



CITY OF RIALTO
THE REGULAR MEETING MINUTES OF
PLANNING COMMISSION
July 28, 2021 - 6:00 p.m.

The Regular meeting of the Planning Commission of the City of Rialto was held in the City of Rialto City Council Chambers located at 150 South Palm Avenue, Rialto, California 92376, on Wednesday, July 28, 2021.

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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 Frank Gonzalez called the meeting to order at 6:01 p.m.

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**PLEDGE OF
ALLEGIANCE**

Commissioner John Peukert led the pledge of allegiance.

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ROLL CALL

Roll Call was taken by Senior Planner Daniel Casey.

Present:

Chair Frank Gonzalez
Vice-Chair Jerry Gutierrez
Commissioner John Peukert
Commissioner Dale Estvander
Commissioner Al Twine
Commissioner BarBara Chavez

Absent:

Commissioner Artist Gilbert

Staff Present:

City Attorney, Leila Moshref-Danesh
Senior Planner, Daniel Casey
Senior Planner, Dionne Harris
Administrative Assistant, Adrianna Martinez

**ORAL
COMMUNICATION**

Chair Frank Gonzalez asked if there were any oral communications from the public not on the agenda. Adrianna Martinez stated there were none.
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**PLANNING
COMMISSION
MEETING MINUTES**

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

There were no meeting minutes for approval.

PUBLIC HEARINGS

Chair Gonzalez stated the next item on the agenda is the Conditional Development Permit No. 2020-0020, Precise Plan of Design No. 2021-0004, and Environmental Assessment Review No. 2020-0024.

Senior Planner Daniel Casey presented a request to allow the development and operation of a 47,609 square foot truck terminal and storage warehouse/distribution center, and associated paving, landscaping, fencing, lighting, and drainage improvements located between Cactus Avenue and Lilac Avenue. A Mitigated Negative Declaration was prepared for consideration in conjunction with the project.

Urban Crossroad Inc. prepared a Traffic Impact Analysis and determined the project will generate 892 new vehicle trips daily. They also analyzed 12 intersections and found all are currently operating at LOS D or better but determined seven intersections will operate at LOS E or worse with the proposed project. They recommended improvements for Cumulative Conditions and Project Contribution include widening of Riverside Avenue south of the I-10 freeway to include a third through lane, traffic signal at Lilac Avenue and Slover Avenue, various traffic signal timing modifications, and addition of various turn lanes at intersection.

The applicant will pay \$227,114 in Fair-Share fees determined by the Transportation in addition to \$133,306 in Development Impact Fees.

An Initial Study was prepared by FirstCarbon Solutions, Inc. and determined a Mitigated Negative Declaration is required. The mitigation measures include Burrowing Owl survey, nesting bird survey, compliance with CARB vehicle emission standards, daily watering of site to prevent dust, grading, and Native American monitoring.

During the 20-day public comment period, staff received five comment letters. On July 6, 2021, staff received a letter from the California Department of Fish and Wildlife (CDFW) in which a recommendation was provided to revise the

biological mitigation measure to reflect the latest CDFW protocols. A response was forwarded to CDFW on July 15, 2021.

Staff received a letter on July 7, 2021, from Rialto residents Mr. and Mrs. Mills. They expressed their concerns about operational noise, possible repair/manufacturing activities involving vehicles and potential parking along Cactus Avenue. A response was forwarded to Mr. and Mrs. Mills on July 15, 2021.

On July 8, 2021, staff received a letter from Rialto resident Richard Ciranny. He expressed his concerns about split-zoning of the site, the need to analyze larger multi-axle vehicles and cumulative project traffic, existing traffic issues, and the location and size of the proposed screen wall. A response was forwarded to Mr. Ciranny on July 15, 2021.

Staff received an email from Rialto resident Nora Cabral on July 11, 2021, expressing concerns about noise, hours of operation and truck parking along Cactus Avenue.

On July 19, 2021, Owen Chang with the Colton Joint Unified School District emailed staff expressing concerns about health effects to students, staff and communities, proximity to Slover Mountain High School, identification of truck routes and transportation of hazardous materials.

