



# City of Rialto

## Legislation Details (With Text)

**File #:** 17-1029      **Version:** 1      **Name:**

**Type:** Public Hearing      **Status:** Agenda Ready

**File created:** 10/31/2017      **In control:** City Council

**On agenda:** 11/14/2017      **Final action:**

**Title:** Request City Council to Conduct a Public Hearing to Approve Resolution No.7229 for Environmental Assessment Review No. 2017-0055; Approve Resolution No. 7230 for Specific Plan Amendment No. 2017-0003; Approve Resolution No. 7231 for Tentative Parcel Map No. 2017-0007; Approve Resolution No. 7232 for Conditional Development Permit No. 2017-0029; Approve Resolution No. 7233 for Variance No. 2017-0010 for an Addendum to the 2010 certified Renaissance Specific Plan Final EIR and to amend the Renaissance Specific Plan to modify the street cross section for Renaissance Parkway; subdivide a 7.6 acre site into six developable lots for the development of a 80,000 sq. ft. commercial center known as "Renaissance East" consisting of a 10,486 sq. ft. restaurant (Cracker Barrel), a 2,720 sq. ft. restaurant (Sonic), three multi-unit commercial buildings and one additional lot located at the northeast corner of Ayala Drive and Renaissance Parkway in the Freeway Incubator (FI) zone of the Renaissance Specific Plan (Master Case Nos. 2017-0056 and 0063).  
(ACTION)  
(POWERPOINT)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit A - Site Plan, 2. Exhibit B - RESO No. 17-47 (Addendum 2017-0055), 3. Exhibit C - RESO NO. 17-43 (Plan Amendment 2017-0003), 4. Exhibit D - RESO No. 17-46 (TPM 19898), 5. Exhibit E - RESO NO. 17-44 (CDP 2017-0029), 6. Exhibit F - RESO NO. 17-45 (VAR 2017-0010), 7. Exhibit G - Tentative Parcel Map, 8. Exhibit H - Sign Elevation, 9. Exhibit I - Ren East Addendum and Appendices\_2017.08.28, 10. Exhibit J - Mitigation Monitoring and Reporting Plan, 11. Exhibit K - Specific Plan Amendment CC Resolution, 12. Exhibit L - Tentaive Parcel Map CC Resolution, 13. Exhibit M - Conditional Development Permit Resolution, 14. Exhibit N - Variance CC Resolution, 15. Exhibit O - Addendum CC Resolution, 16. Renaissance East CC

Date	Ver.	Action By	Action	Result
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For City Council Meeting [November 14, 2017]

TO: Honorable Mayor and City Council

APPROVAL: Michael Story, City Administrator

FROM: Robb Steel/Assistant CA/Development Services Director

Request City Council to Conduct a Public Hearing to Approve **Resolution No.7229** for Environmental Assessment Review No. 2017-0055; Approve **Resolution No. 7230** for Specific Plan Amendment No. 2017-0003; Approve **Resolution No. 7231** for Tentative Parcel Map No. 2017-0007; Approve **Resolution No. 7232** for Conditional Development Permit No. 2017-0029; Approve **Resolution No. 7233** for Variance No. 2017-0010 for an Addendum to the 2010 certified Renaissance Specific Plan Final EIR and to amend the Renaissance Specific Plan to modify the street cross section for Renaissance Parkway; subdivide a 7.6 acre site into six developable lots for

the development of a 80,000 sq. ft. commercial center known as “Renaissance East” consisting of a 10,486 sq. ft. restaurant (Cracker Barrel), a 2,720 sq. ft. restaurant (Sonic), three multi-unit commercial buildings and one additional lot located at the northeast corner of Ayala Drive and Renaissance Parkway in the Freeway Incubator (FI) zone of the Renaissance Specific Plan (Master Case Nos. 2017-0056 and 0063).

**(ACTION)**

**(POWERPOINT)**

**BACKGROUND:**

*Project Proponent and Location*

The applicant is Ayala and 210 Partners, LLC/Fernando Acosta, 3415 Sepulveda Boulevard #400, Los Angeles, CA 90034. The site is located at the northeast corner of Renaissance Parkway and Ayala Drive within Planning Area 29 of the Renaissance Specific Plan in the Freeway Incubator (FI) zone.

