



# City of Rialto

## Legislation Details (With Text)

**File #:** 20-0450      **Version:** 1      **Name:**  
**Type:** Resolution      **Status:** Agenda Ready  
**File created:** 6/9/2020      **In control:** City Council  
**On agenda:** 7/28/2020      **Final action:**  
**Title:** Request City Council to Adopt Resolution No. 7655 Approving Parcel Map 20154 for the Subdivision of One (1) Parcel of Land into Three (3) Parcels to Facilitate the Development of a Retail Shopping Center Consisting of a Gas Station, a Free-standing Drive-thru Restaurant, and a Multi-tenant Retail Building and Approve the Associated Subdivision Improvement Agreement.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Attachment 1 - Planning Commission Staff Report.pdf, 2. Attachment 2 - PM 20154.pdf, 3. Attachment 3 - Subdivision Improvement Agreement\_07-13-20.pdf, 4. Attachment 4 - Completed NOD.pdf, 5. Attachment 5 - GASB34 Form\_07-06-20.pdf, 6. Resolution Approve PM 20154.pdf

Date	Ver.	Action By	Action	Result
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For City Council Meeting [July 28, 2020]

TO: Honorable City Council

APPROVAL: Rod Foster, City Manager

FROM: Savat Khamphou, Public Works Director/City Engineer

Request City Council to Adopt **Resolution No. 7655** Approving Parcel Map 20154 for the Subdivision of One (1) Parcel of Land into Three (3) Parcels to Facilitate the Development of a Retail Shopping Center Consisting of a Gas Station, a Free-standing Drive-thru Restaurant, and a Multi-tenant Retail Building and Approve the Associated Subdivision Improvement Agreement.

### **BACKGROUND**

On August 14, 2019, the City of Rialto Planning Commission conditionally approved Tentative Parcel Map 20154, a request to subdivide one (1) parcel of land into three (3) parcels to facilitate the development of a retail shopping center consisting of a gas station, a free-standing drive-thru, and a multi-tenant retail building located on the southwest corner of Casmalia Street and Ayala Drive within the F-1 (Freeway Incubator) zone of the Renaissance Specific Plan. A copy of the Planning Commission Staff Report is included as **Attachment 1**.

### **ANALYSIS/DISCUSSION**

Sirwin Enterprises, LLC, a California Limited Liability Company, (the "Subdivider") requests that the City Council approve Parcel Map 20154 to subdivide one (1) parcel of land into three (3) parcels to facilitate the development of a retail shopping center consisting of a gas station, a free standing drive-thru restaurant, and a multi-tenant retail building located on the southwest corner of Casmalia Street and Ayala Drive within the F-1 (Freeway Incubator) zone of the Renaissance Specific Pan. A copy of Parcel Map 20154 is included as **Attachment 2**.

The Subdivider is constructing the required public improvement; however, the applicant has not completed the required public improvements associated with Parcel Map 20154 and has submitted an executed Subdivision Improvement Agreement to guarantee completion of the remaining public improvements. A copy of the Subdivision Improvement Agreement is included as **Attachment 3**.

The City Engineer determined that the conditions of approval associated with Tentative Parcel Map 20154 have been satisfied and that Parcel Map 20154 is in substantial conformance with Tentative Parcel Map 20154, and that Parcel Map 20154 is ready for City Council approval.

Approval of a Parcel Map is a ministerial action and the City Council cannot condition its approval of the Parcel Map and cannot impose new conditions on the project that were not previously identified at the time the Tentative Parcel Map was approved.

### **ENVIRONMENTAL IMPACT**

The project was previously analyzed in accordance with the requirements of the California Environmental Quality Act (CEQA). An Initial Study and Mitigated Negative Declaration, along with a Mitigation Monitoring and Reporting Program (Environmental Assessment Review No. 2018-0096), were prepared, adopted by the Planning Commission on November 28, 2018, and a Notice of Determination was filed with the San Bernardino County Clerk of the Board and is included as **Attachment 4**.

### **GENERAL PLAN CONSISTENCY**

Approval of this action complies with the City of Rialto General Plan Goal and Policies:

**Goal 2-22: Promote commercial and/or industrial development that is well designed, people oriented, environmentally sustainable, sensitive to the needs of the visitor or resident, and functionally efficient for its purpose.**

**Goal 3-1: Strengthen and diversify the economic base and employment opportunities, and maintain a positive business climate.**

Policy 3-1.2: Encourage a variety of businesses to locate in Rialto, including retail, high technology, professional services, clean industries, logistics-based businesses, and restaurants/entertainment uses to promote the development of a diversified local economy.

**Goal 3-6: Require that all developed areas within Rialto are adequately served with essential public services and infrastructure.**

### **LEGAL REVIEW**

The City Attorney has reviewed and supports this staff report and Resolution.

### **FINANCIAL IMPACT**

#### **Operating Budget Impact**

Completion of adjacent public improvements adds an estimated value of \$475,678 in the City street system based on the Governmental Accounting Standards Board 34 (GASB34) for this specific project. A cost estimate of the public improvements is included as **Attachment 5**.

Capital Improvement Budget Impact

The proposed action will not affect the City's Capital Improvement Budget.

Licensing

Prior to execution of any issued On-Site or Off-Site Construction Permits, the developer secured a business license application and paid a Business License tax at the Contractors rate, as well as Administration and State fees for his contractors performing any improvements and shall renew accordingly.

**RECOMMENDATION**

Staff recommends that the City Council Adopt Resolution No. \_\_\_ approving Parcel Map 20154 for the subdivision of one (1) parcel of land into three (3) parcels to facilitate the development of a retail shopping center consisting of a gas station, a free-standing drive-thru restaurant, and a multi-tenant retail building and approve the associated Subdivision Improvement Agreement.