



**CITY OF RIALTO
THE REGULAR MEETING MINUTES OF
PLANNING COMMISSION
December 8, 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, December 8, 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 6:00 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 BarBara Chavez (arrived at 6:04 pm)
Commissioner Artist Gilbert

Absent:

Staff Present:

Director of Community Development, Sean M. Moore
Senior Planner, Daniel Casey
Senior Planner, Dionne Harris
Associate Planner, Daniel Rosas
City Engineer, Dave Hammer
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.

Motion by Commissioner Dale Estvander, second Commissioner John Peukert to move to approve the November 10, 2021, Planning Commission Special Meeting Minutes. All in favor, *motion carried* 6-0-0.

PUBLIC HEARINGS

Chair Gonzalez stated the next item on the agenda is Conditional Development Permit No. 2021-0002 and Precise Plan of Design No. 2021-0002.

Associate Planner Daniel Rosas presented a request to allow the operation of drive-thru service in conjunction with a 2,400 square foot fast-food restaurant building and associated paving, landscaping, lighting, fencing and drainage improvements to be located at the southeast corner of Casmalia Street and Ayala Drive.

The potential 24-hour operator shall comply with city ordinance and regulations including drive-thru speaker audio/noise, shield on light standards, and continuous hedge along drive-thru to screen headlights.

A Traffic Impact Analysis Scoping Agreement was prepared by STC Traffic, INC. They determined 147 new vehicle trips will be generated by the project. The traffic generated by the traffic will contribute to an existing delay at the intersection of Ayala Drive and Casmalia Street, and in response the applicant will contribute a fair-share payment towards future improvements at the intersection.

The Commission stated they are concerned with project generating additional trips to an already existing problematic area and asked staff what was determined for the fair-share amount and if the intersection is on the Capital Improvement Program (CIP).

Associate Planner Daniel Rosas advised the fair-share amount is estimated at \$30,000 for intersection improvements, and City Engineer Dave Hammer said he was not aware if the intersection is on the CIP list.

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Chair Gonzalez opened the Public Hearing.

Amir Dehbozorgi, Applicant

Amir Dehbozorgi addressed the Commission and advised the project is designed for maximum queueing for drive-thru despite being a speculative tenant.

The Commission expressed their concern with traffic flow to which Amir Dehbozorgi stated a smaller building configuration was selected in order to mitigate traffic congestion.

Amir Dehbozorgi stated he reached out to neighbors but never received any responses, but willing to work with them for shared access.

Shareef Awad, Resident and Property Owner

Shareef Awad expressed his concern with the vehicle stacking in the drive-thru and creating additional congestion in the east bound lane, which will prevent vehicles from entering his project site.

Sammy Milbes, Resident

Sammy Milbes expressed his concern with the drive-thru stacking but wants to work with the applicant to ensure their respective projects work.

Isaac Rigaud, 1086 Cheshire

Isaac Rigaud expressed stated he is concerned with speeding and the traffic will only get worse due the drive-thru stacking.

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**PLANNING
DIVISION
COMMENTS**

**PLANNING
COMMISSION
COMMENTS**

Motion by Vice-Chair Jerry Gutierrez to close the Public Hearing, second by Commissioner John Peukert. All in favor, *motion carried* 6-0-0.

Motion by Vice-Chair Jerry Gutierrez, second by Commissioner Dale Estvander to continue Conditional Development Permit No. 2021-0002 and Precise Plan of Design No. 2021-0002 to the January 12, 2022, Planning Commission meeting to allow for the applicant and neighbors to communicate and work together. All in favor, *motion carried* 6-0-0

ADJOURNMENT

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Chair Gonzalez stated the next item on the agenda is Precise Plan of Design No. 2021-0043, Variance No. 2021-0001, and Environmental Assessment Review No. 2021-0045.

Senior Planner Dionne Harris presented a request to allow the development of a 204-unit apartment complex comprised of seven three-story buildings, and to allow a variance to reduce the minimum required parking from 459 parking spaces to 367 parking spaces located at 534 East Foothill Boulevard. A Mitigated Negative Declaration was prepared in conjunction with the project.

The project does not meet the 459 parking spaces (2.25 spaces per unit) required pursuant to RMC Section 18.58.060 and the applicant is requesting a 20% parking reduction to 1.8 spaces per dwelling. The City requires on-site retention of stormwater and due to the size, slope, and location of the site, a large retention basin is required.

The project was presented to the Economic Development Committee (EDC) on June 23, 2021, and recommended approval. On November 3, 2021, the Transportation Commission reviewed and approved the traffic study.

The Planning Commission expressed their concern with the lack of parking and residents and/or their guests parking on an already busy street. They also inquired if the project provides affordable housing.

Staff addressed the Commission and advised the project fulfills the state housing requirement and the applicant is pricing the units at market rate.

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Chair Gonzalez opened the Public Hearing.

Tim Nguyen, Applicant, Frontier Communities

The applicant provided a presentation to the Commission and requested modifications to the conditions in the Resolutions.

Director of Community Development Sean Moore addressed the Commission and stated staff does not agree to modifying the conditions.

The Commission requested the developer to continue to work with city staff to revise their plan or find other ways to increase parking, as well as to address the retention basin.

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

Motion by Commissioner John Peukert, second by Commissioner Dale Estvander to continue Precise Plan of Design No. 2021-0043, Variance No. 2021-0001, and Environmental Assessment Review No. 2021-0045 to the January 12, 2022, Planning Commission meeting to allow the applicant to continue to work with City staff to provide a solution for the parking, as well for the retention basin. All in favor, *motion carried 6-0-0*

Chair Gonzalez stated the next item on the agenda is Conditional Development Permit No. 2021-0031.

Senior Planner Dionne Harris presented a request to operate an Outlet Retail Store in an existing 1,530 square foot tenant space located at 678 W. Baseline Road.

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Chair Gonzalez opened the Public Hearing.

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Motion by Vice-Chair Jerry Gutierrez to close the Public Hearing, second by Commissioner Artist Gilbert. All in favor, *motion carried 6-0-0*.

Motion by Commissioner Dale Estvander, second by Commissioner Artist Gilbert to approve Conditional Development Permit No. 2021-0031.

Chair Gonzalez stated the next item on the agenda is Conditional Development Permit No. 2021-0018.

Senior Planner Dionne Harris presented a request to establish a plastic conversion to fuel processing facility within an existing 14,4779 square foot building.

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Chair Gonzalez opened the Public Hearing.

Sergio Perez, Applicant Representative

Sergio Perez addressed the Commission and explained the facility will convert plastic into fuel by repurposing waste plastic. The process includes pressurizing the waste at low temperatures, which then is converted into gas, and ultimately condensed into liquid fuels. The entire process is done indoors and there will not be any retail sales to the public. Sergio Perez also expressed the preliminary emission study is ten times below the threshold and they are constantly testing.

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

Motion by Commissioner Dale Estvander, second by Commissioner Artist Gilbert to approve Conditional Development Permit No. 2021-0018.

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

Staff advised the Commission when their individual term expires or has expired.

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

The Commission requested staff to follow-up with the City Manager regarding setting a meeting with the City Council.

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Motion by Commissioner Dale Estvander, second by Commissioner Artist Gilbert to adjourn the meeting. All were in favor, *motion carried 5-0-0*.

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The Regular Planning Commission meeting on Wednesday, December 8, 2021, adjourned at 7:57 p.m.


Minutes prepared by Adrianna Martinez, Administrative Assistant


Frank Gonzalez, Chair Planning Commission