*Exclusive Right to Negotiate*

On October 13, 2015, the City Council approved an Exclusive Right to Negotiate Agreement (“ERN”) with Fernando Acosta (“Developer”) for commercial development of approximately 7.5 acres (“Site”) of property located at the northeast corner of Ayala Drive and Renaissance Parkway. The ERN granted limited site control to the Developer pending negotiation of a development agreement with the City. On March 14, 2017, the City Council approved an Option to Purchase and Develop Site Agreement, providing the Developer with site control.

The Developer successfully negotiated with Cracker Barrel to construct a 10,486 sq. ft. restaurant on Pad 1 and with Sonic to construct a 2,720 sq. ft. restaurant on Pad 2. The Developer also intends to construct three multi-unit commercial buildings on Pads 3-5. Pad 6 is intended to support a 100+ room hotel (**Exhibit A**). All of the technical studies for the environmental analysis include a future hotel. However, the Developer has not yet identified a specific operator or submitted a preliminary site plan, or amenities for the hotel. The Developer actively seeks an operator for Pad 6. The restaurants and commercial buildings collectively comprise the “Project”.

*Zoning and General Plan Land Use Designation*

The Site lies with the Specific Plan Land Use designation of the General Plan, specifically the Renaissance Specific Plan. The table below identifies the land uses surrounding the subject Site and their corresponding zoning designations:

Location	Land Use	Zoning
Site	Vacant	Freeway Incubator (FI) Renaissance Marketplace
North	Vacant/ I-210 Freeway	Residential/Interstate Highway
South	Vacant/ Flood Control	Cactus Basin (OS-CB) Airport Specific Plan
West	Renaissance Marketplace	Town Center (TC) Renaissance Specific Plan
East	Residential	Single Family Residential R-1C

The FI zoning designation accommodates regional retail and business uses. The FI Zone permits all of the proposed uses - restaurants, commercial buildings, and hotel -either by right or as conditionally permitted. Though the project is zoned FI, the City will require the developer to construct the Project to the TC design standards.

### *Entitlements*

The development of the Project requires the following entitlements:

Application	Purpose
Addendum	Compliance with the California Environmental Quality Act
Specific Plan Amendment	Modify the street cross section and Circulation Map for Renaissance Parkway between Ayala Drive and the eastern Project boundary
Tentative Parcel Map	Create six developable lots
Conditional Development Permit (CDP) for Parcel 2	Construct a 2,720 sq. ft. drive through restaurant
Precise Plan of Design (PPD) for Parcels 1-6 and overall site plan)	Site plan, floor plan, and elevations for individual buildings and an overall Master site plan
Variance	Sign height increase to 80 feet above grade

The City prepared an addendum ("Addendum") to the 2010 Renaissance Specific Plan Environmental Impact Report ("RSP EIR") for the Project. The City Council must review and approve the Addendum. Accordingly, the City Council must also review the related discretionary project entitlements above, except for the Precise Plan of Design. The Precise Plan of Design is a ministerial application and is limited to the design of the site plan, floor plan, and elevations. The Development Review Committee reviews the Precise Plan of Design at an administrative meeting subsequent to actions taken by the City Council. At the Developer's request, the DRC gave preliminary comments on the Tentative Map, Sonic, and Cracker Barrel on September 12<sup>th</sup> and October 11<sup>th</sup> 2017.

### *Action by the Planning Commission*

On October 11, 2017, the Planning Commission conducted a public hearing and voted 7-0 to recommend approval of the project to the City Council. The Planning Commission Resolutions are attached to this report as **Exhibits B-F**.

### *Action by the Transportation Commission*

On September 6, 2017, the Transportation Commission reviewed the Traffic Impact Analysis (TIA). The Commission approved the TIA 6-0 with one modification-- construction of a traffic signal at one of the three driveways to mitigate potential issues with traffic flow. The Minutes from the hearing are attached as a reference to this report (Legistar Report 17-909).