During the 30-day Native American Consultation Request period, the Gabrieleño Indians-Kizh nation requested consultation, which was held on February 11, 2021.

The Planning Commission wanted clarification where the trucks will be entering, what project are the fair-share fees paying into and when will the project be completed. Daniel Casey advised there will be two (2) driveways connected to Lilac Avenue where trucks and employees alike will enter and exit and no driveways connected to Cactus Avenue to prevent project generated traffic from passing by the residences to the west. In regard to the fair-share fees, they will go towards widening Riverside Avenue with estimated completion timeframe of five to six years.

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Chair Gonzalez opened the Public Hearing.

Jayn Mills, Rialto Resident

Jayn Mills commented on the hours of operation and suggested the business to be open six days a week rather than seven.

Ana Gonzalez, Rialto Resident and Representative for Center for
Community Action

Ana Gonzalez advised the Center for Community Action is in opposition of the project due to the pollution, noise and all of the negative effects related to truck traffic.

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Motion by Commissioner Dale Estvander to close the Public Hearing, second by Commissioner BarBara Chavez. All in favor, *motion carried* 6-0-0.

Motion by Commissioner Dale Estvander, second by Commissioner Al Twine to approve Conditional Development Permit No. 2020-0020, Precise Plan of Design No. 2020-0026, and Environmental Assessment Review No. 2020-0024. All in favor, *motion denied* 2-4-0.

Motion by Vice-Chair Jerry Gutierrez, second by Commissioner BarBara Chavez to deny Conditional Development Permit No. 2020-0020, Precise Plan of Design No. 2020-0026, and Environmental Assessment Review No. 2020-0024 on basis of lack of funding, truck traffic and pollution. All in favor, *motion carried* 4-2-0.

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Chair Gonzalez stated the next item on the agenda is the Conditional Development Permit No. 2021-0007.

Senior Planner Dionne Harris presented a request to allow the sale of beer, wine, and distilled spirit for off-site consumption (Type 21) from an 8,000 square foot grocery market to be located within an existing commercial building located at 2018 N. Riverside Ave.

The Planning Commission asked if the Alcohol Beverage Control (ABC) is requiring the Public Convenience or Necessity (PCN) letter and asked what new information is being provided since the last meeting.

Dionne Harris stated ABC is requiring the PCN and since the last meeting, staff has discovered the other licenses are in other jurisdictions and not near the project site.

Vice Chair Gutierrez suggested changing the hours of operation as there is concern with unfavorable activity in the shopping center and if people are loitering the Planning Commission can revoke the Conditional Development Permit. Dionne Harris advised the shopping center has its own security.

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Chair Gonzalez opened the Public Hearing.

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Ghazwan Akraa, Applicant

Ghazwan Akraa addressed the Planning Commission and stated alcohol sales play a big part in his company's success and there will not be any on-site consumption. Mr. Akraa stated he is complying with the Rialto Police Department's security measures, as well as there is security on-site.

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Motion by Commissioner Dale Estvander to close the Public Hearing, second by Commissioner John Peukert. All in favor, *motion carried 6-0-0*.

Motion by Commissioner Dale Estvander, second by Commissioner Al Twine to approve Conditional Development Permit No. 2021-0007. All in favor, *motion carried 6-0-0*.

PLANNING
DIVISION
COMMENTS

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

Senior Planner Daniel Casey announced the next Planning Commission meeting scheduled for August 11, 2021.

PLANNING
COMMISSION
COMMENTS

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

Commissioner John Peukert announced he read an article in the newspaper the State of California is suing the City of Fontana.

Commissioner Dale Estvander clarified the City zoning was set up prior to the current Commission and homes cannot be built in Heavy Industrial zone and it was designed years ago to be all warehouses. He also indicated we have to reach out to the Transportation Commission to understand how Fair-Share fees are determined.

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Motion by Commissioner John Peukert, second by Vice Chair Jerry Gutierrez to adjourn the meeting. All were in favor, *motion carried 6-0-0*.

ADJOURNMENT

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The Regular Planning Commission meeting on Wednesday, July 28, 2021, adjourned at 7:10 p.m.

Minutes prepared by Adrianna Martinez, Administrative Assistant

Frank Gonzalez, Chair Planning Commission