locking device shall be installed on the cash register. An adequate floor safe
25 shall be installed behind the counter. Only a minimum amount of cash shall be
26 kept in the cash register at all times.
- 27 c. Burglary and robbery alarm systems shall be installed as required and approved
28 by the Rialto Police Department. A telephone with speaker push button alarm
shall be installed. The telephone must have a separate button that automatically
dials into 911 and will transmit on-going conversations and
activity. Alternatively, a panic-button, which automatically contacts the Rialto
Police Department upon activation, may be installed at each register. A 24-hour
security camera system shall be installed on the premises with camera locations
approved by the Rialto Police Department. All surveillance and security
equipment shall be continuously maintained and in operation during business
hours. Surveillance footage shall be provided to the Rialto Police Department

1 within 12 hours after a request has been made for said footage. The software or
2 media player required to view the type of video format shall be provided to the
3 Rialto Police Department, if necessary. An R-P card must be filed with the Rialto
4 Police Department containing twenty-four (24) hour phone numbers of persons to
5 be contacted.

6 d. All tobacco products will be displayed and sold from behind the cash register
7 counter area.

8 e. The height of the cash register counter shall be no more than forty-two (42) inches
9 above the floor level, and shall be illuminated during the hours of darkness so as
10 to be clearly visible through the window areas.

11 35. The sale of drug paraphernalia, gang paraphernalia, and adult-oriented magazines and
12 materials is prohibited.

13 36. The applicant shall require adequate management to be on-site at the convenience market
14 at all times to ensure proper execution of the Crime Prevention Plan.

15 37. Measures to discourage loitering shall be incorporated in the design and operation of the
16 business as follows:

17 a. Signs displaying "No Loitering" shall be posted on the building, to the satisfaction
18 of the Rialto Police Department, at all times.

19 b. Arcades and video games are prohibited from being on the premises.

20 38. The business licensee for the convenience market shall maintain a litter control program
21 around the exterior of the convenience market in order to minimize the resultant impacts
22 of litter on properties adjacent to the store. An exterior trash receptacle for employee and
23 customer use shall be placed near the entrance of the store.

24 39. The applicant shall establish building maintenance program for the purposes of
25 maintaining the building structure and landscaping on-site in good physical appearance.
26 The building maintenance program shall be submitted to the Planning Division prior to
27 the issuance of a Certificate of Occupancy.

28 40. All signage on the 14,697 square foot commercial building containing the convenience
market/travel center shall comply with Section 5 (Signs) of the Renaissance Specific Plan
or any subsequent Master Sign Program.

41. Any freestanding or monument signage on the Site shall comply with Section 5 (Signs)
of the Renaissance Specific Plan or any subsequent Master Sign Program. Additionally,
any freestanding or monument signage on the Site shall consist of either channel lettering,
routed push-thru copy, or dimensional vacuum-formed panels on or within a sign structure

1 that matches the character, color, and finish materials of the 14,697 square foot
2 commercial building.

3 42. The applicant shall obtain all necessary approvals and operating permits from all Federal,
4 State, and local agencies and provide proof thereof to the City prior to the issuance of a
5 Certificate of Occupancy.

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

15 44. Approval of CDP No. 2021-0011 will not become effective until the applicant has signed
16 a statement acknowledging awareness and acceptance of the required conditions of
17 approval contained herein.

18 45. In the event, that any operation on the Site is found to be objectionable or incompatible
19 with the character of the City and its environs due to excessive noise, excessive traffic,
20 loitering, criminal activity or other undesirable characteristics including, but not strictly
21 limited to, uses which are or have become offensive to neighboring property or the goals
22 and objectives of the Freeway Incubator (FI) land use district of the Renaissance Specific
23 Plan, and/or the City's General Plan, the applicant shall address the issues within forty-
24 eight (48) hours of being notified by the City.

25 46. If the applicant fails to comply with any of the conditions of approval placed upon CDP
26 No. 2021-0011, CDP No. 2021-0009, CDP No. 2021-0010, CDP No. 2021-0012, CDP
27 No. 2021-0013, CDP No. 2021-0014, or PPD No. 2021-0013, the Planning
28 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. Conditional Development Permit No. 2021-0011 may be
revoked, suspended or modified in accordance with Section 18.66.070 of the Zoning
Ordinance at the discretion of the Planning Commission if:

- 24 a) The use for which such approval was granted has ceased to exist, been
25 subsequently modified, or has been suspended for six (6) months or more;
- 26 b) Any of the express conditions or terms of such permit are violated;
- 27 c) The use for which such approval was granted becomes or is found to be
28 objectionable or incompatible with the character of the City and its environs
due to excessive noise, excessive traffic, loitering, criminal activity or other

undesirable characteristics including, but not strictly limited to uses which are or have become offensive to neighboring property or the goals and objectives of the Freeway Incubator (FI) land use district of the Renaissance Specific Plan, and/or the City's General Plan.

SECTION 5. 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 13th day of October, 2021.

FRANK GONZALEZ, CHAIR
CITY OF RIALTO PLANNING COMMISSION

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

5 I, Adrianna Martinez, Administrative Assistant of the City of Rialto, do hereby certify that
6 the foregoing Resolution No. ____ was duly passed and adopted at a regular meeting of the Planning
7 Commission of the City of Rialto held on the ____th day of ____, 2021.

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

10 Vote on the motion:

11 AYES:

12 NOES:

13 ABSENT:

14 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of
15 Rialto this ____th day of ____, 2021.
16
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19 _____
20 ADRIANNA MARTINEZ, ADMINISTRATIVE ASSISTANT
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Exhibit “A”

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“Exhibit B”

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