### Notices



On October 25, 2017, the City mailed public hearing notices for the proposed project to all property owners within 300 feet of the Site and government agencies providing utilities to the Site and published the notice as required by California Government Code Section 65090 and 65091.

## **ANALYSIS/DISCUSSION:**

### *Project*

The Project will be developed as an extension of the Renaissance Marketplace retail center located across Ayala Drive on the northwest corner of Renaissance Parkway and Ayala Drive. As such, the amenities, landscaping and site design must meet the same standard as the Renaissance Marketplace.

The Project consists of an 80,000 square foot shopping center referred to as “Renaissance East”. According to the site plan, there are six developable lots for a 10,486 square foot restaurant building (Cracker Barrel), a 2,720 square foot restaurant with drive a through aisle (Sonic), three multi-tenant commercial tenants ranging in size from 4,300, 4,800 and 4,900 square foot and a hotel.

### *Access*

Vehicular access to and from the Project Site occurs at three driveways, all located on Renaissance Parkway. The Transportation Commission conditioned the Project to construct a traffic signal at one of the three driveways to mitigate potential issues with traffic flow.

### *Parking*

The site plan shows 423 parking stalls for employees and visitors. Bike racks are also provided. Each lot shall “self-park”. The City requires 1 stall per 100 square feet of restaurant uses, and 1 stall per 250 square feet of commercial uses. A hotel requires 1 space for each guest room. Given these parking standards, the Project requires 380 spaces. As shown in the chart below, the project meets the required parking standards:

## PARCEL SUMMARY

	PARCEL	SIZE	BUILDING SIZE	STALLS PROVIDED	STALLS REQ'D
(Cracker Barrel)	PARCEL 1:	99,785 SF	10,486 SF	132 STALLS	105 STALLS
(Sonic)	PARCEL 2:	38,215 SF	2,720 SF	33 STALLS	27 STALLS
	PARCEL 3:	41,949 SF	4,900 SF	47 STALLS	49 STALLS
	PARCEL 4:	41,948 SF	4,300 SF	52 STALLS	43 STALLS
	PARCEL 5:	30,147 SF	4,800 SF	50 STALLS	48 STALLS
	PARCEL 6:	81,216 SF	52,742 SF	109 STALLS	108 STALLS
	TOTAL:	333,260 SF	79,948 SF	423 STALLS	380 STALLS

If the hotel includes a restaurant or a conference center, the City will require additional parking to accommodate patrons using the restaurant or conference facility separate and apart from guests.

### *Landscaping*

The Project will landscape the setbacks along Ayala Avenue and Renaissance Parkway. In addition to the setbacks, the Project will provide landscape for ten percent of the parking area. The 10-foot landscaped easement on the south side of Renaissance Parkway (adjacent to property owned and used for flood control) will be reduced to a minimum of 5 feet east of Ayala Avenue to accommodate the drive aisle lanes for traffic flow and to accommodate the geometry of the street as it narrows from major arterial to residential collector.

### *Lighting*

The Developer must submit a lighting plan with the construction plans. The plan must show adequate lighting for circulation, safety, and security. The Addendum assumes that the Project operates night lighting seven days per week. The Project will provide outdoor 30-foot light standards enclosed within landscape planters and lighting levels maintained across the surface of the parking area at a minimum of 1.0 foot-candle.

### *Hours of Operation*

The hotel use was analyzed in the technical studies as open and operational 24-hours a day to accommodate travelers. The remaining restaurant and retail uses will be open during standard business hours. However, Sonic Drive-In would remain open until 1:00AM.

### *Infrastructure and Off-site Improvements*

Roadway improvements required by the TIA include dual left turn lanes, dual thru lanes, a bike lane, and a dedicated right turn lane to be constructed along the project boundary. The Project will widen West Renaissance Parkway to meet the requirements of a Major Arterial as specified in the Renaissance Specific Plan. Ayala Parkway consists of two northbound lanes and two southbound lanes. The Project will construct sidewalks, curbs, and gutters along both Ayala Drive and Renaissance Parkway. The Project will extend existing sewer and water facilities located within

Ayala Drive east along Renaissance Parkway to service the proposed Project.

### *Construction Schedule*

The Developer will construct offsite improvements beginning in January 2018, with completion approximately 6 months thereafter. Shortly thereafter, the Developer will commence site improvements (rough grading, drainage, fencing, and signage). The Developer may also construct finished lot improvements for some of the tenants (e.g. precise grading) before delivering a ready to build lot (others may accept rough graded properties). Vertical construction of the individual parcels occurs after sale of the parcels to users, with Cracker Barrel expected as the first purchaser in March 2018.

### *Addendum*

The City Council certified the Program RSP EIR in 2010. Thus, the City must review each project within the Renaissance Specific Plan Area in conjunction with the RSP EIR. For this Project, the City, acting in its capacity as Lead Agency, determined that an addendum to the previously certified RSP EIR is the appropriate environmental document under the California Environmental Quality Act (CEQA). According to CEQA Guidelines Section 15164, an addendum to a certified EIR may be prepared if some changes or additions are necessary but none of the conditions calling for preparation of a subsequent EIR have occurred. The following technical studies were prepared for the Addendum:

1. Air Quality
2. Biology
3. Paleontology
4. Phase I
5. Noise and Vibration
6. Traffic Impact Analysis

In reviewing the proposed Project, staff concluded that implementation of existing mitigation measures identified in the RSP EIR reduces potentially significant impacts of the Project to a level of insignificance. The RSP EIR incorporates mitigation measures into the proposed Project as a condition of approval. No additional mitigation measures are necessary.

### *Specific Plan Amendment*

A specific plan amendment is necessary to align West Renaissance Parkway in front of the Project Site with the intersection at Ayala. The goal is to create an intersection that is perpendicular rather than offset; to accommodate traffic flows from the Project Site; and to transition Renaissance Parkway to a residential collector street east of the Project Site. The street classification transitions Renaissance Parkway from a major arterial to residential collector street in approximately 1,600 linear feet of frontage. The amendment consists of two components:

1. Landscape Easement. The proposed Specific Plan Amendment modifies the landscape easements along Renaissance Parkway east of Ayala Drive:
  - a) Removal of a landscape easement on Renaissance Parkway east of Ayala Drive, and
  - b) Reduction of the parkway on the south side of Renaissance Parkway, east of Ayala Drive, to a minimum of 5 feet.
2. Street Vacation. Easton Street shows on the plans as a dedicated right of way. Since the City does not intend to construct Easton as shown on the Assessor's Map, the City must vacate the street. Easton Street originally traversed the parcels included in the proposed Project. However, due to the proximity of Easton Street to the Ayala Drive intersection and the SR-210 on-ramps, the City modified the path of Easton Street and constructed it



to intersect with Ayala Drive southeast of the Project site.

#### *Tentative Parcel Map*

The Site is 7.66 acres in size and consists of approximately (i) 3.08 acres consisting of three parcels (APN# 0264-151-79, 80 and 81) owned by the Rialto Successor Agency (“SA Parcels”); (ii) a 0.05 acre parcel (APN# 0264-151-59) owned by the City; and (iii) 4.40 acres of two parcels (APN# 0264-151-50 and 73) owned by the City of Rialto (“City Parcels”). An easement for public roadway purposes of approximately 1.42 acres bisects the City Parcels. A tentative parcel map (**Exhibit G**) is necessary to reconfigure the parcels to form 6 developable lots. The chart below shows the number and size of the parcels:

#### PARCEL SUMMARY:

PARCEL 1	99,890 S.F.
PARCEL 2	38,334 S.F.
PARCEL 3	41,815 S.F.
PARCEL 4	41,923 S.F.
PARCEL 5	30,268 S.F.
PARCEL 6	81,183 S.F.
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TOTAL:	333,413 S.F., 7.66 ACRES

#### *Conditional Development Permits*

The proposed Sonic restaurant is a fast casual dining option that will have a drive through lane. A drive through use is a conditionally permitted use in the Freeway Incubator (FI) zone of the Renaissance Specific Plan. Thus, Sonic, which is located on Pad 2, must obtain a conditional development permit. Specific requirements for a drive through are: (i) a canopy extending over the drive through aisle, (ii) trash receptacles placed at the end of the drive through aisle, (iii) receptacles placed in front of the entry and exit, and (ib) berming or screening of the cars in the drive through aisle along Renaissance Parkway, separate and apart from the landscaped setback.

A hotel use is also a conditionally permitted use in the Freeway Incubator (FI) zone of the Renaissance Specific Plan, so the Developer is required to obtain a conditional development permit. The hotel will have designated parking for check-in, an amenity (spa, conference center, and restaurant), as well as recreational facilities such as a gym and/or a pool and Jacuzzi.

#### *Variance*

The Renaissance Specific Plan currently allows a maximum sign height of 50 feet adjacent to the I-210 freeway. The Project proposes to have an 80-foot pylon sign (**Exhibit H**). Accordingly, the Project requires a variance to allow for the pylon sign. The applicant performed a flag test to confirm the maximum height needed to see the sign from the freeway traveling in either direction. The proposed sign is one of two freestanding pylons at the site. The other sign will be 25-foot high pylon sign, which meets the height requirement.

### **GENERAL PLAN CONSISTENCY**

The project is consistent with the following goals of the Land Use Element of the Rialto General Plan:

- **Goal 2-17:** Provide high quality and environmentally sustainable landscaping.
- **Goal 2-21:** Ensure high-quality planned developments in Rialto.
- **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.

## **ENVIRONMENTAL IMPACT:**

The proposed Project will not result in any new significant impacts that are not analyzed in the RSP EIR, nor will the project cause a substantial increase in the severity of any previously identified environmental impact. The potential impacts for the proposed Project are the same or less than those described in the RSP EIR. In addition, there are no substantial changes to the proposed Project that would result in new or more severe environmental impacts than previously addressed in the RSP EIR, nor has any new information regarding the potential for new or more severe significant environmental impacts been identified. Therefore, in accordance with Section 15164 of the State CEQA Guidelines, the Addendum to the previously certified RSP EIR is the appropriate environmental documentation for the commercial center. In taking action on any of the approvals for the proposed Project, the decision making body must consider the whole of the data presented in the RSP EIR, augmented by the Addendum (**Exhibit I**) and the previously adopted Mitigation Monitoring and Reporting Program (**Exhibit J**).

The Addendum and Mitigation Monitoring and Reporting Plan are included with this report. Electronic copies of the technical studies are available for review in the Development Services Department, Planning Division and online at [www.rialtoca.gov](http://www.rialtoca.gov) <<http://www.rialtoca.gov>>.

## **LEGAL REVIEW:**

The City Attorney reviewed and approved the staff report and Resolutions.

## **FINANCIAL IMPACT:**

Upon full build-out of the proposed uses, the City will realize approximately \$290,000 per year in new general fund revenues from retail sales taxes, property taxes, utility taxes, and business license taxes. In addition, the City anticipates approximately \$275,000 annually from transient occupancy taxes if the 100-room hotel develops. The Project will also pay approximately \$1.8 million in various Development Impact Fees and Fair Share Fees.

## **RECOMMENDATION:**

Staff recommends that the City Council:

Request City Council to Conduct a Public Hearing to:

- 1) Approve Resolution No. \_\_\_\_ for Environmental Assessment Review No. 2017-0055 or an Addendum to the 2010 certified Renaissance Specific Plan Final EIR for the construction of an 80,000 square foot commercial center;
- 2) Approve Resolution No. \_\_\_\_ for Specific Plan Amendment No. 2017-0003 to amend the Renaissance Specific Plan to modify the street cross section for Renaissance Parkway;
- 3) Approve Resolution No. \_\_\_\_ for Tentative Parcel Map No. 2017-0007 subdivide a 7.6 acre site into six developable lots;
- 4) Approve Resolution No. \_\_\_\_ for Conditional Development Permit No. 2017-0029 for a 2,720 sq. ft. drive through restaurant (Sonic); and
- 5) Approve Resolution No. \_\_\_\_ for Variance No. 2017-0010 to allow an 80-foot advertising sign.



